

City Council
October 12, 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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October 2015

Monday 12th:	CITY COUNCIL Worksession 4:00 p.m., Committee of the Whole 5:00 p.m., and Regular Meeting 6:00 p.m.
Tuesday 13th:	ECONOMIC DEVELOPMENT ADVISORY COMMISSION Regular Meeting 6:00 p.m.
Wednesday 14th:	PUBLIC SAFETY BUILDING REVIEW COMMITTEE Meeting 5:30 p.m.
Thursday 15th:	PARKS AND RECREATION ADVISORY COMMISSION Regular Meeting 5:30 p.m.
Monday 19th:	CITY OFFICES CLOSED IN OBSERVANCE OF ALASKA DAY
Tuesday 20th:	CITY COUNCIL Special Meeting 6:00 p.m. (Oath of Office)
Wednesday 21st:	PLANNING COMMISSION Worksession 5:30 p.m. and Regular Meeting 6:30 p.m.
Thursday 22nd:	CANNABIS ADVISORY COMMISSION Regular Meeting 5:30 p.m.
Friday 23rd:	PUBLIC SAFETY BUILDING REVIEW COMMITTEE Funding Feasibility Review 8:00 a.m. – 5:00 p.m.
Monday 26th:	CITY COUNCIL Committee of the Whole 5:00 p.m. and Regular Meeting 6:00 p.m.

Regular Meeting Schedule

City Council 2nd and 4th Mondays 6 p.m.

Library Advisory Board 1st Tuesday with the exception of January,
April, August and November 5:00 p.m.

Economic Development Advisory Commission 2nd Tuesday 6 p.m.

Parks and Recreation Advisory Commission 3rd Thursday with the exception of July,
December and January 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 6:00 p.m.)

Public Arts Committee Quarterly 2nd Thursday 5:00 p.m. Upstairs in the Conference Room
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, Katie Koester

City Attorney, Thomas F. Klinkner

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

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



WORKSESSION
4:00 P.M. MONDAY
OCTOBER 12, 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 KLUNKNER
CITY MANAGER KATIE KOESTER
CITY CLERK JO JOHNSON

WORKSESSION AGENDA

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

Councilmember Reynolds has requested excusal.

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

3. 2016 BUDGET

A. Memorandums 15-168 and 15-169 from City Manager, Re: 2016 Budget

Pages 7/29

B. Revenue Solutions: Town Hall Meeting Report

Page 11

C. Revenue Options/Public Information on Proposition(s)/Special Election Date:

Ordinance 15-36(A), An Ordinance Amending HCC 9.16.010 to Suspend the Dedication of 0.75% of the City Sales Tax to the Homer Accelerated Roads And Trails (H.A.R.T.) Program for a Period of Up to Three Years, and Authorizing the City to Submit the Question of Suspending Such Sales Tax Dedication to the Qualified Voters of the City at a Special Election to Be Held in the City on _____. Mayor.

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Ordinance 15-37, An Ordinance of the Homer City Council Amending HCC 9.16.010 to Provide for an Increase in the Rate of the City Sales Tax From 4.5% to 5.5% From April 1st Through September 30th, With the Increase to be Used for General Government Purposes, and Authorizing the City To Submit the Question of Such Sales Tax Increase to the Qualified Voters of The City at a Special Election to Be Held in the City on _____. Lewis.

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Ordinance 15-39, An Ordinance of the City Council of Homer, Alaska, Appropriating Funds in the Amount of \$_____ From the General Fund Balance for Public Information on the Ballot Propositions to Suspend the Dedication of City Sales Tax to the H.A.R.T. Program, and/or to Increase the Rate of the City Sales Tax From 4.5% to 5.5% From April 1st Through September 30th, Including Without Limitation Information That May Influence the Outcome of the Election on the Proposition. Mayor.

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Resolution 15-086(A), A Resolution of the City Council of the City of Homer, Alaska, Calling for a Special Election to Be Held in the City on _____, for the Purpose of Submitting to the Qualified Voters of the City a Proposition to Suspend the Dedication of 0.75% of the City Sales Tax to the Homer Accelerated Roads and Trails (H.A.R.T.) Program for a Period of Up to Three Years. Mayor.

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Memorandum 15-163 from City Clerk and City Manager as backup.

Page 313

4. COMMENTS OF THE AUDIENCE

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

Next Regular Meeting is Monday, October 26, 2015 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.



City of Homer

www.cityofhomer-ak.gov

Office of the City Manager

491 East Pioneer Avenue
Homer, Alaska 99603

citymanager@cityofhomer-ak.gov

(p) 907-235-8121 x2222

(f) 907-235-3148

Memorandum 15-168

TO: Honorable Mayor Wythe and Homer City Council
FROM: Katie Koester, City Manager
DATE: October 7, 2015
SUBJECT: Revenue Solutions and Special Election Advertising and Dates

I have three goals for the October 12 meeting that will significantly advance the budget conversation:

- 1) Decide on a revenue option to take to the voters.
- 2) Set a date for a special election.
- 3) Receive guidance from Council on a revenue option informational campaign.
- 4) Set a date for the third Town Hall.

1) Revenue Options

Suspending HART and implementing a seasonal sales tax are both on the agenda for the October 12 meeting. Both options meet the necessary requirements of raising significant revenue and can be implemented by the voters in the short term. I would like Council to engage in a discussion regarding both options with the hope of landing on one to take to the voters.

Why pick only one option?

I know there has been a desire expressed to let the voters choose between different options. There are pros to this option; however, I believe two initiatives on the ballot would be confusing. It potentially dilutes the votes of voters who do not want to see a reduction in City provided services. Conversely, it presents a problem if both ballot measures win, which would take precedence? It also makes it difficult for staff to send a consistent message, if an information campaign is approved (Ordinance 15-39).

The pros and cons generated from the public at the Town Hall are presented below. I have also attached the revenue pages from the 'Closing the Gap' Town Hall in July. I would be interested in increased discussion by Council.

Seasonal Sales Tax Increase (6 months 1%): \$1,141,762

Revenue solutions Town Hall: Positive Response 88%

PRO:

Captures revenue from visitors
Better than a year round increase
More equitable
Visitors have money
Will have more money in the winter when we need it

CON:

In effect acts like a bed tax
Regressive
Changes to sales tax add to the complexity of collection by businesses

Suspend Homer Accelerated Roads and Trails (HART) for 3 years: \$996,601

Revenue solutions Town Hall: Positive Response 90%

PRO:

Not new revenue (redirection of program that has been around for 27 years)
Current balance: Roads: \$7m / Trails: \$560,000 (low yield)
Could be reduced
Could have a special election soon (b/c second reading on October 12)

CON:

Roads are critical infrastructure
Used as matching to leverage grants
SAD program
Trails are needed
Savings for emergency road needs is important

2) Set a date for a special election

Resolution 15-086 sets a date for a special election. At the last Council meeting I asked you to leave that blank so we could come back and set the date once we knew if a runoff election was necessary. Without a runoff, the pressure to reduce the number of elections and consolidate a special election on revenue options with a runoff has been relieved. The printer needs a minimum of 10 days to print a ballot. The pros and cons of the two most logical options are discussed below.

December 1 Special Election: Absentee voting November 16 - December 1.

PRO:

-It would be a great relief to deal with this issue before the end of the year and begin 2016 with clarity

-It would remove the uncertainty for employees over the Christmas holiday.

CON:

- Puts absentee voting over the Thanksgiving holiday
- Does not give much time for an informational campaign. If Ordinance 15-37 is approved on October 26, that is just 3 weeks before absentee voting begins
- Could appear rushed by the public
- December is a time when people are often gone
- Will be difficult for staff to administer

February 2 Special Election: Absentee voting January 18 – February 2.

PRO:

- Gives plenty of time for an informational campaign
- Is not near 'the holidays'

CON:

- Extends the uncertainty for employees – and organizations that depend on City revenue for their 2016 budget – by 2 months
- City cannot focus on other needed projects while the budget discussion looms
- Would have to fund the first two months difference between Budget A and Budget B, \$92,000, from fund balance (this could later be reimbursed if either of the options being considered are approved).

3) Guidance on informational campaign

Ordinance 15-39 authorizes the City Manager to spend money on an information campaign for either of the revenue options discussed tonight.

If Council approves Ordinance 15-36(A) and/or 15-37, I propose an informational campaign that prints and mails a brochure to all registered super voters. This same brochure can be used for Council members to educate the public on the ballot initiative. A get out the vote campaign, including advertisements in papers, will be necessary given the unique timing of the elections. From what I understand, the appropriation does not need to include staff time to draft or execute the informational materials. Please provide further direction on additional outreach measures Council would like to see happen.

One mailing to registered voters (postage): \$2000

Print 4500 copies of a brochure: \$1000

Newspaper advertisements: \$1,000

Total: \$4000

4) Date for third Town Hall

We have advertised a third Town Hall for folks after the draft budgets are released that will have an online 'balance the budget' component. Currently, the date that has been advertised is November 2nd. This could be changed/discussed depending on the date Council chooses for a special election.

Enc: Closing the Gap Town Hall revenue options results



City of Homer

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Homer, Alaska 99603
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(f) 907-235-3148

Memorandum

TO: Mayor Wythe and Homer City Council
THROUGH: Katie Koester, City Manager
FROM: Patrick Lawrence, Assistant City Manager
DATE: September 25, 2015
SUBJECT: Revenue Solutions - Town Hall Meeting

The purpose of this memo is to share the results of the Revenue Solutions Town Hall held September 23rd at City Hall. A more formal presentation will be on the agenda for October 12 meeting.

Turnout was good with over 50 attendees, 83% city residents. The meeting opened with an overview from City Manager Koester and Mayor Wythe on where the City's finances currently stand and meeting goals. Community members in attendance were provided an opportunity to share their opinions and ask questions of the City Manager and Mayor. The public was brought up to speed on the barriers, pros and cons of many different revenue options, however the 5 options that a) raised significant revenue and b) were feasible for 2016 were discussed in detail and the public was asked to share pros and cons of each option. After an open floor discussion of each option the audience was asked to vote on whether they would like to see these options enacted.

Community members were in favor of seeing 3 of the 5 possible solutions enacted.

Most in Favor (Percentages include all positive responses; 'In Favor', 'Mostly in Favor', 'Somewhat in Favor')

- 1) Seasonal sales tax increase of 1% over 2nd and 3rd quarter - 90%
- 2) Suspend HART fund for 2-5 years - 88%
- 3) Increase sales tax 0.5% - 74%

Most not in Favor (Percentages include all negative responses; 'Mostly not in favor', 'Not in favor')

- 1) No Revenue (making up deficit by cuts only)- 72%
- 2) Raise property tax - 61%

Community members were also asked to leave comments after voting concluded. Comments ranged from emphasizing supporting of suggested solutions to alterations of proposed ideas.

Attached:

Revenue Solutions Spreadsheet
Key Pad polling results
List of Pros and Cons from meeting
Public Comment

2015 REVENUE OPTIONS

09/23/2015

BOROUGH

REVENUE	ANNUAL \$ VALUE	PRO	CON	BARRIER	EFFECTIVE 2016?	HOW WOULD BECOME EFFECTIVE	RESPONSE FROM PUBLIC	NOTES	ADD. INFO. 9/14 Packet
Raise Sales Tax Cap from \$500-1000	Unknown	Instituted Borough wide.	Burden on businesses, especially those that sell large items. Raise rent cost.	Unsure how much momentum is behind current proposal.	No	Ordinance by Borough and vote (note, it can be implemented w/o a vote, but the current proposal puts a vote to Borough residents).	Town Hall: 80% positive response; Online survey: 39.83% selected option	KPB Assembly Member Cooper has proposed putting this on the ballot will be reviewed by borough as part of comprehensive tax code review.	KPB Ordinance 2015-09, Page 33
Internet Sales	Unknown	Wouldn't it be great to tax Amazon! Or at least tax those sales that are taxable...	Barriers to implementation.	Borough would have to expand its taxation of internet sales to its full ability. City taxing on own requires Borough approval and would be logistically difficult.	No	A) Borough would expand its taxation of internet sales to full extent allowed by constitution (lots of rules apply, most sales not taxable). B) Borough would allow municipalities to tax internet sales. Then the City would have to collect tax.	Not polled	Limitations on what you can tax are severe. Store has to have a physical presence in Borough/State.	Memo from City attorney on taxation of internet sales. Pg. 39
Bed Tax	\$120,000 per 1%	Captures revenue from visitors.	Targets one industry. Argument revenue should be dedicated to economic development. Not enough to balance budget unless very high.	Requires Borough action.	Unlikely	Borough would need to allow COH to institute a tax OR pass one themselves. Then would need a vote. Borough appetite for bed tax seems low. If Borough allowed City to collect tax, we would have to get in the business of tax collection.	Town Hall: 81% positive response; Online survey: 65.41% positive response	Estimate provided by KPTMC in 2012	Tourism, Its Everyone's Business Flyer. Pg. 45
Excise Tax	Unknown	Popular to tax alcohol, tobacco, and marijuana.	Difficult to implement. Revenue impact very unknown.	State rules, may be opportunity with marijuana changes.	Maybe?	Borough could implement an excise tax which would impact City. City may be able to implement, and collect, excise tax on own.	Not polled	Lots of outstanding issues and potential with legalization of marijuana and desire to tax it.	

COUNCIL

Increasing Fines for Code Violations	Negligible	Can be done by Council.	Enforcement can cost more than revenue (officer/staff/legal time).		Yes	With budget cycle.	Town Hall: 67% positive response; Online survey: 25.77% selected option	Staff will review fee schedule and propose reasonable increases for 2015 budget cycle.	
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2015 REVENUE OPTIONS

09/23/2015

REVENUE	ANNUAL \$ VALUE	PRO	CON	BARRIER	EFFECTIVE 2016?	HOW WOULD BECOME EFFECTIVE	RESPONSE FROM PUBLIC	NOTES	ADD. INFO, 9/14 Packet
Reinstate Seasonal Sales Tax on Non-prepared Food	\$833,473	Can be implemented by Council. Not a 'new' tax.	Taxes basic necessity. Regressive.	Voters will likely remove option to not participate for first class cities in October.	Only if voters fail October ballot initiative.	Ordinance by Council.	Town Hall: 82% positive response; Online survey: 46.96% selected	Sales tax that would have been generated from 9/1 to 5/31: 2010-2011 \$735,501; 2011-2012 \$794,163; 2012-2013 \$812,065; 2013-2014 \$833,473	KPB Ordinance 2008-28. Pg. 31
Eliminate COH \$20,000 Property Tax Exemption for Primary Residence	\$94,000	Can be implemented by Council.	Burden is on year round City of Homer residents. Does not raise much revenue.		Yes	Requires Council action only.	Town Hall: 42% positive response; Online survey: 25.79% selected option	The City cannot exempt more than \$50,000 on primary residence. Currently we exempt the first \$20,000, but could exempt less. The \$94,000 figure	Certified Real Property from KPB. Pg. 37
Raise Property Tax 1 Mill	\$660,000 per mill.	Can be implemented by Council.	Increases taxes on residents when many of the services City provides are to entire Homer area.		Yes	Council pass a resolution by July 1, 2016 increasing the mill rate.	Town Hall: 65% positive response; Online poll: selected by 24.74% of respondents	Currently COH taxpayers pay 4.5 COH, 4.5 KPB and 2.3 SPH (total 11.3). According to HCC if property taxes increase to 6 mills, sales tax is eliminated.	KPB Mill Rate Chart. Pg. 13
VOTERS									
Raise Sales Tax .5%	\$854,434	Raises sufficient funds to bring City close to closing the gap. Taxes non-residents who use City services.	Places burden on local business. Makes rents more expensive.	Need a vote of City residents.	Yes - after first quarter	Council would pass an ordinance to increase the sales tax and for a special election.	Town Hall: 85% positive response; Online survey: 35.43% selected option	Based on 2014 sales tax revenue. Revenue estimate for 2016 (2-4 quarters) is \$717,669. Current COH sales tax is 4.5% COH and 3% KPB.	
1% seasonal sales tax increase (6 months of year)	\$1,141,762	Captures more visitor revenue. Closes gap.	Burden on local businesses.	Need a vote of City residents.	Yes	Council would pass an ordinance to increase the sales tax for a special election.	Not polled	Based on 2014 sales tax revenue.	
Repeal HART (direct .75% sales tax back to general fund)	\$996,601	No tax increase for public. Generates sufficient revenue to close the gap.	Eliminates funding for roads and trails, basic infrastructure Short term fix. Would effect road HSAD program.	Need a vote of City residents.	Yes	Council would pass an ordinance to not continue to fund HART and for a special election.	Not polled	Based on 2014 sales tax revenue. HART has been around since 1987.	HART fund activity reports. Pg. 15 Legislation enacting HART. Pg. 17 HART Policy Manual. Pg. 21

Session Name
Townhall 9-23-2015 6-56 PM

Date Created
9/23/2015 3pm

Active Participants
55

Total Participants
55

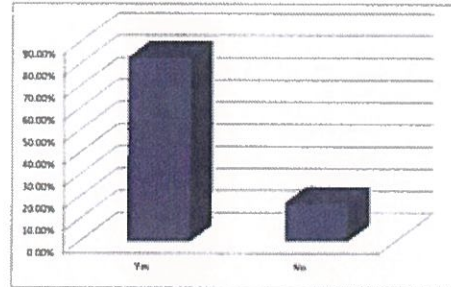
Average Score
0.00%

Questions
6

Results by Question

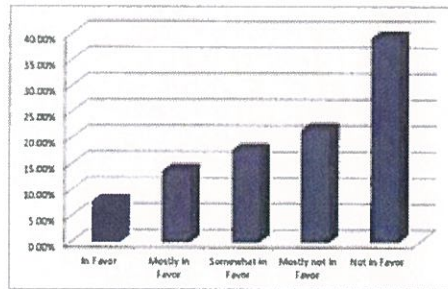
1. Are You a City Resident (Multiple Choice)

	Responses	
	Percent	Count
Yes	82.69%	43
No	17.31%	9
Totals	100%	52



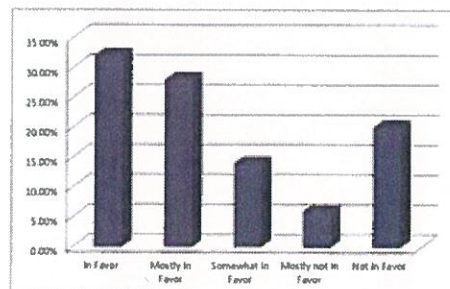
2. Raise Property Tax 1 Mill (Multiple Choice)

	Responses	
	Percent	Count
In Favor	7.84%	4
Mostly in Favor	13.73%	7
Somewhat in Favor	17.65%	9
Mostly not in Favor	21.57%	11
Not in Favor	39.22%	20
Totals	100%	51



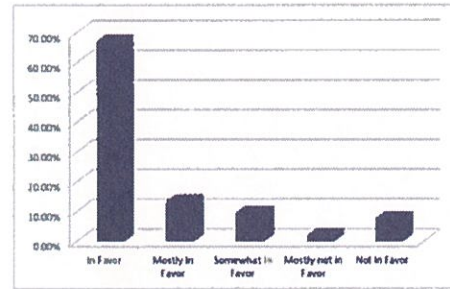
3. Raise Sales Tax 0.5% (Multiple Choice)

	Responses	
	Percent	Count
In Favor	32.00%	16
Mostly in Favor	28.00%	14
Somewhat in Favor	14.00%	7
Mostly not in Favor	6.00%	3
Not in Favor	20.00%	10
Totals	100%	50



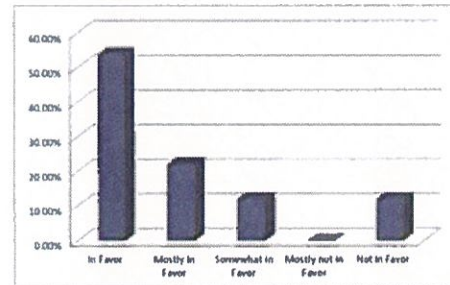
4. Seasonal Sales Tax (Multiple Choice)

	Responses	
	Percent	Count
In Favor	67.31%	35
Mostly in Favor	13.46%	7
Somewhat in Favor	9.62%	5
Mostly not in Favor	1.92%	1
Not in Favor	7.69%	4
Totals	100%	52



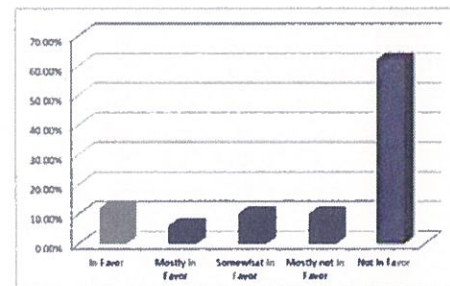
5. Suspend and Redirect HART (Multiple Choice)

	Responses	
	Percent	Count
In Favor	54.00%	27
Mostly in Favor	22.00%	11
Somewhat in Favor	12.00%	6
Mostly not in Favor	0.00%	0
Not in Favor	12.00%	6
Totals	100%	50



6. No New Revenue (Multiple Choice)

	Responses	
	Percent	Count
In Favor	12.00%	6
Mostly in Favor	6.00%	3
Somewhat in Favor	10.00%	5
Mostly not in Favor	10.00%	5
Not in Favor	62.00%	31
Totals	100%	50



Town Hall Meeting
Revenue Solutions - Pros and Cons

09/23/2015

Property Tax Pro (Mil \$1 Per \$1,000)	Property Tax Con (Mil \$1 Per \$1,000)
SRS \$150,000 exemption if Mil = 6 then 0 sales tax generates \$660,000.	Raising Mil rate pushes growth outside city limits Senior exemptions - discounting more 5,000 property owners in city 12,000 in area unfair burden on city parcel owners Taking money out of disposable income Natural gas assessment - recent large budget strain for property owners What about 1/2 Mil or 0.75 Mil?
Sales Tax Pro (0.5% Year Round)	Sales Tax Con (0.5% Year Round)
Outside residents participate State may leave this to cities Harbor sales tax might be a good addition revenue source Visitors contribute Ability to write off	People may choose to buy things elsewhere Cost of election \$6,000 Burden on business Unfair for residents - cannot avoid sales tax on utilities Year round burden Regressive Eliminate sales tax cap make tax 4% for entire purchase
Seasonal Sales Tax Pro (1% x 6 Mon. Summer & Shoulder)	Seasonal Sales Tax Con (1% x 6 Mon. Summer & Shoulder)
Captures \$ from visitors Better than yearly More equitable Visitors have \$ Winter when need \$ have it	In effect acts like a bed tax Regressive
Repeal Future HART Pro (Suspend 3-5 Years)	Repeal Future HART (Suspend 3-5 Years)
Not new / redirection 27 years 7M here (low yield) / 560K Trails Could be reduced Could have a special election (4-6 weeks)	Roads is critical infrastructure Used as matching funds to contribute small portion to leverage large grant S.A.D Program Trails are needed Having savings positions city for unpredicted road needs Consider short term suspension - or reduce it
No New Revenue Pros	No New Revenue Cons
None	Layoffs Loss of services Makes community less desirable Derated Fire Dept. - property insurance rates Fine to State P.E.R.S. for eliminating an entire Dept. Harder to attract tourists (camping, park, library, etc.) Loss of leverage (example child advocacy @ Haven House)

Please feel free to leave any additional comments below. The City of Homer would like to be as thorough as possible when exploring solutions to the budget deficit and we value your input.	
1. Reinstate food tax. Take HART to .10% for trails, .15% roads, .5% to City general fund, .5% sales tax for 6 months. No action on property measures. A bed tax all cities have it 3%. Sales tax cap at \$750.00. Look at what City did in the oil drop of 1985-1986.	
2. Currently tourists / visitors pay 2 1/2x higher tax on a bed as compared to outside City limits. A bed tax would mean 3 1/2x as much. Think carefully before you drive visitors to seek a place outside city limits.	
3. Sales Tax - food or not food, seasonal or not seasonal, sales tax cap - agh! Keep it simple! How about sales tax on everything from May - Dec and 0% sales tax Jan - Apr. Who wants to micromanage whether graham crackers are food or cookies? Also off the shelf software has a tough time with sales tax caps.	
4. Climate change or carbon tax .25 per gallon.	
5. The City has to join with other Cities and Municipalities to roll back pensions and retirement benefits. It is not enough to pass the buck to the State and claim it can't be done. Benefits to the tune of 22% per employee per year are not in line with the current fiscal reality. We have to look at these hard choices rather than continue to ignore this and pass it on to our children. According to your HR Department the average applicants that apply to each job is around 376. We don't need to be competitive with other cities we already are attracting hundreds of employees per job. This is not about being cruel to employees we in the private community have taken cuts too. It's just the fiscal reality we live in today. I am literally shocked that we didn't talk about cuts in this meeting and instead started at we need to tax more.	
6. Bed Tax - Yes!! People who come here have money. We are providing services that costs the permanent residents. My wife and I travel a lot - internationally and in the U.S. Never, is our destination determined by if they have a bed tax. Climate natural or cultural attractions determine that. Will tourists drive back up to Soldotna to save \$10.00 bed tax? - No.	
7. Property tax - Please consider a progressive property tax. There are 219 properties in the City with valuation > \$500,000. 40 properties with valuation of > \$1,000,000. How about asking those who can afford to pay more to do so.	
8. re HART - Temporary 3-5 year reappropriation of .5% of the .75% of HART designated funds to meet next year's budget is reasonable. I'd like it to fall more heavily on the 'road' portion, as the 'trail' portion is much smaller. (only 10% goes to trails). We have approximately 7 years worth of accumulated Road funds (\$7M that gains 1M per year) and only 4 years worth of accumulated Trail funds (\$400k that gains 100k per year). I'd like to see the City devote a work session to spending the HART fund to not just keep up, but invest and get ahead on projects with an eye to streamlining maintenance. There are projects from the NMTTP and CIP (Main, Heath, Drive, Pioneer intersections) that are worth undertaking. You will see \$85,000 in HART requests coming from Planning and Parks & Rec to complete sidewalks to schools, add safe crossings and shoulder striping around the WHE/HMS neighborhoods. Spending HART funds may provide economic infusion if local businesses bid on projects. re PARC I serve on the Public Arts Committee and we have opened a discussion with the Parks and Rec Commission to consider the value of merging into a PARC Commission (parks, arts, recreation and C can be for Culture, Commerce, Community, Committee or Commission). Would this save money? Boards and Commission that meet only quarterly are difficult to sustain momentum. Also where there are strong non-profit counterparts, maybe City commissions and boards are not as essential. These non-profits are incredible partners. What if the City's PFD fund was further invested to support non-departmentals more sustainably?	
re STX. Food or no food, Seasonal or not seasonal, and the sales tax cap. Lets work with the borough for a simple system. Everybody wants an exemption. But everybody uses roads, from the	



TONSINA, LLC

東科

elements of construction

September 22, 2015

Ms. Katie Koester, City Manager
City of Homer
491 East Pioneer Avenue
Homer, AK 99603
Hand Delivered

Dear Katie:

Thank you for the invitation to participate in the town hall style meeting concerning the budget. The non-profit community is facing very similar shortfalls and I have a Homer Foundation meeting scheduled for the same time. But I would like to provide some thoughts and observations concerning the financial plight that is, actually, just in its early stages. But first, the budget:

1. **HART Funds Available** – I pointed out to you at the last public meeting that the HART fund has grown to ~\$7mm and just accumulating money is not a good use of revenue. You must seem to agree with that since one of the considerations for new revenue on your list is a reallocation of the .75% sales tax for the HART Fund into the general fund. While you projected new revenues to be \$996,601, my math indicates the amount to be more like \$1,262,726. (The 2015 projected sales tax was \$7,576,358 which, divided by 4.5 and then multiplied by .75 gets us to my number, which might be light if a 1% value equals \$1,708,868.) I favor redirecting that sales tax into other areas, but the quality of life issues are of a very high value to me, and I want to see at least some of that money placed to support our arts and recreational needs.
2. **"Permanent" Fund Available** – A prior council restricted the expenditure of the proceeds from the settlement from Exxon for the 1989 oil spill. I'm sure you are aware that these funds are subject to appropriation by the council at any time (as, if you have reviewed past memoranda from the City Attorney, are any of the so-called dedicated funds). The utility of keeping funds for their earnings, when interest rates are close to 0%, is questionable at best. Absent a charter that might otherwise obligate the City to have such a fund, there are many better uses for that money. A new police station comes to mind. But for reasons I'll explain below, this would be a good time for the City to clean up its fund balances.
3. **A Bed Tax** – Most every Podunk town in the United States has a hotel tax, and in Alaska, they range from 2% – 14%. It is time for Homer to derive some additional benefit from the people that vacation and seasonally work here.
4. **Reductions in Exemptions** – I obtained information from the Borough last spring concerning the steady growth of property benefiting from partial tax exemptions through ownership by persons

age 65 or older. I shared that information with the city council. As a reminder, there were 171 partially or fully exempted properties in the 2000 tax year, with an exemption value of ~\$17mm. By 2014, the number of properties had doubled to 390, but the exemptions had increased 352% to ~\$60mm. It is only going to get worse as the bulk of the "baby boomers" reach that magic age. (See attached population chart.) Added to the simple demographic facts of the general population at large, Homer is also a community of aged snowbirds holding Alaskan residency. The rapid expansion of exemptions has to be curtailed.

5. **Urge to Build Additional Reserves** – The council has continued to make financial decisions that are based on personal financial beliefs, not tax exempt realities. We have had 40 years of having the luxury of spending other people's money (OPM) without any concern for asking for the advice and consent of the electorate. That has come to its end. Building large capital projects and then building a fund for depreciation, taxes the current citizens twice for the same implied benefit. The City must return to a system of bonding our projects. This system allows for the capital cost, the cost of capital, and the running depreciation, are all paid over the life of the bond. That is the traditional method of municipal financing. OPM is better, but a return to self-reliance is imperative.

In regards to the financial future, and the community's ability to adapt, the City leadership is going to have to reengage a skeptical citizenry. These town meetings are a good step, but embargoing certain funds, while crying poverty, will not get you very far. The council has been fairly cavalier in its "priorities" of spending and handling of grants and other income. At the same time, other priorities, such as a storm water system and recreational facilities have been sloughed off to study and continued delay. The days of the multi-paged CIP list are over.

It also should not be lost on you that the city sharing a border with Homer *does nothing*. It is a fact that doing nothing is easy when Homer does so much, but when there is little spent, there is not much to cut.

Major fiscal changes need to begin today: local, state, national and international alike. Homer has a lot going for it, and will do better than many communities in weathering bad economic times. We can afford some additional burden of taxation, but new taxes will not be embraced with millions sitting in the bank, and no promise of anything other than eliminations of activities and programs that support our contentment.

Again, I am sorry to not be able to take part in the town meeting, but I'm sure I have said far more in this letter than I could have gotten in there. I have attached some pages that kind of support that which is above.

Best wishes and luck,



Ken Castner

City of Homer, Alaska

Governmental Funds
Balance Sheet

	Major Funds						
	General	Utility Special Revenue	Gas Line Capital Project	HART Roads Capital Project	Nonmajor Funds	Total Governmental Funds	
December 31, 2014							
Assets							
Cash and Investments	\$ 386,625	\$ 1,380,183	\$ -	\$ 6,823,357	\$ 2,739,904	\$ 11,330,069	
Receivables, net of allowance:							
Accounts	-	185,523	-	-	-	185,523	
Property taxes	77,008	-	-	-	-	77,008	
Sales taxes	759,645	189,919	-	170,922	18,995	1,139,481	
Assessments	407,314	4,814,314	-	-	-	5,221,628	
State and federal grants and loans	-	-	3,550,020	-	-	3,550,020	
Other	37,262	-	-	-	234,321	271,583	
Interfund loan	300,000	-	-	-	19,420	319,420	
Due from other funds	5,240,998	-	-	-	-	5,240,998	
Inventory	52,312	254,382	-	-	-	306,694	
Prepaid Items	234,289	31,712	-	-	-	266,001	
Restricted cash and Investments	-	-	1,273,602	-	2,029,389	3,302,991	
Total Assets	\$ 7,495,453	\$ 6,856,033	\$ 4,823,622	\$ 6,994,279	\$ 5,042,029	\$ 31,211,416	
Liabilities							
Accounts payable	\$ 213,661	\$ 148,806	\$ 117	\$ -	\$ 220,097	\$ 582,681	
Accrued payroll and related liabilities	196,132	40,821	-	-	-	236,953	
Customer deposits	16,204	43,652	-	-	-	59,856	
Unearned revenue	5,414	-	-	-	43,533	48,947	
Due to other funds	-	-	5,104,918	-	136,080	5,240,998	
Total Liabilities	431,411	233,279	5,105,035	-	399,710	6,169,435	
Deferred inflows							
Deferred property taxes	78,695	-	-	-	-	78,695	
Deferred assessments	416,314	4,814,887	-	-	-	5,231,201	
Total Deferred Inflows	495,009	4,814,887	-	-	-	5,309,896	
Total Liabilities and Deferred Inflows	926,420	5,048,166	5,105,035	-	399,710	11,479,331	
Fund Balances							
Nonspendable:							
Inventory	52,312	254,382	-	-	-	306,694	
Prepaid Items	234,289	31,712	-	-	-	266,001	
Interfund loan	300,000	-	-	-	19,420	319,420	
Restricted - roads and trails							
Roads and trails	-	-	-	6,994,279	543,792	7,538,071	
Special service district	76,421	-	-	-	-	76,421	
Committed - Permanent fund							
Assigned:	-	-	-	-	2,031,828	2,031,828	
Assigned:							
Library	-	-	-	-	32,593	32,593	
Public Safety	-	-	-	-	97,530	97,530	
Community schools	-	-	-	-	492	492	
Sustainability	-	-	-	-	14,780	14,780	
Water and sewer	-	1,521,773	-	-	-	1,521,773	
PERS benefits	171,314	-	-	-	14,665	185,979	
Capital and land	-	-	-	-	1,968,241	1,968,241	
Unassigned (deficit)	5,734,697	-	(281,413)	-	(81,022)	5,372,262	
Total Fund Balances	6,569,033	1,807,867	(281,413)	6,994,279	4,642,319	19,732,085	
Total Liabilities, Deferred Inflows and Fund Balances	\$ 7,495,453	\$ 6,856,033	\$ 4,823,622	\$ 6,994,279	\$ 5,042,029	\$ 31,211,416	

See accompanying notes to basic financial statements.

City of Homer
2015 Budget

Table II, Sales Taxes

Year	Receipt
2010 Actual	\$6,622,567
2011 Actual	\$7,056,403
2012 Actual	\$7,047,516
2013 Actual	\$7,135,699
2014 Budgeted	\$7,425,769
2015 Projected	\$7,576,358

Non-prepared foods are exempt from sales tax for the months of September through May. Kenai Peninsula Borough statistics shows the exempt sales amounted to about \$18,000,000 in total.

Taxes on personal properties are budgeted at the level of past few years' experiences. All other revenue line items, which are not specifically mentioned here, are estimated based on the same principle.

The Alaska Shared Revenue and the Prisoner Care Contract Revenue are actual amounts allocated to the coming fiscal year.

Revenues from the Airport Terminal Services are further reduced from 2014 estimate due to the pullout of Grant Aviation & FedEx.

SPECIAL REVENUE FUNDS (Water & Sewer Fund):

The city has one Special Revenue Fund: **Water & Sewer Fund**. The city adopted a new consumption based Rate Model as of January 1, 2014.

Water Fund:

2014 year-to-date consumption [volume] based revenue is going to exceed the budgeted amount by about \$150,000.

Sewer Fund:

2014 year-to-date sewer revenue is not going to meet the budgeted level. The deficit is close to \$200,000.

However, Water & Sewer Fund will have a significant surplus in Fiscal year 2015 due to the reorganization and the Health Insurance change. Detailed discussions are included in the City Manager's Budget Message in the Introduction section of this budget.

ENTERPRISE FUND (Port & Harbor Fund):

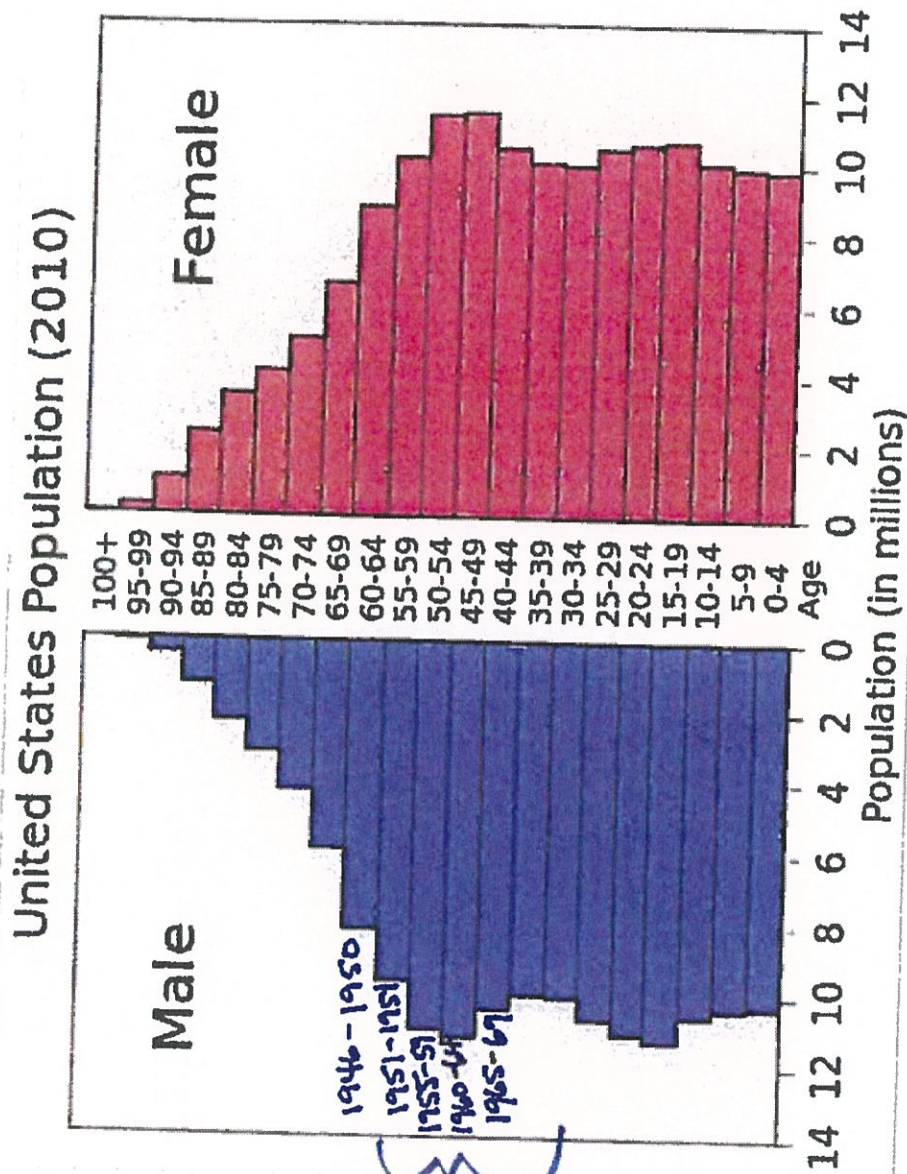
Generally Accepted Accounting Principles (GAAP) requires the state and local governments to use the **Enterprise Fund** type to account for "business-type activities designed for self-

Revenue Assumptions

2015 REVENUE OPTIONS

REVENUE	ANNUAL \$ VALUE	PRO	CON	BARRIER	EFFECTIVE 2016?	HOW WOULD BECOME EFFECTIVE	RESPONSE FROM PUBLIC	NOTES	ADD. INFO.
Raise Property Tax 1 Mill	\$660,000 per mill.	Can be implemented by Council.	Increases taxes on residents when many of the services City provides are to <u>outside Hamer area</u> .		Yes	Council pass a resolution by July 1, 2016 increasing the mill rate.	Town Hall: 65% positive response; Online poll: selected by 24.74% of respondents	Currently COH taxpayers pay 4.5 COH, 4.5 KPB and 2.3 SPH (total 11.3). According to HCC if property taxes increase to 6 mills, sales tax is eliminated.	KPB Mill Rate Chart, Pg. 13
Raise Sales Tax	\$854,434 1.5%	Makes sufficient funds to bring City close to closing the gap. Taxes non-residents who use City services.	Places burden on local businesses. Makes rents more expensive.	Need a vote of City residents.	Yes - after first quarter	Council would pass an ordinance to increase the sales tax and for a special election. If ordinances follow budget cycle, voters would vote in a February special election.	Town Hall: 85% positive response; Online survey: 35.43% selected option	Based on 2014 sales tax revenue, Revenue estimate for 2016 (2-4 quarters) is \$717,669. Current COH sales tax is 4.5% COH and 3% KPB.	
3% seasonal sales tax increase (6 months of year)	\$1,141,762	Captures more visitor revenue. Closes gap.	Burden on local businesses.	Need a vote of City residents.	Yes	Council would pass an ordinance to increase the sales tax for a special election. If ordinances follow budget cycle, voters would vote in a February special election.	Not polled	Based on 2014 sales tax revenue.	
Repeal HART (direct 1% sales tax back to general fund)	\$996,601 2%	No tax increase for public. Generates sufficient revenue to close the gap.	Eliminates funding for roads and trails, basic infrastructure Short term fix. Would effect road HSAD program.	Need a vote of City residents.	Yes	Council would pass an ordinance to not continue to fund HART and for a special election. If ordinance follows budget cycle, voters would vote in a February special election. If ballot language is retroactive, we could capture full estimated amount for 2015.	Not polled	Based on 2014 sales tax revenue. HART has been around since 1987.	HART fund activity reports, Pg. 15 Legislation enacting HART, Pg. 17 HART Policy Manual, Pg. 21
Reinstate Seasonal Sales Tax on Non-prepared Food	\$833,473	Can be implemented by Council. Not a 'new' tax.	Taxes basic necessity. Regressive.	Voters will likely remove option to not participate for first class cities in October.	Only if voters fall October ballot initiative.	Ordinance by Council.	Town Hall: 82% positive response; Online survey: 46.96% selected	Sales tax that would have been generated from 9/1 to 5/31: 2010-2011 \$735,501; 2011-2012 \$794,163; 2012-2013 \$812,065; 2013-2014 \$833,473	KPB Ordinance 2009-28, Pg. 31
Raise Sales Tax Cap from \$500-1000	Unknown	Instituted Borough wide.	Burden on businesses, especially those that sell large items. Raise rent cost.	Unsure how much momentum is behind current proposal.	No	Ordinance by Borough and vote (note, it can be implemented w/o a vote, but the current proposal puts a vote to Borough residents).	Town Hall: 80% positive response; Online survey: 39.83% selected option	KPB Assembly Member Cooper has proposed putting this on the October 2017 ballot. If voters approve raising the cap, no other action by the City is required.	KPB Ordinance 2015-09, Pg. 33

A World Factbook, unless otherwise indicated. [95]



A population pyramid that shows the age of the population by sex in 2010.

0 by the US Census

2007	2006		2005		2004		2003		2002		2001		2000		
	Count	Assessed Value Exempted	Count	Assessed Value Exempted	Count	Assessed Value Exempted	Count	Assessed Value Exempted	Count	Assessed Value Exempted	Count	Assessed Value Exempted	Count	Assessed Value Exempted	
2,545	471,273,500	2,686	407,929,500	2,522	347,981,451	2,359	272,892,801	2,291	245,168,700	2,157	219,042,200	1,947	190,967,650	1,841	177,779,700
235	33,186,900	245	30,682,200	232	28,038,000	227	25,196,200	235	23,487,500	178	17,395,800	172	17,139,200	171	16,976,000
	5,5000	6,5000	6,5000	6,5000	6,5000	6,5000	6,5000	6,5000	6,5000	6,5000	7,0000	7,0000	7,5000	7,5000	7,5000
	4,5000	4,5000	4,5000	5,0000	5,0000	5,0000	5,0000	5,0000	5,0000	5,0000	5,0000	5,5000	5,5000	5,5000	5,5000

SENIOR EXEMPTIONS - TAX YEARS 2008 TO 2014

Year	2014		2013		2012		2011		2010		2009		2008	
	Count	Assessed Value Exempted	Count	Assessed Value Exempted	Count	Assessed Value Exempted	Count	Assessed Value Exempted	Count	Assessed Value Exempted	Count	Assessed Value Exempted	Count	Assessed Value Exempted
Kenai Peninsula Borough	3,899	737,383,632	3,686	650,785,800	3,441	648,606,700	3,276	621,163,700	3,125	578,540,400	2,897	536,162,300	2,596	465,821,700
City of Homer - Tag 20	385	54,609,300	365	51,632,100	338	46,008,700	339	48,238,800	311	43,935,200	279	39,631,600	258	36,769,100
City of Homer - Tag 21	5	646,700	3	450,000	-	-	-	-	-	-	2	300,000	-	-
Mill rates:														
KPB		4.5000		4.5000		4.5000		4.5000		4.5000		4.5000		4.5000
Tag 20 - City of Homer		4.5000		4.5000		4.5000		4.5000		4.5000		4.5000		4.5000
Tag 21 - City of Homer ODLSA		9.9625		9.9625		9.6283		-		-		4.0000		4.0000

Values are from Certified Main Real Property Rolls.
Kenai Peninsula Borough values include the Optional > 150% Senior Exemption; the City of Homer does not offer this exemption.



Closing the Gap



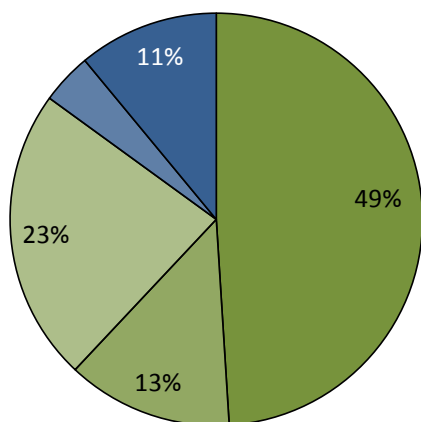
2015 Homer City Town Hall Meeting

Key Pad Polling - REVENUE GENERATION

		In Favor	Mostly in Favor	Somewhat In Favor	Mostly not in Favor	Not In Favor
REVENUE	\$ VALUE					
Raise Property Tax 1 Mill	\$660,000	33	8	23	5	30
Currently COH taxpayers pay 4.5 COH, 4.5 KPB and 2.3 SPH (total 11.3). The next opportunity to make a mill rate increase effective would be July 2016.						
Raise Sales Tax 0.5%	\$854,434	49	13	23	4	11
Based on 2014 sales tax revenue. Requires voter approval. Earliest impact 2017 budget. Current Sales Tax; Borough 3%, City of Homer 4.5%						
Reinstate Seasonal Sales Tax on Non-prepared Food	\$833,473	56	8	19	6	12
Sales tax that would have been generated from 9/1 to 5/31: 2010-2011 \$735,501; 2011-2012 \$794,163; 2012-2013 \$812,065; 2013-2014 \$833,473						
Raise Sales Tax Cap from \$500-\$1000	UNKNOWN	65	6	10	4	16
KPB is considering putting this on the October ballot. A public hearing will be held on 07/07/15. If voters approve raising the cap, no other action by the City is required. Earliest impact 2017 budget. \$37.50 - \$75.00						
Eliminate COH \$20,000 Property Tax Exemption for Primary Residence	\$94,000	26	4	16	20	44
Currently COH exempts the first \$20,000, but could exempt less.						
Increasing Fines for Code Violations	NEGLIGIBLE	51	6	10	4	29
2014 'fines and forfeiture' revenue was \$20,142, including the animal shelter. Most of the HPD issued fine amounts are mandated by the State. The main city issued fine we can control is parking violations. Levying fines is staff intensive, and therefore costly.						
Bed Tax	\$120,000 PER 1%	71	4	6	2	17
Estimate provided by KPTMC in 2012. 4.5% would generate \$540,000						

Raise Sales Tax 0.5%

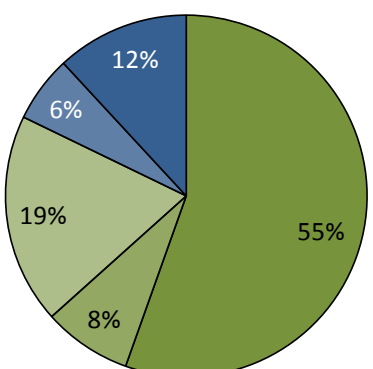
85% of Responses Were Positive



In Favor
Mostly in Favor
Somewhat in Favor
Mostly not in Favor
Not in Favor

Reinstate Seasonal Sales Tax on Non-prepared Food

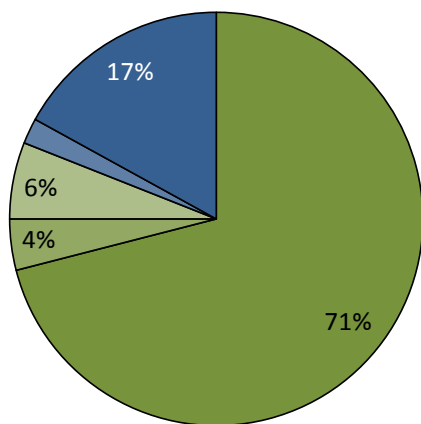
82% of Responses Were Positive



In Favor
Mostly in Favor
Somewhat in Favor
Mostly not in Favor
Not in Favor

Bed Tax

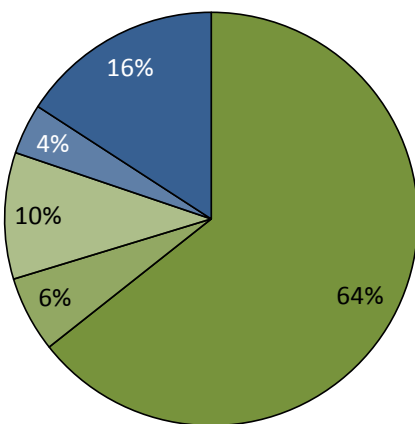
81% of Responses Were Positive



In Favor
Mostly in Favor
Somewhat in Favor
Mostly not in Favor
Not in Favor

Raise Sales Tax Cap from \$500-\$1000

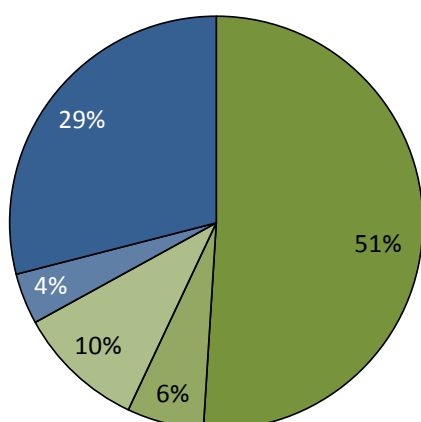
80% of Responses Were Positive



In Favor
Mostly in Favor
Somewhat in Favor
Mostly not in Favor
Not in Favor

Increasing Fines for Code Violations

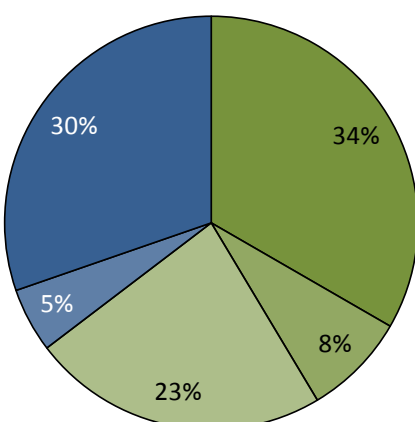
67% of Responses Were Positive



In Favor
Mostly in Favor
Somewhat in Favor
Mostly not in Favor
Not in Favor

Raise Property Tax 1 Mill

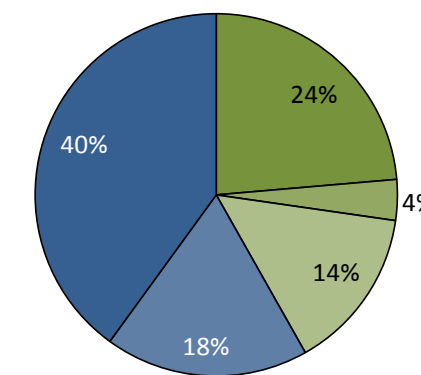
65% of Responses Were Positive



In Favor
Mostly in Favor
Somewhat in Favor
Mostly not in Favor
Not in Favor

Eliminate COH \$20,000 Property Tax Exemption for Primary Residence

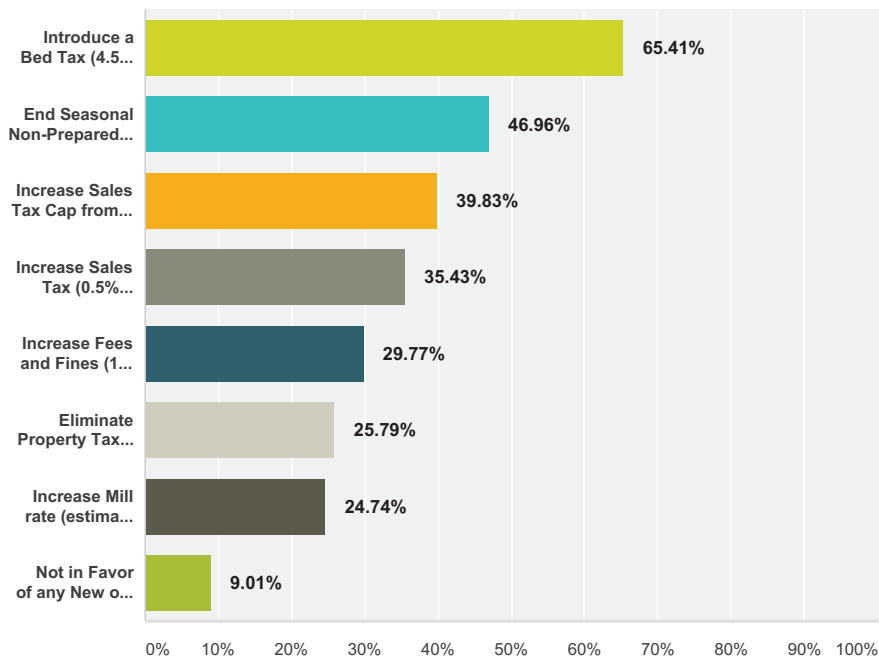
58% of Responses Were Negative



In Favor
Mostly in Favor
Somewhat in Favor
Mostly not in Favor
Not in Favor

Q4 Correcting the deficit and keeping many Core Services operational will most likely require more than just cuts. Which of the following revenue streams would you support? (Check all that apply)

Answered: 477 Skipped: 10



Answer Choices	Responses	
Introduce a Bed Tax (4.5% Bed Tax would generate \$540,000)	65.41%	312
End Seasonal Non-Prepared Food Tax Holiday (estimated value \$850,000)	46.96%	224
Increase Sales Tax Cap from \$500 to \$1,000 (increase max sales tax from \$37.5 to \$75.00)	39.83%	190
Increase Sales Tax (0.5% increase would generate \$855,000)	35.43%	169
Increase Fees and Fines (100% increase would generate \$20,000)	29.77%	142
Eliminate Property Tax Exemption on First \$20,000 for Primary Residence (estimated value \$100,000)	25.79%	123
Increase Mill rate (estimated value \$660,000 per mill)	24.74%	118
Not in Favor of any New or Increased Revenue Streams	9.01%	43
Total Respondents: 477		



City of Homer

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Office of the City Manager

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(f) 907-235-3148

Memorandum 15-169

TO: Honorable Mayor Wythe and Homer City Council
FROM: Katie Koester, City Manager
DATE: October 7, 2015
SUBJECT: Presenting the 2016 Draft Budget

Attached you will find a budget message that outlines two budgets: Budget A – assumes revenue and Budget B – bare bones. The budget book that will be given to Council on October 12 is budget A. Budget B, which consists of approximately 12 line item changes, will be incorporated into the enacting Budget ordinance as a conditional amendment if no revenue solution is secured (introduced on October 26).

I have included summary pages for both budget A and Budget B, though most of the detail regarding proposed cuts is in the budget message. As you are aware, the City Manager budgets are merely a starting place, Council has an opportunity to propose amendments beginning at the October 26th meeting. I have included a budget amendment form. Please specify on your form if you are making an amendment to Budget A, Budget B, or both Budgets A and B.

Enc:
Budget message
Summary page for Budget A and Budget B
Budget amendment form

2016 BUDGET MESSAGE

Fiscal Year 2016

Introduction

Homer City Code Section 3.05.010 requires that the City Manager provide the City Council with a budget proposal for the next fiscal year by the third Friday in October. HCC 3.05.011 states that the budget proposal should be accompanied by a budget message which summarizes the proposal, highlights significant changes from the previous year's budget, and addresses other important fiscal policy considerations.

The City of Homer has been impacted by the down turn in the price of oil and the ensuing State revenue shortfall. After years of belt tightening from the elimination of sales tax on non-prepared food and not funding reserves, the City is in an untenable fiscal situation without drastic cuts to services. The State has reduced the City's contract for providing community jail services by 40%. Other state assistance, Revenue Sharing, is scheduled to shrink and disappear altogether, prompting Council to remove Revenue Sharing from the operating budget via Ordinance 15-16. Add a decline in sales tax revenue and the City of Homer faces a projected decline in revenue of \$884,984. Coupled with the increasing cost of doing business, the City faces a \$1,192,596 million gap between 2015 adopted budget and 2016 projections.

Since July of 2015 the Mayor and Council have engaged the community in a conversation about core services, cuts and potential revenue. To that end, I am presenting two budgets to the City Council. Budget A - "the assumes revenue budget" - assumes \$1 million in revenue to the General Fund will be approved by Council and the voters. Budget A is by no means a lavish budget; it contains \$725,000 in cuts to personnel and non-personnel expenditures and approves no new capital projects. Budget B is a bare bones budget and absorbs the shortfall with reductions in services. Budget B is austere and will have many consequences for the community; reduced responsiveness for first responders, reduced hours at the library, reduced public meetings, reduced recreation opportunities, and an overall reduction in our ability to respond quickly and efficiently to the public.

Budget A and Budget B proposals for Fiscal Year 2016 are outlined below. The Draft Budget will be presented in its entirety on October 12. An amendment representing the changes needed to balance the budget with cuts to services (Budget B) will be incorporated into the enacting Ordinance presented on October 26. The proposed reductions in Budget B are also detailed in this budget message below. Budget A will be conditional upon the approval of revenue. Without revenue, Budget B will automatically become effective. The Worksession and Committee of the Whole meeting on October 12th is dedicated to a presentation of the draft budget. The Finance Director will be there to talk about revenue projections, proposed expenditures, and to make sure everyone understands the budget layout and where to find the information they need. The City Manager and Department Heads will be available to discuss expenditures and overall fiscal policy. It is my goal to make sure the Council understands the

City of Homer

budget, the assumptions that went into putting it together and differences between the two proposed budgets. These are drafts budget, commonly referred to as the “Manager’s Budget.” Once the budget ordinance is introduced by Council, (scheduled for October 26), they become the Council’s budgets and amendments can be made as Council deems appropriate.

General Fund

The draft budget contains revenue projections that we consider to be realistic and conservative. The projections are based on audited numbers from Fiscal Year 2014 and revenue received so far for Fiscal Year 2015 through the end of September. This data is supplemented with tax, property valuation, and economic projections provided by the Borough and the State. Finally, we take into consideration information about economic trends provided by local and state sources. We have projected, based upon the information available to us, that revenues will decrease over last year. The impact of the state’s fiscal situation and the declining price of oil is affecting all Alaskan organizations. In FY2015 the City received a \$330,000 cut to our community jail contract. Revenue sharing, representing \$341,000 in FY 2015, was removed from the operating budget based on the knowledge that the state is tapering off this program. These declines in revenue combined with anticipated lower sales tax returns project a significant gap for 2016. We project that without a new revenue source to the General Fund, total General Fund Revenues in 2016 (\$10,609,675) will decrease by \$933,984 or 8.1% over the 2015 Adopted Budget. We project that sales tax (\$4,950,746) will decrease by \$100,381 or 2.0 % over the 2015 budget and that Real Property Tax (\$3,152,711) will increase by \$34,075 or 1.1%. In order to present a balanced budget without significant cuts to services the community values, Budget A assumes \$1 million in new revenue to the General Fund which would bring General Fund revenue to \$11,658,093.

As always, we are preparing a budget with limited information regarding revenues. New property tax information and additional third quarter sales tax information will become available in November. Therefore, it is possible that the Council will be able make budget amendments based upon this new information prior to final adoption of the budget in December.

Increased Expenses

- Health Insurance: As anticipated, health insurance costs are predicted to increase by a minimum of 10% this year. We should have a better handle on the exact increase by the November meeting. In 2015 the City experienced substantial savings from changes to the employee benefit package and switching from self-funding to private insurance. This savings was used to balance the 2015 operating budget instead of put into the health insurance fund to cushion against future increases.
- Utilities are predicted to increase. The savings from City facilities converting to natural gas has been realized in the 2015 budget. The cost of electric has increased sharply from year to year and sewer is scheduled to increase by 6.5%.
- Personnel: The City’s biggest expense, and largest asset, is the employees that provide City services. The 2016 budget does not include a cost of living increase for employees. However, there are, as always, personnel increases. In early 2015 patrol officers were refactored to come

City of Homer

closer within range of the salaries of neighboring communities. A modest increase based on merit is budgeted for eligible employees, but not always awarded.

HCC 3.05.045 requires that the City Budget must be balanced. The 2016 draft Budget A and Budget B are “balanced” in the sense that expenditures do not exceed revenues. However, budget A is conditional upon adoption of a new revenue source for General Fund. The enacting budget ordinance is written so that if voters do not approve new revenue, budget B will become effective.

BUDGET A – ASSUMES REVENUE

Budget A total General Fund Revenues are projected to be \$11,658,093 and proposed expenditures are \$11,658,093. Budget A assumes \$1,000,000 in revenue to the General Fund will be approved by voters. Budget A is a minimalist budget. Personnel cuts were made to Planning, Administration, Finance, Police Department and Public Works and all the departments were squeezed in their non-personnel operating budgets. No new general fund capital projects were approved despite the dire need for maintenance projects such as a new roof for City Hall and vehicles for Public Works and the Police Department. The departments have been incredibly lean with their budgets this year have been very frugal and conservative in their budget requests and fiscal management. Budget A does include an approximate \$600,000 transfer to reserve accounts. It is no longer tenable to not fund our reserves; we are forced into making emergency purchases out of general fund fund-balance and/or run the reserves into a negative balance when critical equipment breaks. Under the advice of the auditor, \$114,428 of the transfer to reserves wipes out negative balances that have accumulated in many reserve accounts. Another \$97,000 is a mandatory transfer to the Public Works Fleet Reserve to fund lease payments on a street sweeper and dump truck that were approved in 2014 and 2015, respectively. That leaves just over \$390,000 distributed among the remaining reserve accounts, including fleet reserves.

Many of the capital requests departments made for 2016 cannot be ignored. If budget A is approved, it is my intention to reassess the most critical capital needs at midyear and present an adjustment to Council once there is a clear picture of our revenue situation and the impact of any potential further cuts from the state. Below are several noteworthy changes in the General Fund that should be highlighted.

Decreased Expenses

This budget contains the reduction of 6.5 positions. This will impact City staff’s ability to be responsive to the public and efficiently and effectively perform our duties as public servants. Budget A also includes over \$150,000 in non-personnel cuts. These cuts represent everything from being squeezed on tools, equipment and office supplies to reducing the line item for professional services. These reductions give departments less flexibility to respond to emergency situations and will require vigilance to administer. I expect they will need to be tweaked and increased in the coming years as we gain experience living within such tight margins.

Proposed Cuts to City of Homer Operating Budget: Budget A

Department/ Division	Reduction	Amount	Impact
Homer Police Department	2 positions - dispatch and jail officer	\$ 155,000	Less coverage in dispatch & jail. Increased liability
Planning	1 position - code enforcement	\$ 78,000	Less code enforcement
Library	Books and supplies	\$ 29,000	Slashes books budget - Older circulation
City Manager's Office	.4 position - admin assistant	\$ 28,000	Less responsiveness to public. Less capacity in admin.
Finance	1 position	\$ 127,000	Short term impact in ability to produce timely and accurate reports
Public Works	2.5 positions – 1 project manager, .5 admin assistant and .5 equipment operator	154,000	Less ability to take on new projects. Less administrative capacity. Less capacity for large snow events. Temp building maintenance goes to part time.
Senior Center		\$10,000	2015 one time request
Homer Hockey Association		\$14,000	2015 one time request
Total personnel		\$ 571,000	
Non-personnel		\$ 154,000	

Total	\$ 725,000
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City of Homer

Budget Priorities

This section contains the City Manager's budget priorities for items that are presently not included in the budget. If revenue projections improve before December or by mid-year 2015, I would recommend that the following be added to the budget.

- Personnel: Budget A proposed 6.5 full time equivalent cuts to personnel. These cuts will have an effect on the ability to provide services and should be reinstated when the revenue picture allows. Priority staffing will be a jail officer at the police department, a temporary equipment operator in public works, and additional help for the fire department.
- Capital projects. There are a number of well documented capital project needs. Chief among the priorities is a patrol vehicle for the Police Department, a small sander and trailer for Public Works, a light tower for the Fire Department and roof replacement for City Hall. These projects are justified and needed and I hope to be able to address them at midyear.

Other Changes of Note:

Unfortunately, revenue limitations required cuts that will impact our efficiency and responsiveness. In addition to the personnel priorities listed above, administrative support positions have been cut or reduced across the City that will need to be replaced so staff can do their important work and be responsive to the public. Long standing needs for a new patrol officer, a full time building maintenance position and a half time position at the Community Recreation Program continue to be badly needed and justified. Though the proposed budget contains \$600,000 in transfers to General Fund depreciation accounts or fleet reserves, far more would be necessary to catch up after 3 consecutive years of not funding reserves. To put things in perspective, in 2006 Council set a goal of accumulating 40% of depreciable assets (combined value of \$72) in General Fund and Water Sewer reserves. The City would need to put \$2.9 million each year to reach that goal over the next 10 years. Water sewer and General Fund transfer to reserves in Budget A total just over \$1 million.

On the capital and equipment side, this budget contains no new General Fund capital projects. The budget contains a description of all capital and equipment requests submitted by department heads so Council can understand the full need out there and the impact of not funding these important priorities.

BUDGET B – BARE BONES

The bare bones budget, Budget B, is balanced without a revenue stream to General Fund. Budget B total General Fund Revenues are projected to be \$10,609,675 and proposed expenditures are \$10,609,675. This is truly a bare bones budget and makes severe cuts to important services such as parks and recreation, hours the library is open, marketing the City of Homer and services provided by area non-profits. Budget B replicates Budget A with the exception of the items below that represent a direct cut to services. This includes a total of 3 additional positions (full time equivalent) and 3 temporary positions. Not only does Budget B not fund reserves, it cripples our ability to provide services to the public. Everything from responsiveness when an emergency call is placed to indoor recreational space has been reduced in Budget B.

Proposed Cuts to City of Homer Operating Budget: Budget B

(Reductions are in addition to cuts proposed in Budget A)

Department/ Division	Budget B - Bare Bones	Addition to A	Impact
Homer Police Department	1 position - patrol officer	\$90,700	Less officer time on streets. Increased liability
Homer Volunteer Fire Department	2 temporary seasonal positions	\$33,900	Potential impact to response during busy summer month. Overworked employees
Library	1.2 (FTEs) positions	\$82,800	Close library for a minimum of 12 additional hours, bringing us under the minimum required to be in compliance with state.
Clerks	.4 position	\$34,600	Less ability to support public meetings. Longer time for minutes to turn around. Need to reduce committees/ Commissions
Community Recreation	.4 position and less temporary hours	\$49,000	Only drop-in activities. No educational programing, special classes or activities. \$15,000 less in revenue.
HERC	Mothball HERC 1	\$31,000	No activities at HERC
Lobbyist	Do not renew contract	\$22,000	No presence in Juneau. 1/2 paid for by Enterprise
Economic Development	No non-visitor advertising	\$8,000	Eliminates City directed non-visitor industry promotion
Public Works	1/2 of overtime winter equipment operator hours and temporary park maintenance	\$20,000	Less responsive snow removal. Less park maintenance (cleaning restrooms, beautification projects)
Homer Foundation	70% Cut	\$13,300	Less grants to non-profits through HF.
Homer Chamber of Commerce	70% Cut	\$35,700	Severely reduced marketing of Homer
Pratt	70% Cut	\$46,600	Reduced educational programing at Pratt
Total		\$467,600	

*BB Funds payment of street sweeper and dump truck from reserves (\$97,000).

Fiscal Policy Considerations

There are several important General Fund policy considerations that I believe the Council should take into consideration as it moves ahead with budget discussions.

- Continued Revenue Cuts from the State. The FY2016 revenue shortfall can be directly related to cuts from the state as they face their own revenue shortfall and go through the exercise of trimming their budget. The state has a long ways to go before revenue meets expenditures. I anticipate continued impact to municipalities from the state's fiscal situation. This could take the form of decreased PERS relief, further cuts to contracts such as community jails and road maintenance or defunding maintenance of Alaska Land Mobile Radio on behalf of municipalities. 2016 will be a year of playing defense in Juneau for Alaskan municipalities.
- Core Programs: In the face of looming revenue shortfalls, the Council and the public has engaged in a productive and thoughtful discussion about what the public values and core services. At the July 20 Town Hall meeting around 100 participants engaged in an exercise prioritizing the importance of the service and the level of the service provided for all City services. Results showed that for the most part the public who participated felt like all services the City provided were critical and delivered at the right level. This was backed up by participants supporting a cadre of revenue options. An online survey where participants were forced to prioritize core services listed Fire and EMS, Police and Public Safety and Winter Road Maintenance as the top three priorities. The City needs additional revenue just to take care of its most basic services and functions. The public has been asked to identify where the money would come from or to show that they were willing to pay for it. Suspending the Homer Accelerated Roads and Trails program and a seasonal sales tax increase have both been put forward as viable options to maintain services and will prompt lively debate as the Council and public debate the budget.
- The Disconnect: There continues to be a huge disconnect between what the public wants and what we can afford. Everyone loves capital projects. There is no shortage of ideas about new programs, new services, and new infrastructure. City staff has done an excellent job of increasing efficiency and "doing more with less." However, we are at the limit of our ability to maintain current infrastructure. Every new road, trail, and facility comes with an increased operating and maintenance cost that needs to be considered.
- Depreciation: This budget contains \$600,000 in transfers to reserves. This is not sufficient to make up for three consecutive years of not funding depreciation, but it is a great start. In 2006 Council adopted Resolution 06-100 with a goal of funding reserves at 40% of depreciable capital assets (excluding land) by 2016. Year-to-date, reserves are funded at 8% of depreciable assets.

Port and Harbor Enterprise Fund

The Draft FY 2016 Budget projects revenues of (\$4,688,729), which is about \$48,000 less than 2015 budgeted and approximately \$120,000 less than the 2014 actual.

City of Homer

The projected revenues are sufficient to cover basic maintenance and operations. The Enterprise Fund is balanced in the sense that expenditures do not exceed revenues. This Budget contains revenues of \$4,688,729 and expenditures of \$ 4,688,729. The budget contains a transfer to depreciation accounts of approximately \$599,668 and a transfer to the Bond Payment Reserve of \$300,000 and \$57,648 loan payment to general fund. Due to cuts to the General Fund budget that the Overhead Administration Cost Allocation is based on, it comes in about \$573,691, which is \$32,235 less than last year (\$605,925).

We believe these numbers to be fairly conservative. After much study by the Port and Harbor Commission and support from Council, Harbor moorage rates were increased by 4.3%. Unlike in years past, we do not project an increase in activity at the Deep Water Dock and Pioneer Dock due to a slowdown in oil and gas exploration in the Inlet related to the low price of oil. Transfers to the reserves for fiscal year 2016 reflect the effort to keep customer costs as low as possible but still build a reserve that will meet our long term goals.

Expenditures have changed very little from last year. Total expenditures (\$4,688,729) represent a 1% decrease. The Port and Harbor staff has been very frugal and efficient when it comes to costs that are within their control. The fee increases instituted in 2012 and 2013 are doing exactly what they were intended to do; cover the cost of bond repayment and provide additional revenue for depreciation. Overall, the Enterprise Fund is in pretty good shape. The chief operational need is to increase Harbor operations staff to maintain to provide needed coverage. The 2016 draft budget includes one new position, harbor officer. **Harbor** operations have not increased staffing levels in 25 years - even with millions of dollars in expansion projects that have taken place. The Port and Harbor customer base continues to expand and so does the need for trained personnel to ensure all the diverse needs are met.

This year's Port and Harbor draft budget is largely a status quo budget with the exception of one additional position and the necessary increases to the moorage fees in the harbor to help fund the reserves. We believe that the other port related rates are competitive at the current levels and don't recommend any increases. The Port and Harbor would benefit from taking time this winter to review and reevaluate the rate structure for the Fish Dock. After a careful review we may find it necessary to make changes to encourage sales. This draft budget contains a few capital expenditures that will improve safety, operations, and service delivery to Port and Harbor customers: consulting services for a tariff upgrade, new billing software, and refurbishment of a fish dock crane and fire cart. Capital requests are all explained and justified in the budget document and can be discussed more fully at the Committee of the Whole.

Budget Priorities

If the revenue picture were to change in a positive way, I would recommend increasing funding of depreciation. The depreciation account fund balance is insufficient for the amount of assets the Port and Harbor owns and maintains. Transfers to this account are far below what is recommended by the auditors.

Budget Policy Considerations

- Depreciation: The depreciation fund balance remains insufficient given the assets of the Port and Harbor. Recommendations contained in the rate study, as amended by the Port and Harbor Commission, as soon as FY 2016.
- Revenues for Operations: Fees were increased recently to cover anticipated bond payments. However, this left little room for additional fee adjustments to cover increasing maintenance and operations costs and the need to grow the depreciation reserves. The City recently received the rate study it commissioned from Northern Economics. The study addresses maintenance and operations and the level of revenues that are needed to make the enterprise fund sustainable. An automatic fee increase tied to the inflation index has been adopted by Council and will become effective January 1, 2016.
- Revenues in General: Significant structural changes are occurring in the commercial and sport fishing industries, as well as oil and gas exploration and development in Cook Inlet. It will be important to monitor these changes and their potential impacts upon the revenues and business model of the port and harbor.

Water and Sewer Special Revenue Fund

The rate restructuring implemented in 2015 and reorganization of labor costs has had the intended positive effect on the water and sewer special revenue fund; 2016 anticipates a \$439,745 transfer to reserves in the water sewer budget. This includes the minimum required contribution of \$100,000 from each of water and sewer funds to depreciation; \$305,928 for water and \$133,807 for sewer. This draft budget projects that combined water and sewer revenues will be \$3,745,746 in 2016. This represents a slight decrease (by \$48,338) in revenues from the FY 2015 budget. The water and sewer fund continues to benefit from the rate restructuring implemented in 2015 and Public Works and water and sewer reorganization (personnel reallocation). The Water and Sewer Fund is balanced in the sense that expenditures do not exceed revenues. It is always hard to project water and sewer revenue. Based on 2015 experience, water surplus exceeds sewer. This could be due to 2015 being a second unseasonable warm summer. The 6.5% sewer rate increase adopted by Council should help with 2016 sewer revenue.

The draft budget contains a number of capital expenditures which will come out of depreciation and fleet reserve accounts. These expenditures include non-routine maintenance of the fire hydrants (painting), replacing the influent pump station mixer and raw water pump and a computer systems upgrade.

Policy Considerations

- Increasing Customers: This has been discussed many times before. One of the fundamental flaws that needs to be addressed is that we have an expensive and expansive treatment, collection and distribution infrastructure and very few customers to pay for maintenance and operations. There are many ideas for increasing the customer base from in-filling, to expanding the system to the rest of the city, to identifying new buyers for bulk water. All of these ideas should be explored further.

Respectfully Submitted,

Katie Koester
City Manager

<u>General Fund Revenue</u>	<u>FY 13 Actual</u>	<u>FY 14 Actual</u>	<u>FY 15 Adopted</u>	<u>FY 16 Proposed A</u>	<u>FY 16 Proposed B</u>	<u>FY 16 Adopted</u>
Admin Fee: From Other Funds	1,319,905	1,482,726	1,382,738	1,342,008	1,308,590	
From Other Funds				10,000	10,000	
Airport Revenues	137,177	126,774	96,900	90,000	90,000	
Ambulance Fees	194,877	203,253	194,800	130,000	130,000	
Camping Fees	140,960	156,574	154,000	154,000	154,000	
Community Recreation Fees	33,565	40,280	33,500	35,000	20,000	
Fines	10,469	20,142	10,300	10,000	10,000	
Fire Services	71,675	70,216	72,000	68,300	68,300	
Interest Income	(109,384)	29,815	33,000	20,000	20,000	
Jail Contract	695,314	762,233	753,410	424,000	424,000	
Library Grant	278	7,558	6,650	6,650	6,650	
Miscellaneous Revenues	65,241	46,090	62,600	51,600	51,600	
Other Taxes & Licenses	76,993	56,695	76,900	74,500	74,500	
Permits & Zoning	34,506	26,431	34,400	17,800	17,800	
Pioneer Av Maint -DOT	0	68,000	34,000	34,000	34,000	
Police Services	87,360	96,840	87,300	87,000	87,000	
Property Taxes	3,220,859	3,085,931	3,118,636	3,152,711	3,152,711	
Sales Tax	4,868,983	4,989,941	5,050,905	4,950,524	4,950,524	
State Shared Revenue	341,161	341,037	341,037	0	0	
Additional Revenue Sources or	0	0	0	1,000,000		
Fund Balance						
Grand Total	11,189,940	11,610,535	11,543,077	11,658,093	10,609,675	

<u>General Fund Expenditures</u>	<u>FY 13 Actual</u>	<u>FY 14 Actual</u>	<u>FY 15 Adopted</u>	<u>City Manager</u>		<u>Adopted</u>
				<u>Proposed A</u>	<u>Proposed B</u>	
Mayor/Council	1,134,218	580,450	567,253	1,041,275	514,847	
City Clerk	350,528	371,037	401,942	382,549	347,912	
City Manager	227,797	219,812	228,625	205,287	205,287	
Personnel	148,389	140,304	150,984	154,149	154,149	
Eco. Development <i>(Including Chamber Contribution)</i>	155,937	178,136	185,492	181,098	141,398	
Information System	244,869	240,048	279,772	276,001	276,001	
Community Rec	124,116	125,542	138,138	133,290	84,138	
Finance	740,609	789,916	773,334	629,875	629,875	
Planning	400,666	424,974	431,352	358,875	358,875	
Library	836,673	872,287	926,547	920,633	837,832	
Leased Property	63,183	49,100	59,762	59,762	28,681	
City Hall	132,413	128,957	137,055	135,376	135,376	
Contributions <i>(Excluding Chamber and Haven House)</i>	88,054	88,000	114,500	85,500	25,650	
Leave Cash Out	141,655	111,878	139,522	147,492	147,492	
Fire Department	868,914	936,777	967,096	963,352	929,453	
Police Department <i>(Including Haven House & Animal Shelter)</i>	3,200,865	3,229,704	3,274,547	3,218,172	3,141,516	
Airport	200,291	219,342	217,352	210,793	210,793	
Public Works	2,237,200	2,328,264	2,549,979	2,554,615	2,440,401	
Total GF Expenditures	11,296,375	11,034,528	11,543,252	11,658,093	10,609,675	

City of Homer
2016 Operating Budget

2016 Proposed Budget Amendment Form

Budget Version
(Circle one or both)

A

B

Fund Name:

Department Number:

Account #	Account name	Page #	Increase	Decrease	Balance

Rationale:

Requested By: _____

Prepared By: _____

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



COMMITTEE OF THE WHOLE
5:00 P.M. MONDAY
OCTOBER 12, 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 KATIE KOESTER
CITY CLERK JO JOHNSON

COMMITTEE OF THE WHOLE AGENDA

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

Councilmember Reynolds has have requested excusal.

2. AGENDA APPROVAL (Only those matters on the noticed agenda may be considered, pursuant to City Council's Operating Manual, pg. 6)

3. BUDGET 2016

A. Memorandum 15-168 and 15-169 from City Manager, Re: 2016 Budget

Pages 7/29

B. Revenue Solutions: Town Hall Meeting Report

Page 11

C. Revenue Options/Public Information on Proposition(s)/Special Election Date:

Ordinance 15-36(A), An Ordinance Amending HCC 9.16.010 to Suspend the Dedication of 0.75% of the City Sales Tax to the Homer Accelerated Roads And Trails (H.A.R.T.) Program for a Period of Up to Three Years, and Authorizing the City to Submit the Question of Suspending Such Sales Tax Dedication to the Qualified Voters of the City at a Special Election to Be Held in the City on _____. Mayor.

Page 187

Ordinance 15-37, An Ordinance of the Homer City Council Amending HCC 9.16.010 to Provide for an Increase in the Rate of the City Sales Tax From 4.5% to 5.5% From April 1st Through September 30th, With the Increase to be Used for General Government Purposes, and Authorizing the City To Submit the Question of Such Sales Tax Increase to the Qualified Voters of The City at a Special Election to Be Held in the City on _____. Lewis.

Page 285

Ordinance 15-39, An Ordinance of the City Council of Homer, Alaska, Appropriating Funds in the Amount of \$_____ From the General Fund Balance for Public Information on the Ballot Propositions to Suspend the Dedication of City Sales Tax to the H.A.R.T. Program, and/or to Increase the Rate of the City Sales Tax From 4.5% to 5.5% From April 1st Through September 30th, Including Without Limitation Information That May Influence the Outcome of the Election on the Proposition. Mayor.

Page 291

Resolution 15-086(A), A Resolution of the City Council of the City of Homer, Alaska, Calling for a Special Election to Be Held in the City on _____, for the Purpose of Submitting to the Qualified Voters of the City a Proposition to Suspend the Dedication of 0.75% of the City Sales Tax to the Homer Accelerated Roads and Trails (H.A.R.T.) Program for a Period of Up to Three Years. Mayor.

Page 311

Memorandum 15-163 from City Clerk and City Manager as backup.

Page 313

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, October 26, 2015 at 6:00 p.m. and Committee of the Whole 5:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

CALL TO ORDER
PLEDGE OF ALLEGIANCE
AGENDA APPROVAL

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



REGULAR MEETING
6:00 P.M. MONDAY
OCTOBER 12, 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 KATIE KOESTER
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 Reynolds has requested excusal.

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

2. AGENDA APPROVAL

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

3. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

4. RECONSIDERATION

5. CONSENT AGENDA

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

- A. Homer City Council unapproved Regular meeting minutes of September 28, 2015. City Clerk. Recommend adoption.

Page 59

- B. **Memorandum 15-165** from Mayor, Re: Appointment of Ken Sprague to the Economic Development Advisory Commission and Appointments of Dixie Hart and Louise Ashmun to the Parks and Recreation Advisory Commission. **Page 81**
- C. **Ordinance 15-38**, An Ordinance of the Homer City Council Amending the FY 2015 Operating Budget by Appropriating \$42,500 From the Homer Natural Gas Special Assessment District Account for Settlement Costs in the Castner vs. City of Homer Court Case Challenging Assessments for Condominiums Within the District. City Manager. Recommended dates: Introduction October 12, 2015, Public Hearing and Second Reading October 26, 2015. **Page 89**
- D. **Ordinance 15-40**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a Curiosity Creates Grant From the Association of Library Service to Children in the Amount of \$7,500 for the Homer Public Library and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Library Director. Recommended dates: Introduction October 12, 2015, Public Hearing and Second Reading October 26, 2015. **Page 111**
- E. **Resolution 15-088**, A Resolution of the City Council Of Homer, Alaska, Expressing Support for a Homer Yacht Club Application to the Recreational Trail Grant Program of the State of Alaska Division of Parks and Outdoor Recreation for Mooring Buoys In Kachemak Bay. Burgess. Recommend adoption. **Page 123**
- F. **Resolution 15-089**, A Resolution of the City Council of Homer, Alaska, Expressing Support for the Alaska Department of Transportation and Public Facilities (ADOT/PF) Homer Airport Improvements. Mayor. Recommend adoption. **Page 125**
- G. **Resolution 15-094**, A Resolution of the City Council of Homer, Alaska, Approving Recommended Comments and Questions to the State of Alaska Marijuana Control Board on the Proposed State Marijuana Regulations. City Manager. Recommend adoption. **Page 133**
- Memorandum 15-170 from Cannabis Advisory Commission as backup. **Page 135**
- H. **Resolution 15-095**, A Resolution of the Homer City Council Awarding a Sole Source Contract for the Beluga Slough Trail Reconstruction (Phase II) Helical Pier Foundation Installation to the Firm of Techno Metal Post of Alaska of Homer, Alaska, in the Amount of \$18,000 and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Public Works Director. Recommend adoption. **Page 143**

6. VISITORS

- A. Homer Marine Trades and Port and Harbor Promotional Video, 10 minutes.

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 September 16, 2015 **Page 149**

3. Economic Development Advisory Commission

4. Parks and Recreation Advisory Commission

5. Port and Harbor Advisory Commission

6. Cannabis Advisory Commission

- C. Recognizing Councilmembers' Service

8. PUBLIC HEARING(S)

- A. **BUDGET 2016**

- B. **Exclusion requests from the Homer Natural Gas Special Assessment District:**

1. HomePlate LLC - KPB Parcel 17316009 **Page 161**

2. Daniel and Brenda Farren – KPB Parcel 17324145 **Page 167**

3. Phoebe Estill – KPB Parcel 17928022 **Page 177**

- C. **Ordinance 15-35**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 1.08.020, Enactment Procedures, to Authorize the Introduction of

Ordinances by the City Clerk. City Manager. Introduction September 28, 2015, Public Hearing and Second Reading October 12, 2015. **Page 183**

- D. **Ordinance 15-36(A)**, An Ordinance Amending HCC 9.16.010 to Suspend the Dedication of 0.75% of the City Sales Tax to the Homer Accelerated Roads And Trails (H.A.R.T.) Program for a Period of Up to Three Years, and Authorizing the City to Submit the Question of Suspending Such Sales Tax Dedication to the Qualified Voters of the City at a Special Election to Be Held in the City on _____. Mayor. Introduction September 28, 2015, Public Hearing and Second Reading October 12, 2015. **Page 187**

- E. **Resolution 15-084(A)**, A Resolution of the Homer City Council Adopting the 2016-2021 Capital Improvement Plan and Establishing Capital Project Legislative Priorities for State Fiscal Year 2017. Mayor/City Council. **Page 209**

9. ORDINANCE(S)

- A. **Ordinance 15-37**, An Ordinance of the Homer City Council Amending HCC 9.16.010 to Provide for an Increase in the Rate of the City Sales Tax From 4.5% to 5.5% From April 1st Through September 30th, With the Increase to be Used for General Government Purposes, and Authorizing the City To Submit the Question of Such Sales Tax Increase to the Qualified Voters of The City at a Special Election to Be Held in the City on _____. Lewis. Recommended dates: Introduction October 12, 2015, Public Hearing and Second Reading October 26, 2015. **Page 285**
- B. **Ordinance 15-39**, An Ordinance of the City Council of Homer, Alaska, Appropriating Funds in the Amount of \$_____ From the General Fund Balance for Public Information on the Ballot Propositions to Suspend the Dedication of City Sales Tax to the H.A.R.T. Program, and/or to Increase the Rate of the City Sales Tax From 4.5% to 5.5% From April 1st Through September 30th, Including Without Limitation Information That May Influence the Outcome of the Election on the Proposition. Mayor. Recommended dates: Introduction October 12, 2015, Public Hearing and Second Reading October 26, 2015. **Page 291**

10. CITY MANAGER'S REPORT

- A. City Manager's Report **Page 299**

11. CITY ATTORNEY REPORT

- A. City Attorney Report – September 2015 **Page 305**

12. COMMITTEE REPORT

- A. Public Arts Committee
- B. Permanent Fund Committee
- C. Employee Committee Report
- D. Public Safety Building Review Committee
- E. Vessel Haul-Out Task Force
1. Presentation from Vessel Haul-Out Task Force
- F. Sustainable Animal Control Review Committee

13. PENDING BUSINESS

- A. **Resolution 15-086(A)**, A Resolution of the City Council of the City of Homer, Alaska, Calling for a Special Election to Be Held in the City on _____, for the Purpose of Submitting to the Qualified Voters of the City a Proposition to Suspend the Dedication of 0.75% of the City Sales Tax to the Homer Accelerated Roads and Trails (H.A.R.T.) Program for a Period of Up to Three Years. Mayor. **Page 311**
- Memorandum 15-163 from City Clerk and City Manager as backup. **Page 313**

14. NEW BUSINESS

- A. **Memorandum 15-166**, from City Clerk, Re: Travel Authorization for Mayor Wythe and Councilmembers, and Newly Elected Councilmember(s) to Attend the Alaska Municipal League 65th Annual Local Government Conference in Anchorage, Alaska, November 16 – 20, 2015. **Page 317**

15. RESOLUTIONS

- A. **Resolution 15-087**, A Resolution of the City Council Certifying the Results of the City of Homer Regular Election Held October 6, 2015 to Elect Two Councilmembers. City Clerk/Canvass Board. **Page 321**
- B. **Resolution 15-090**, A Resolution of the City Council of Homer, Alaska, Approving the Homer Marine Repair Facility and Its Policies and Best Management Practices. Mayor/Lewis/Reynolds/Zak/Burgess. Recommend Public Hearing October 26, 2015. **Page 323**
- C. **Resolution 15-091**, A Resolution of the City Council of Homer, Alaska, Amending the City of Homer Fee Schedule to Include Homer Repair Facility Fees. Mayor/Lewis/Reynolds/Zak/Burgess. Recommend Public Hearing October 26, 2015. **Page 359**
- D. **Resolution 15-092**, A Resolution of the City Council of Homer, Alaska, Amending the Port of Homer Terminal Tariff No. 600 to Include Homer Repair Facility Fees. Mayor/Lewis/Reynolds/Zak/Burgess. Recommend Public Hearing October 26, 2015. **Page 361**
- E. **Resolution 15-093**, A Resolution of the Homer City Council Excluding Certain Properties From the Homer Natural Gas Special Assessment District. City Clerk. **Page 363**
- Memorandum 15-167 from City Clerk as backup. **Page 371**

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, October 26, 2015 at 6:00 p.m. and Committee of the Whole 5:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

PUBLIC COMMENTS
UPON MATTERS
ALREADY ON THE AGENDA

RECONSIDERATION

CONSENT AGENDA

Session 15-29 a Regular Meeting of the Homer City Council was called to order on September 28, 2015 at 6:00 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, REYNOLDS, ROBERTS, VAN DYKE, ZAK
(telephonic)

ABSENT: LEWIS (excused)

STAFF: CITY MANAGER KOESTER
CITY CLERK JOHNSON
ASSISTANT CITY MANAGER LAWRENCE
FINANCE DIRECTOR LI
PORT AND HARBOR DIRECTOR HAWKINS
PUBLIC WORKS DIRECTOR MEYER

Mayor Wythe and Councilmember Lewis have requested excusal.

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

Councilmember Zak has requested telephonic participation.

Mayor Pro Tempore Roberts called for a motion to allow Councilmember Zak to participate by telephone.

REYNOLDS/BURGESS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Mayor Pro Tempore Roberts welcomed the Homer High School government class.

Council met for a Worksession from 4:02 p.m. to 4:36 p.m. for Strategic Doing. Larry Persily, Kenai Peninsula Borough, provided an update on the AKLNG Project and the Council heard an update on the Deep Water Dock. Council met as a Committee of the Whole from 5:00 p.m. to 5:49 p.m. to hear a presentation on towers from City Planner Abboud in relation to Ordinance

14-18(A). Preliminary Budget Assumptions, Revenue Solutions: Town Hall Meeting Update was deferred to the October 12th meeting. Consent and Regular Meeting Agenda items were discussed.

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

AGENDA APPROVAL

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

The following changes were made: **RESOLUTIONS - Resolution 15-084**, A Resolution of the Homer City Council Adopting the 2016-2021 Capital Improvement Plan and Establishing Capital Project Legislative Priorities for State Fiscal Year 2017. Mayor/City Council. Written public comments. **Resolution 15-085(S)**, A Resolution of the Homer City Council Awarding the Sale of the Waddell Way Cabins to Guy Rossi of Homer, Alaska, in the Amount of \$92,789.91 and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Public Works Director. Memorandum 15-160(S) from Public Works Director as backup. Memorandum 15-164 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 Attorney /Client Privilege (Castner vs. City of Homer Proposal for Settlement). A second public comments period after Comments of the City Attorney was added.

REYNOLDS/VAN DYKE - MOVED TO ADOPT THE AGENDA AS AMENDED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

Gart Curtis, city resident, spoke on Resolution 15-084. He approves of the Boat House Pavilion on the Spit as a gathering space to wait for people, sit down, and get out of the rain. It will enhance the harbor's maritime culture, overslope development, and values of surrounding properties. It is a community funded project with The Homer Foundation as the fiscal sponsor and has support from both the Port and Parks and Recreation Advisory Commissions.

RECONSIDERATION

CONSENT AGENDA

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

- A. Homer City Council unapproved Regular meeting minutes of September 14, 2015. City Clerk. Recommend adoption.
- B. **Ordinance 15-35**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 1.08.020, Enactment Procedures, to Authorize the Introduction of Ordinances by the City Clerk. City Manager. Recommended dates: Introduction September 28, 2015, Public Hearing and Second Reading October 12, 2015.
- C. **Resolution 15-082**, A Resolution of the City Council of Homer, Alaska, Expressing Support for the Pratt Museum's Grant Request in the Amount of \$1.65 Million for its New Facility. Reynolds/Roberts. Recommend adoption.
- D. **Resolution 15-083**, A Resolution of the Homer City Council Amending the 2015 Meeting Schedule for the December City Council Meeting to Be Held on December 7, 2015. Mayor. Recommend adoption.
- E. **Memorandum 15-156**, from Deputy City Clerk, Re: Confirmation of Election Judges for the Regular City of Homer Election October 6, 2015. Recommend adoption.
- F. **Memorandum 15-157**, from City Clerk, Re: Deferred Assessments for the Homer Natural Gas Special Assessment District. Recommend adoption.

Mayor Pro Tempore Roberts called for a motion for the approval of the recommendations of the consent agenda as read.

BURGESS/REYNOLDS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

VISITORS

ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS

A. Borough Report

Assembly Member Kelly Cooper thanked the Council for allowing the Kenai Peninsula Borough Assembly use the council chambers for their September 15th meeting. At that meeting the Assembly approved the purchase of Homer Medical Center for South Peninsula Hospital. SPH owns the practice and now they have purchased the building. The Assembly has received a report from the Marijuana Task Force who continues to meet and give feedback to the state board as the legislation comes along. The Health Care Task Force has started meeting monthly. They have representatives from the entire borough to include business people, two assembly members, Bill Smith, physicians, and the CEO's of both hospitals. There is a subcommittee for the primary care portion of health care reform. The meetings are open to the public and testimony is heard. The minutes are available on the borough website. The Assembly is continuing their review of the tax code. She is sympathetic to the Council and hears them and will do her best to help them meet their goals for the budget.

B. Mayor's Recognition - Alaska Recreation & Parks Association Day and ARPA's 40th Anniversary

Mayor Pro Tempore Roberts read and presented the recognition to Mike Illg, Community Recreation Coordinator.

Mike Illg announced the upcoming Alaska Recreation and Parks Association Conference in Homer October 7 – 10 at Land's End. Governor Walker and First Lady Donna will be in attendance.

C. Mayor's Proclamation – 2015 Breast Cancer Awareness Month

Mayor Pro Tempore Roberts read and presented the proclamation to Kachemak Bay Family Planning Clinic.

D. Executive Proclamation by Governor Bill Walker – First Responder Appreciation Day, September 27

E. Prince William Sound Regional Citizens' Advisory Council – Report by Robert Archibald

F. Commissions/Board Reports:

1. Library Advisory Board
2. Homer Advisory Planning Commission
 - a. Minutes of August 19, 2015
3. Economic Development Advisory Commission
4. Parks and Recreation Advisory Commission
5. Port and Harbor Advisory Commission
6. Cannabis Advisory Commission

Don Stead, Cannabis Advisory Commissioner, reported the last packet was a compilation of all the regulations from the State. The CAC has compiled comments to provide to the State. The CAC will be starting on planning regulations. He referenced the map within council chambers that defines cannabis buffers around parks and schools and restricted areas the CAC plans to propose. Their focus has been keeping cannabis out of the hands of minors.

PUBLIC HEARING(S)

- A. **Ordinance 15-32**, An Ordinance of the Homer City Council Amending Homer City Code 7.04.030, Traffic Fine Schedules, and Homer City Code 7.06.020, Use of Jake Brakes Prohibited, to Substitute a Generic Term for the Trademarked Term “Jake Brake,” and to Prohibit the Use of Improperly Muffled Engine Brakes. City Manager. Introduction September 14, 2015, Public Hearing and Second Reading September 28, 2015.

Mayor Pro Tempore Roberts opened the public hearing. In the absence of public testimony, Mayor Pro Tempore Roberts closed the public hearing.

Mayor Pro Tempore Roberts called for a motion for the adoption of Ordinance 15-32 by reading of title only for second and final reading.

BURGESS/REYNOLDS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- B. **Ordinance 15-33**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a Code Blue Grant From the State of Alaska in the Amount of \$95,500 and Appropriating the Required Local Match in the Amount of \$84,500 for Replacement of Medic 1 and Authorizing the City Manager to Execute the Appropriate Documents. Burgess. Introduction September 14, 2015, Public Hearing and Second Reading September 28, 2015.

Mayor Pro Tempore Roberts opened the public hearing. In the absence of public testimony, Mayor Pro Tempore Roberts closed the public hearing.

Mayor Pro Tempore Roberts called for a motion for the adoption of Ordinance 15-33 by reading of title only for second and final reading.

BURGESS/REYNOLDS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- C. **Ordinance 15-34**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a 2015 State Homeland Security Program Grant From the Division of Homeland Security and Emergency Management (DHS&EM) in the Amount of \$114,300 for a Backup Generator at the Homer Public Library and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Introduction September 14, 2015, Public Hearing and Second Reading September 28, 2015.

Mayor Pro Tempore Roberts opened the public hearing. In the absence of public testimony, Mayor Pro Tempore Roberts closed the public hearing.

Mayor Pro Tempore Roberts called for a motion for the adoption of Ordinance 15-34 by reading of title only for second and final reading.

REYNOLDS/VAN DYKE - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

ORDINANCE(S)

- A. **Ordinance 15-36**, An Ordinance Amending HCC 9.16.010 to Suspend the Dedication of 0.75% of the City Sales Tax to the Homer Accelerated Roads And Trails (H.A.R.T.) Program for a Period of Five Years, and Authorizing the City to Submit the Question of Suspending Such Sales Tax Dedication to the Qualified Voters of the City at a Special Election to Be Held in the City on _____. Mayor. Recommended dates: Introduction September 28, 2015, Public Hearing and Second Reading October 12, 2015.

Mayor Pro Tempore Roberts called for a motion for the adoption of Ordinance 15-36 for introduction and first reading by reading of title only.

REYNOLDS/ZAK – SO MOVED.

BURGESS/REYNOLDS – MOVED TO POSTPONE TO OUR NEXT REGULARLY SCHEDULED COUNCIL MEETING.

Councilmember Burgess would like a larger discussion with the Mayor and Councilmember Lewis. He cautioned introducing the ordinance that precludes other revenue options that were popular with the public. The availability of HART funds represents the failure of the City and the Council to use the funds. Without the collection of HART funds for the next five years, it is limiting our long term ability to create financial situations to increase sales and property taxes.

Councilmember Reynolds expressed approval of combining the ordinance with another revenue option at the next meeting although she will be absent.

Mayor Pro Tempore Roberts expressed opposition to the postponement since the budget is usually completed by December 10th. Postponing the ordinance will not allow anything to happen in this fiscal year and we need to help the City Manager make a balanced budget.

Councilmember Zak is reluctant to postpone and supports voting on it tonight as it is critical funding for the budget.

City Manager Koester advised the Council if they want to combine a revenue option with a run-off election it would need to be introduced today with second reading on October 12th. There are lots of arguments against the tight turnaround and asking the voters to come back to the polls in close proximity. October 12th and 26th meetings will allow ordinance introduction and second reading timely for a special election on December 1st. It is a difficult time for staff in the Clerk's office and absentee voting will fall over Thanksgiving.

VOTE: (postponement) YES. BURGESS

VOTE: NO. ROBERTS, REYNOLDS, ZAK, VAN DYKE

Motion failed.

Councilmember Burgess expressed concern of the short notice to the voters. If we want to generate support we owe it to the public to provide a 45-day advance notice. It will still accommodate the goal of passing a balanced budget for 2016. Another revenue source generated nearly as much support. When the City annexed properties we have not delivered on city services. HART is the only pot of money that should make good for city services. It is a short term solution that will create more long-term revenue concerns for the community.

Councilmember Reynolds agreed on the importance of preserving HART long term. The ordinance suspends the collecting of the sales tax; we could use the \$7M accrued. She prefers reducing the time to two or three years to allow time to implement revenue through the Borough with a tax.

VAN DYKE/REYNOLDS - MOVED TO AMEND TO SUSPEND THE HOMER ACCELERATED ROADS AND TRAILS PROGRAM FOR A PERIOD UP TO FIVE YEARS, AND INCLUDE ALL PARALLELLING LANGUAGE.

Councilmember Burgess expressed opposition as it might as well be five years. There needs to be a legal mechanism in place to decide when the "up to" amount actually happens.

Mayor Pro Tempore Roberts deferred to City Clerk Johnson about the amended language. City Clerk Johnson suggested the attorney review the amendment.

City Manager Koester advised she asked the attorney how HART could be instituted earlier than the five-year window. The solution would be the Council appropriating funds to HART. It is legally binding by the voters and would sunset after five years. At any time the Council could put funds into the HART fund, but the Council can't reverse it. City Manager Koester expressed concern with a short three-year window and putting staff and the community through the painful budget crunch process. She is concerned about not being able to focus on other important priorities. In looking at the direction the State is headed we will be looking at less revenue in the future. It may be impacting us more heavily in the next five years, although there is no way to predict the future.

Councilmember Burgess commented if we are suspending HART as a stop gap measure to pass a balanced budget without implementing drastic cuts, it should be a temporary solution. If the goal is to dissolve HART then we should make that call. In an attempt to move forward in a predictable fiscal environment, eight years ago the Council decided to underfund depreciation accounts. Now we are deciding to steal from funds we haven't been spending as we should to help the people we told would be benefitted by the fund. There needs to be an honest discussion.

Mayor Pro Tempore expressed opposition to the amendment, but would consider three years.

VAN DYKE/BURGESS – MOVED TO AMEND THE AMENDMENT TO STRIKE THE UP TO FIVE AND REPLACE WITH THREE YEARS.

There was no further discussion.

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

Motion carried.

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

VOTE: NO. BURGESS

Motion carried.

CITY MANAGER'S REPORT

A. City Manager's Report

1. Memorandum 15-162 from City Attorney, Re: Election Issues

Changes to Council Packets

After attending the Borough Assembly meeting that was held in Homer, Councilmember Reynolds recommended instituting a cover sheet similar to the one the Borough uses for to help the public better understand the meeting process and when to comment. Mayor Wythe and I talked about developing some short titles for Resolutions and Ordinances that could help the public follow what item the Council is referring to beyond the resolution and ordinance number. City Clerk Johnson and I are working on these updates to improve the public's ability to follow and contribute to Council proceedings and plan to implement in October. Please let us know if there are other recommendations you feel would be helpful.

Winter Road Maintenance Privatization Considerations

At the request of Councilmember Lewis, Superintendent Gardner drafted the attached memo outlining the consequences of privatizing winter road maintenance. In summary, city of Homer equipment operators do much more than plow and sand streets. When not plowing roads and sanding streets there is a long list of necessary maintenance activities the equipment operators perform that range from utility locates to ditch clearing. If winter road maintenance were privatized, these activities would still have to occur. Having the flexibility to respond to winter road conditions with the same employees that perform many other maintenance helps ensure that the City gets the most out of these talented employees.

City Manager Koester thanked Councilmember Reynolds for the suggestions on making the public council packet better. She referenced the memorandum on contracting winter road maintenance with a private company. Stantec is the team of consultants working on the public safety building outreach. They are in town this week doing public outreach surveys at the grocery stores and will be hosting a public meeting Wednesday, September 30th from 5:30 p.m. to 7:00 p.m. in council chambers.

City Clerk Johnson reported with a successful election, candidates would be sworn in on October 20th and Councilmember Roberts would be leaving office after October 12th. Votes cast in the election will be divided in half with two seats. With six candidates we will compute the percentage each candidate receives. Each candidate will need 20% of votes cast to avoid the run-off.

CITY ATTORNEY REPORT

COMMITTEE REPORT

A. Public Arts Committee

- B. Permanent Fund Committee
- C. Employee Committee Report
- D. Public Safety Building Review Committee
- E. Vessel Haul-Out Task Force
- F. Sustainable Animal Control Review Committee

PENDING BUSINESS

NEW BUSINESS

- A. **Memorandum 15-164**, 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 Attorney /Client Privilege (Castner vs. City of Homer Proposal for Settlement).

REYNOLDS/BURGESS - MOVED TO MOVE THIS LATER IN THE AGENDA SO EVERYONE IN THE AUDIENCE DOES NOT NEED TO SIT THROUGH THE ADJOURNMENT UNLESS THEY DESIRE TO; I SUGGEST WE MOVE IT TO AFTER ITEM 16 COMMENTS OF THE AUDIENCE.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

RESOLUTIONS

- A. **Resolution 15-084**, A Resolution of the Homer City Council Adopting the 2016-2021 Capital Improvement Plan and Establishing Capital Project Legislative Priorities for State Fiscal Year 2017. Mayor/City Council.

Memorandum 15-158 from Assistant City Manager as backup.

Mayor Pro Tempore Roberts called for a motion for the adoption of Resolution 15-084 by reading of title only.

BURGESS/REYNOLDS – SO MOVED.

BURGESS/REYNOLDS - MOVED TO AMEND TO INCLUDE THE BOAT HOUSE PAVILION AND PLAZA TO THE LIST.

Councilmember Burgess expressed appreciation of the project that has lots of merit, keeps public spaces out of the way, and adds economic value to existing businesses. It is a great location and has potential for funding with community support.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Discussion on the priority of the Barge Mooring Facility over the Harbor Sheet Pile Loading Dock ensued.

City Manager Koester pointed out the Harbor Sheet Pile Loading Dock has received \$350,000 funding from the Legislature. Both projects are important to service the fleet and increase capacity at the harbor. The Harbor Sheet Pile Loading Dock is being designed now and there will be some funds left over that need to go into build. The Barge Mooring Facility is continuing as a project.

Councilmember Zak suggested the Harbor Sheet Pile Loading Dock or Storm Water Master Plan since they are more likely to be funded this year. He would like to see those projects moved up to positions 1 and 2. He does not see a benefit this year of having the Public Safety Building taking the first spot on the CIP.

BURGESS/REYNOLDS - MOVED TO REMOVE THE MARINE WAYS LARGE VESSEL HAULOUT FACILITY FROM OUR CIP LIST.

Councilmember Burgess commented the task force and staff recommended removing the project. We are addressing this in other ways with the barge haul-out and sheet piling loading. The East Boat Harbor expansion would interfere with that area. The haulout facility is best removed and brought back in a redesigned form later.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

REYNOLDS/ZAK - MOVED TO ADD THREE NEW PROJECTS TO THE CIP LIST: TWO NEW CITY OF HOMER PROJECTS - BOAT HOUSE PAVILION AND PLAZA ON THE HOMER SPIT AND MULTI-USE COMMUNITY CENTER AND ONE PROJECT BY A NON-CITY ORGANIZATION WHICH IS THE HOMER SENIOR CITIZENS ALZHEIMER'S UNIT BROUGHT BY THE SENIOR CENTER.

The Boat House Pavilion and Plaza on the Homer Spit was previously approved.

VOTE: NO. REYNOLDS, ROBERTS, VAN DYKE, ZAK, BURGESS

Motion failed.

REYNOLDS/ZAK - MOVED TO INTRODUCE THE MULTI-USE COMMUNITY CENTER TO THE CIP LIST.

Councilmember Reynolds noted several councilmembers made a commitment to the community when we were discussing the public safety building that we would not let the need for a new community recreation center to fall by the wayside. It is an important project we can start working towards in the long term.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

ZAK/VAN DYKE – MOVED TO REMOVE THE PUBLIC SAFETY BUILDING FROM THE #1 POSITION, MOVING IT DOWN TO #3.

Councilmember Zak doesn't foresee any federal or state funds so it should not occupy the #1 position on the CIP this year.

Councilmember Burgess commented the CIP is not an outline of things the City is to commit financial resources to, but rather a way of garnering funding from federal or state. That is the rationale for leaving in #1; there is not another project to put in #1. The public safety building is a critical need and is the core of what the City provides, making it more likely to get money for the project.

Councilmember Zak expressed the need to show the public that we are listening. There are a lot of people concerned about it being over designed. We have spent money to get to the design phase and for him to get behind the project he will need a reasonable definition of what the building is. Now is a good opportunity to put storm water drainage ahead of this; the public safety building could be prioritized in years when it becomes more realistic.

Councilmember Reynolds agreed storm water drainage is a more accessible number, but it is important with the work that has gone into the public safety building not to demote it too far. More discussion is needed on the design.

Councilmember Burgess noted funding for a large project item is contingent on its ranking on the CIP. Nobody wants to pay for public safety until you need it. We don't need to spend any more money on this now. The core responsibility of the City is to take care of its citizens. Who knows what the actual cost will be in the end.

VOTE: YES. ZAK

VOTE: NO. VAN DYKE, REYNOLDS, ROBERTS, BURGESS

Motion failed.

ZAK/REYNOLDS – MOVED TO MOVE ALASKA MARITIME ACADEMY TO LONG-RANGE PROJECT.

Asked what we gain by keeping the Alaska Maritime Academy as a project, Port and Harbor Director Hawkins answered we gain the benefit of keeping it as a city project, but it keeps our focus on projects that will have a better chance of funding. The maritime academy goes to the national level. It is a decision if federal funding will be used for another maritime academy on the west coast. There are two academies on the west coast, one in Washington and one in California. It is a big undertaking to pull the project and he has serious doubts funding is available with the current climate.

VOTE: YES. ZAK, VAN DYKE, ROBERTS

VOTE: NO. BURGESS REYNOLDS

Motion failed.

BURGESS/REYNOLDS - MOVE TO DESIGNATE THE PUBLIC SAFETY BUILDING AND THE EAST BOAT HARBOR AS OUR TOP TWO FEDERAL PRIORITIES.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

BURGESS/REYNOLDS – MOVE THAT THEY BE PRIORITIZED AS PUBLIC SAFETY BUILDING #1 AND EAST BOAT HARBOR #2.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Projects that have been funded are removed by staff when the final CIP is made.

REYNOLDS/ZAK – MOVED TO ADD HOMER SENIOR CITIZENS ALZHEIMER'S UNIT BROUGHT BY THE SENIOR CENTER.

The project will go into the list of projects for which local non-profit organizations are seeking funding.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

BURGESS/REYOLDS - MOVED TO POSTPONE RESOLUTION 15-084 TO OCTOBER 12TH.

There was no discussion.

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

Motion carried.

- B. **Resolution 15-085**, A Resolution of the Homer City Council Awarding the Sale of the Waddell Way Cabins to the Highest Bidder of Homer, Alaska, in the Amount of the Highest Bid and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Public Works Director.

Memorandum 15-160 from Public Works Director as backup.

Resolution 15-085(S), A Resolution of the Homer City Council Awarding the Sale of the Waddell Way Cabins to Guy Rossi of Homer, Alaska, in the Amount of \$92,789.91 and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Public Works Director.

Memorandum 15-160(S) from Public Works Director as backup.

Mayor Pro Tempore Roberts called for a motion for the adoption of Resolution 15-085 by reading of title only.

REYNOLDS/VAN DYKE - SO MOVED.

Mayor Pro Tempore Roberts called for a motion to substitute Resolution 15-085(S) for 15-085.

REYNOLDS/VAN DYKE - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

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

Motion carried.

- C. **Resolution 15-086**, A Resolution of the City Council of the City of Homer, Alaska, Calling for a Special Election to Be Held in the City on _____, for the Purpose of Submitting to the Qualified Voters of the City a Proposition to Suspend the Dedication of 0.75% of the City Sales Tax to the Homer Accelerated Roads and Trails (H.A.R.T.) Program for a Period of Five Years. Mayor.

Memorandum 15-163 from City Clerk and City Manager as backup.

Mayor Pro Tempore Roberts called for a motion for the adoption of Resolution 15-086 by reading of title only.

REYNOLDS/VAN DYKE - SO MOVED.

BURGESS/REYNOLDS - MOVED TO AMEND EVERYWHERE IT APPEARS FIVE YEARS TO THREE YEARS.

There was no discussion.

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

Motion carried.

REYNOLDS/VAN DYKE - MOVED TO POSTPONE THIS RESOLUTION TO THE NEXT SCHEDULED MEETING.

There was no discussion.

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

Motion carried.

COMMENTS OF THE AUDIENCE

Michael Armstrong, Homer News reporter, questioned if this was a continued Executive Session from a previously scheduled session. He does not see this as properly noticed and he objected.

Kim Smith, city resident, agreed with Councilmember Burgess' thoughts on the HART funds. We have been paying into the fund with no noticeable improvement. Roads and trails help our economy. She sees the need to shift funds to balance the budget and welcomes looking at revenue systems that will help the community function. She supports the employees and

services and would like to see revenues increased. Council should be brave and look at a bed tax and seasonal tax.

NEW BUSINESS

- A. **Memorandum 15-164**, 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 Attorney /Client Privilege (Castner vs. City of Homer Proposal for Settlement).

Mayor Pro Tempore Roberts called for a motion to go into Executive Session.

REYNOLDS/BURGESS - SO MOVED.

Council questioned if it was a time sensitive issue to hear tonight and the legality of holding an Executive Session without prior public notice on the agenda.

City Manager Koester stated City Attorney Klinkner requested that it be taken care of this evening and advised against postponement. Mr. Castner's attorney will be taking an extended absence.

City Clerk Johnson stated Council can hold an Executive Session at any time in a meeting without prior notice. Councilmember Zak is not eligible to participate due to his telephonic status.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

REYNOLDS/VAN DYKE – MOVE TO ADJOURN INTO EXECUTIVE SESSION.

There was no discussion.

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

Motion carried.

The Council adjourned to Executive Session at 7:32 p.m. and reconvened the meeting at 7:48 p.m.

Councilmember Burgess stated we met with our attorney to discuss the Castner case and gave guidance to our attorney on how to proceed.

BURGESS/REYNOLDS - MOVED TO ACCEPT MR. CASTNER'S SETTLEMENT OFFER OF \$42,500.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

COMMENTS OF THE CITY ATTORNEY

City Attorney Klinkner was not present.

COMMENTS OF THE AUDIENCE

Michael Armstrong, Homer resident, referenced former City Attorney Gordon Tans' opinion on Executive Sessions. Although notice of a public meeting was made, he suggested someone say that the Council is allowed to go into Executive Session.

COMMENTS OF THE CITY CLERK

City Clerk Johnson announced the upcoming election on October 6th with the polls open from 7:00 a.m. to 8:00 p.m. Absentee voting is available at the Clerk's office Monday through Friday from 8:00 a.m. to 5:00 p.m. through election day.

COMMENTS OF THE CITY MANAGER

City Manager Koester thanked the students in attendance and announced the student seats available on the advisory boards. Applications are available at the City Clerk's office.

COMMENTS OF THE MAYOR

Mayor Pro Tempore Roberts thanked city council candidates Donna Aderhold, Heath Smith, Joni Wise, and Bob Howard for attending the meeting. She thanked the Homer High School government students for attending. If you are annexed by the City of Homer and pay property taxes you don't automatically get water and sewer. It is a special fund. Very few people heard the 4 p.m. meeting in which Larry Persily from the Kenai Peninsula Borough talked about the AKLNG project. There is a lot of information in the packet. It is a 10-year project that will bring between 8,000 to 9,000 people here. When Mr. Persily was queried about local hire, he indicated there was no local hire mandate. She asked the citizens to think of a state income

tax since we let a lot of our resources depart the state for free. People are getting big salaries from projects such as this with no benefit to us.

COMMENTS OF THE CITY COUNCIL

Councilmember Van Dyke wished everyone a nice evening and thanked people for coming out.

Councilmember Zak complimented Francie for leading an excellent meeting and for sharing the input from Larry Persily on the AKLNG project. It is an important item that we need to stay abreast of. When he was arguing to move the public safety building down the list it would have been thinking in line of developing areas on the Spit to make it more useful. He is glad Larry Persily recommended someone from Homer attend the meetings to ensure our voice is heard that we are open for business. From a strategic standpoint we want to be considered in the logistics involved with the whole large deal that has huge impacts to the whole state.

Councilmember Reynolds will not be at the October meetings. She thanked Councilmember Roberts for nine years of thoughtful, caring leadership on the City Council and as Mayor Pro Tem. On a personal level, she has been a great mentor and colleague to her both with the Council and on the KBBI board. She hopes she enjoys the free time that opens up now that she doesn't have all the council work, even if she does have to stick it out through October. Unfortunately for us, Francie is leaving the council at a time when we would really benefit from her big picture view, attention to detail with numbers and dollars, and her understanding and compassion for our whole community. Homer and the State of Alaska are facing a fiscal crisis. Some of the conversations about budgetary cuts have started honing in on City staff, hours worked, pay rates and benefits, and on further cutting or reducing services. In the bigger picture and an aspect of current US economics very relevant to this discussion, here we are working hard against what seems like impossibilities at the local and state government level. But she thinks that the City and city residents' current fiscal problems are in large part caused by the national scene. National income and wealth inequalities are impacting us here at the end of the road. In 1999 the median U.S. household income adjusted to today's dollar was \$5,000 more than it is now. In Homer the difference between 1999 and 2013 was \$4,664 lower (\$42,500 in 1999 = \$59,536 adjusted to today's dollars, while the actual is \$54,872). In the past two years the 15 wealthiest people (that's fifteen individuals not 15% and two of them are the Koch brothers) have seen a combined increase in wealth of \$170 Billion. Their increase in wealth is more than what is owned by the bottom 40% of U.S. citizens. The increase in wealth for these 15 people is twice what is spent on nutrition programs that feed 40 million people across the country. Since 1995 the typical middle class U.S. family has experienced a 36% drop in income from \$130,000/year to \$81,000/year. The transfer of wealth from middle class and poor (which includes the vast majority of us here in Homer) to multi-millionaires and billionaires is unjust and obscene. In 1985 90% of the population held 36% of the nation's wealth, now that 90% holds just 23%. During the same period the top 1/10th of 1% saw their share increase from 10% to 22%. This is immoral and unsustainable, and is a huge part of what is undermining Alaskan individuals and the City of

Homer and the State's economy. Our community members are feeling financially pinched, and have noticed that increasing over time. Repeatedly she hears that it's local costs and taxes that are blamed for the feeling of reduced personal and business financial capability. However, in recent years taxes from the City and Borough have been relatively static or have decreased, in fact the last tax increase was in 2005, a 1% sales tax increase. This was paired with a 1 mill rate property tax decrease in 2005. In 2006 the City passed the exemption for property tax on primary residences (on the first \$20,000 of assessed value). Households have also benefitted from the suspension of sales tax on non-prepared food items. Also, the Alaska Permanent Fund Dividends have been significantly above average. Blaming hardship on local government is short-sighted and ultimately incorrect. The reason for our lower personal economic well-being and the reason it feels like our households have less disposable income is mostly a tale of national proportions. The dollar amounts we're paying attention to at the City of Homer are insignificant in comparison. The diminishing and reduction of services we are talking about will negatively impact all of us and will do so at the expense of our neighbors who work for the city. Economic development, both attracting new people and new business to move to Homer as well as enticing tourists to visit, relies on the City of Homer maintaining an attractive quality of life: including maintaining services at least at the level that they are currently. The Council and the City of Homer is seeking long-term solutions to resolve the budget shortfalls so the City will be sustainable and responsible...a huge part of long-term opportunity and stability is impacted by the national scene. Outside parties, and big oil companies sway our representatives in Washington and at the State level. Some candidates for City Council are advocating for slashing City services without truly understanding and considering the ramifications of their proposal. Some candidates are not acknowledging the severe cuts that have been in effect throughout the City of Homer in recent years. They are advocating for solving the current situation solely by a reduction in spending, presenting this as a solution that has not even been considered, let alone implemented, up to this point. This may sound appealing as an election platform, but has no grounding in reality and reflects a naivety especially when coupled with campaign promises to increase certain services.

Councilmember Zak expressed his objection to where this is going. Commenting on certain city council candidates is not appropriate.

Councilmember Reynolds apologized for her statements; she thought she was being broad enough by saying *some* candidates. It is important when we consider our options for President of the United States and the U.S. Senate and Congress over the next year and beyond, we need to make sure we don't vote against our own best interests. Here at the local level during our election on October 6th it is important to vote for candidates that recognize the complexities of the fiscal conundrum we face. She hopes everybody enjoys Homecoming this week, Go Mariners!, and the cross country are headed to state.

Councilmember Burgess expressed his appreciation at not having the longest closing comments. He supports a lot of what Catriona said. She is bold to say it and is feeling the burn as many of us are. If you want to look for dramatically cutting public services and public

spending, check out Greece. He hears things are going really well over there with a complete gutting of social services and the collectively owned portions of the economy. People are really loving it and tourism is way up. Wealth is economic activity that stays in the hands of people. We need to consider investing in our core infrastructure, investing in the things that give us the means to generate economic activity locally. That includes roads, water, and sewer. If we simply stop funding these things, they are the avenue to long-term growth. Looking back at the history of this country, our greatest economic expansions and activity were when we invested in the infrastructure projects such as the Interstate Highway Act and the CCC. When you invest in infrastructure and social capital it yields good dividends for society and that turnover is what has created an economic middle class and a wealthy class of people. There is a certain level of middle class economic activity below which doesn't sustain their vast corporate empires because there are no consumers to purchase the products manufactured thereby. Here at the end of the road we need to make sure the money stays here. If every economic activity we choose sends money out of Homer we are not creating a sustainable future for ourselves. He encouraged Catriona to talk about whatever she wants at a city council meeting. He appreciates the gentleman that came to speak to us about the LNG project and encouraged Katie to keep in contact with him and provide Council with regular updates. Don't be afraid to ask councilmembers to go up the road to advocate. Francie mentioned annexation water and sewer services; she is absolutely right. There is nothing about people outside the city who pay into water and sewer services directly. Councilmember Burgess moved to Homer right after annexation. There were lots of explicit and implicit promises to people in the annexed areas that when we annex you we are going to treat you like citizens of the city. There was a huge amount of discussion about bringing natural gas to Homer and that it was too expensive to bring to the outlying areas. It was suggested the gas just be brought to the core area. There were several people in support of that. The whole point of being in a city is to have the benefits of being in a city. It is not fair to pay the property taxes associated with being in a city and not receive the services. There is a lot more we can do with HART funds to improve road and trail access outside of the downtown core. People who are annexed and upset have a lot of right to be upset. As to Michael Armstrong's comments on the Executive Session, we are not going to adjourn to Executive Session unless there is a clear and essential need. It is unrealistic to constantly have to remind the public of the ins and outs of Robert's Rules of Order, of what we can and cannot do before our meeting. It is good to remind people that Council can adjourn into Executive Session at any properly noticed meeting. In his experience they would never do so unless there was a clear need to do so. He would like to encourage Mr. Castner to donate some of his awards to a local nonprofit of his choice. That might be a good use for those public monies. The single thing he will miss most about having Francie on council is the level of oversight and knowledge and detail she brings to the table. There are many times when nobody notices something very critical and Councilmember Roberts does. He admires that tremendously and will really miss her voice. She is getting out at the right time. Her expertise will be sorely missed.

ADJOURNMENT

There being no further business to come before the Council, Mayor Pro Tempore Roberts adjourned the meeting at 8:07 p.m. The next Regular Meeting is Monday, October 12, 2015 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: _____



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 15-165

TO: HOMER CITY COUNCIL
FROM: MARY E. WYTHE, MAYOR
DATE: OCTOBER 5, 2015
SUBJECT: APPOINTMENT OF KEN SPRAGUE TO THE ECONOMIC DEVELOPMENT ADVISORY COMMISSION AND APPOINTMENTS OF DIXIE HART AND LOUISE ASHMUN TO THE PARKS AND RECREATION ADVISORY COMMISSION.

Ken Sprague is appointed to the Economic Development Advisory Commission to replace outgoing member Josh Ross. Mr. Sprague's appointment is for a term of three years, to expire April 1, 2018.

Dixie Hart is appointed to the Parks and Recreation Advisory Commission to replace outgoing member Roger MacCampbell. Ms. Hart's appointment is for a term of three years, to expire October 31, 2018.

Louise Ashmun is appointed to the Parks and Recreation Advisory Commission to replace outgoing member Tricia Lillibridge. Ms. Ashmun's appointment is for a term of one year, to expire October 31, 2016.

RECOMMENDATION:

Confirm the appointments of Ken Sprague to the Economic Development Advisory Commission and Dixie Hart and Louise Ashmun to the Parks and Recreation Advisory Commission.

Fiscal Note: N/A



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

SEP 25 2015 PM 01:28
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: Ken Sprague Date: 9/25/2015

Physical Address: 1067 Ocean Drive Apt 1, Homer, AK 99603

Mailing Address: PO Box 2827 Homer, AK 99603

Phone Number: _____ Cell #: 907 299 2255 Work #: 907 599 8723

Email Address: ken.sprague@aksbi.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 5 yrs 3 mos.

I am presently employed at Alaska Marketplace + AKSBI, 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:

- In process: Applied for International Economic Development Council (IEDC)
- Graduated from the College of Charleston w/ BA in Urban Studies in 2010
- Currently I'm a Small Business Developer with AKSBI, LLC
- Member of International Business Innovation Association (INBIA)

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

No

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

I'm interested in the growth of our community, and I believe my outside experiences can help build on what makes Homer thrive.

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

INBIA - International Business Innovation Association

IEDC - International Economic Development Council

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:

In my short time and with very limited resources I've already built a business that represented over 15 local small businesses. I believe there's more work to be done to support small business development in Homer, and I want to be

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!

that voice



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

OCT - 2 2015

2

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: Louise E. Ashmun Date: 10/1/15
Physical Address: 457 Mountain View Dr., Homer, AK 99603
Mailing Address: same
Phone Number: _____ Cell #: 907-299-6366 Work #: _____
Email Address: leashmun@gmail.com

The above information will be published in the City Directory and within the city web pages if you are appointed by the Mayor and your appointment is confirmed by the City Council

Please indicate the commission(s), committee(s), board or other that you are interested in serving on by marking with and X or a v

<input type="checkbox"/>	ADVISORY PLANNING COMMISSION	1 ST & 3 RD WEDNESDAY OF THE MONTH AT 6:30 PM WORKSESSION PRIOR TO EACH MEETING AT 5:30 PM
<input type="checkbox"/>	ECONOMIC DEVELOPMENT ADVISORY COMMISSION	2 ND TUESDAY OF THE MONTH AT 6:00 P.M.
<input checked="" 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 1 yrs 6 mos. I have been a resident of the area for 1 yrs 6 mos.

I am presently employed at Retired AK Science Teacher; Retired Civil Engr. with the National Forest Service

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 am a highly trained science educator with most of my teaching experience in AK; I re-trained in Civil Eng. (1999-2002) and worked in Forest Service Research on Soil & Water Engineering studies; I am highly experienced in Outdoor Education & Placed-based learning; lastly, I am an avid hiker, kayaker, & skier who recreates in Homer.

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

I served on the Sustainable Environment Commission in Moscow, ID.

for 7 years (2006-2013). During my tenure, we introduced several

resolutions, policy changes, and an ordinance for City Council consideration

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

I've attended nearly all the P & R Comm. meetings since Jan. 2015 while they worked on updating the Beach Policy. I am very impressed with the members' contribute to

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

I am on the Woodard Creek Coalition-Technical Advisory Group; Kachemak Bay

Nordic Ski Club, Garden Club, and Birders; AK Coastal Studies, Geographic Society; Homer

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? Council on the Arts

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:

Although my husband and I have recently moved to Homer, we were AK residents in 1981-1999. We are very happy to be back in AK.

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!



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

OCT 01 2015 AM 09:50 *Plk*

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: DIXIE HART Date: 9-28-2015
Physical Address: 545 Rangeview Ave Homer AK 99603
Mailing Address: Same
Phone Number: 907-235-3659 Cell #: 907-435-7159 Work #: _____
Email Address: DIXHART@Yahoo.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
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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 26 yrs 4 mos. I have been a resident of the area for 26 yrs 4 mos.

I am presently employed at Retiree From Hospital and Disney

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

Supervisor Disney, B.S. Business Administration
Hospital-service to the public's health

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

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

I have the interest AND THE TIME, MIKE I.
IS a primary motivation for me

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

I use the HERC building for ZUMBA, AND HAVE Belonged to
Dog TRAINING, Community schools programs

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:

I am very interested in PUBLIC SAFETY
AND Health

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

ORDINANCE REFERENCE SHEET
2015 ORDINANCE
ORDINANCE 15-38

An Ordinance of the Homer City Council Amending the FY 2015 Operating Budget by Appropriating \$42,500 From the Homer Natural Gas Special Assessment District Account for Settlement Costs in the Castner vs. City of Homer Court Case Challenging Assessments for Condominiums Within the District.

Sponsor: City Manager

1. Council Regular Meeting October 12, 2015 Introduction
 - a. Stipulation and Proposed Order Concerning the City's Compliance With the Court's Orders and the Imposition of a Compensatory Civil Sanction
 - b. Order Concerning the City's Compliance and the Imposition of a Compensatory Civil Sanction

**CITY OF HOMER
HOMER, ALASKA**

City Manager

ORDINANCE 15-38

AN ORDINANCE OF THE HOMER CITY COUNCIL AMENDING THE
FY 2015 OPERATING BUDGET BY APPROPRIATING \$42,500 FROM
THE HOMER NATURAL GAS SPECIAL ASSESSMENT DISTRICT
ACCOUNT FOR SETTLEMENT COSTS IN THE CASTNER VS. CITY OF
HOMER COURT CASE CHALLENGING ASSESSMENTS FOR
CONDOMINIUMS WITHIN THE DISTRICT.

WHEREAS, The City and Kenneth Castner have reached an agreement in the Court
Case 3HO-13-0038CI; and

WHEREAS, The City has agreed to pay \$42,500 to Kenneth Castner as a civil sanction
intended to compensate Castner for the attorney services provided and the costs incurred
with respect to his efforts to compel the City to comply with the Court's orders requiring the
City to lawfully assess condominium units.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The Homer City Council hereby amends the FY 2015 operating budget by
appropriating \$42,500 from the Homer Natural Gas Special Assessment District account for
settlement costs in the Castner vs. City of Homer court case challenging assessments for
condominiums within the district as follows:

Expense:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
175-0375-5210	Settlement Castner v. City of Homer 3HO-13-0038CI	\$42,500

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 October, 2015.

CITY OF HOMER

MARY E. WYTHE, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

AYES:

NOES:

ABSTAIN:

ABSENT:

First Reading:

Public Hearing:

Second Reading:

Effective Date:

Reviewed and approved as to form:

Mary K. Koester, City Manager

Thomas F. Klinkner, City Attorney

Date: _____

Date: _____

Fiscal information: Included in ordinance.

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT AT HOMER

KENNETH W. CASTNER, III,)
)
Plaintiff,)
)
v.)
)
CITY OF HOMER, *et al.*,)
)
Defendants.)

Case No. 3HO-13-0038 CI

**STIPULATION AND PROPOSED ORDER
CONCERNING THE CITY'S COMPLIANCE WITH THE COURT'S ORDERS
AND THE IMPOSITION OF A COMPENSATORY CIVIL SANCTION**

The City and Castner have reached agreements concerning the terms under which the remaining issues in this case may be resolved without further litigation. This Stipulation will discuss those terms. The parties respectfully ask the Court to accept and implement those terms by entering the proposed Order that has been lodged with this Stipulation.

After the Supreme Court denied the City's Petition for Review, by an order dated May 21, 2015, the parties reached agreement concerning the method that the City should use to determine the special assessments levied on condominium units in order to comply with this Court's Decision and Order and its Order Compelling Compliance. On September 14, 2015, the City Council adopted Resolution 15-081, which confirmed an assessment roll with special assessments for condominium units that were calculated using that method. [See Attachment A] Therefore, as contemplated by the Stipulated Motion for Stay, the parties

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STIPULATION AND PROPOSED ORDER
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jointly ask the Court to approve those assessments and permit the City to issue payment statements to condominium unit owners based on the confirmed assessment roll.

The Order Compelling Compliance also provided that the Court would “separately consider the question of whether contempt sanctions should be imposed on the City and any culpable City officials,” after the City has “fully complied with this order.” Both parties wish to avoid having to devote additional resources to litigating various potential issues concerning sanctions. To that end, the City has agreed to pay \$42,500 to Castner as a civil sanction intended to compensate Castner for the attorney services provided and the costs incurred with respect to his efforts to compel the City to comply with the Court’s orders requiring the City to lawfully assess condominium units. Castner considers that to be a reasonable, appropriate sanction for the City’s conduct and thus does not advocate that the Court impose additional sanctions against the City or its officials.

The parties recognize and respect the Court’s authority to determine appropriate contempt sanctions. Their agreement concerning a compensatory civil sanction does not presume to usurp that authority, but instead is intended to allow the question of sanctions to be resolved without additional, adversarial show cause proceedings. The parties respectfully ask the Court to adopt the stipulated compensatory civil sanction as an appropriate sanction for the City’s conduct in this case.

The parties further stipulate as follows with respect to the City’s compliance with the Court’s Decision and Order and the stipulated compensatory civil sanction:

1. The parties agree that, in order to comply with the Court's Decision and Order, the City shall levy a single special assessment on each lot held in the condominium form of ownership in the same per-lot amount levied on lots in the Homer Natural Gas Distribution Special Assessment District that are held in other forms of ownership.
2. The parties agree that, in order to comply with the Court's Decision and Order, the single per-lot special assessment levied on lots held in the condominium form of ownership shall be apportioned among condominium units based on each unit's percentage ownership interest in the condominium property's common elements (which include the lot), as stated in the relevant condominium declarations.
3. The method described in the preceding two paragraphs was used by the City to calculate the special assessments stated on the assessment roll for condominium units that was confirmed by the Homer City Council on September 14, 2015. The parties stipulate that those special assessments are thus in compliance with the Court's Decision and Order.
4. The City's special assessment process afforded all property owners the opportunity to object to their special assessments on any grounds. No condominium unit owner has asserted that the City incorrectly or inaccurately applied the above-described method in determining the amount of the special assessment to be levied on a condominium unit.

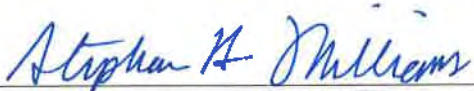
5. One condominium unit owner, Mr. Jack Foley, has objected to his condominium unit's special assessment on general grounds. [See Attachment B] However, he does not contend that his assessment was improperly calculated using the above-described method or otherwise not in compliance with the Court's Decision and Order. The parties' view is that his objection thus should not forestall the Court from finding that the condominium assessments set forth on the confirmed assessment roll are in compliance with the Court's Decision and Order. The parties, however, agree that the Court's issuance of an order finding those assessments compliant should not preclude Mr. Foley (or any other condominium unit owner) from challenging a special assessment on any other grounds, through either administrative or judicial processes, as may be provided by law.
6. The parties therefore jointly request the Court to issue an order finding the special assessments stated on the confirmed assessment roll for condominium units, Attachment A hereto, to be in compliance with its Decision and Order. They request that the order also provide that the City may send payment statements to condominium unit owners based on that assessment roll.
7. The parties respectfully ask the Court to order that the City pay Castner the agreed amount of \$42,500 as a compensatory civil sanction. Both parties consider that sanction to be reasonable, appropriate, and sufficient in light of the City's conduct with respect to this case. They thus ask the Court to impose

that sanction without conducting further show cause proceedings concerning other potential sanctions, and agree that upon the Court's entry of the Order submitted herewith, and the City's payment of the agreed amount stated above in accordance with the terms of the Order, all liability of the City and City officials for contempt sanctions in the proceeding shall be fully satisfied and discharged; *provided, however*, that the City's obligation to pay that amount as compensation to Castner is unconditional and shall not be void, diminished, or modified if the Court does not enter the Order and instead conducts further proceedings or imposes some other sanction on the City or any City officials.


The parties thus ask the Court to accept and implement this Stipulation by entering the proposed Order that they have lodged with the Court.

RESPECTFULLY SUBMITTED this 30th day of September, 2015.

LAW OFFICE OF STEPHAN H. WILLIAMS


By: Stephan H. Williams
Alaska Bar No. 7911137
Attorney for Plaintiff
Kenneth W. Castner III

BIRCH HORTON BITTNER & CHEROT


By: Thomas F. Klinkner
Alaska Bar No. 7610112
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STIPULATION AND PROPOSED ORDER
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IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT AT HOMER

KENNETH W. CASTNER, III,)	
)	
Plaintiff,)	
)	
v.)	
)	
CITY OF HOMER, <i>et al.</i> ,)	
)	
Defendants.)	Case No. 3HO-13-0038 CI
_____)	

**ORDER CONCERNING THE CITY'S COMPLIANCE
AND THE IMPOSITION OF A COMPENSATORY CIVIL SANCTION**

The Court finds that it is appropriate, fair, and just to fully resolve this matter on the terms articulated by the parties in their Stipulation and Proposed Order Concerning the City's Compliance with the Court's Orders and the Imposition of a Compensatory Civil Sanction.

IT IS THEREFORE ORDERED that:

1. The special assessment amounts for condominium units that are stated on the assessment roll confirmed by the Homer City Council in its Resolution 15-081 on September 14, 2015, are in compliance with the Court's Order and Decision, as required by the Court's subsequent Order Requiring Compliance, dated April 3, 2015.

2. The City may therefore issue special assessment payment statements to condominium unit owners for the amounts stated on that confirmed assessment roll.

3. The City shall pay to Castner the amount of \$42,500 as a compensatory civil contempt sanction. The Court accepts the parties' stipulation that this compensatory civil sanction will provide appropriate, reasonable compensation for the attorney's fees and costs

devoted to Castner's efforts to require the City to fully comply with the Court's Order and Decision. The City shall pay that amount, in full, no later than 30 days after the date that this Order is executed by the Court, and upon the City's payment of that amount, all liability of the City and City officials for contempt sanctions in this proceeding shall be fully satisfied and discharged..

4. The Court concludes that is not necessary to conduct further show cause proceedings or impose additional contempt sanctions on the City or potentially culpable City officials, in light of the parties' Stipulation and the Court's imposition of the stipulated compensatory civil contempt sanction on the City.

5. Neither this Order nor the parties' Stipulation shall be considered to preclude or limit the rights of a condominium unit owner to challenge a special assessment levied on a condominium unit through administrative or judicial processes, as may be provided by law.

6. The Court shall retain jurisdiction of this matter for the purpose of ensuring full compliance with the parties' Stipulation, this Order, and the prior decisions and orders issued in this case.

ENTERED this _____ day of _____, 2015.

Charles T. Huguelet
Superior Court Judge

**CITY OF HOMER
HOMER, ALASKA**

City Manager

RESOLUTION 15-081

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
CONFIRMING THE ASSESSMENT ROLL FOR CONDOMINIUM
UNITS IN THE HOMER NATURAL GAS DISTRIBUTION SPECIAL
ASSESSMENT DISTRICT, AND ESTABLISHING DELINQUENCY,
PENALTY AND INTEREST PROVISIONS FOR THOSE SPECIAL
ASSESSMENTS.

WHEREAS, Council adopted Ordinance 13-02 on February 11, 2013 creating the City of
Homer Natural Gas Distribution Special Assessment District ("District"); and

WHEREAS, The actual costs of the improvement, including construction cost and the
amounts required for administrative costs, bond counsel fees, reserves and related costs are
\$3,237.14 per parcel; and

WHEREAS, By Resolution 15-017, adopted March 23, 2015, the City confirmed the
assessment roll for the District; and

WHEREAS, On April 3, 2015, the Superior Court in *Castner v. City of Homer, et al.*, Case
No. 3HO-13-00038CI, ruled that the City's method of assessing condominium units in the
District was unlawful, and the Alaska Supreme Court denied a Petition for Review of this
ruling; and

WHEREAS, The City has prepared a new assessment roll for condominium units in the
District, with assessments that comply with the Superior Court's decision; and

WHEREAS, All record owners of condominium units in the District were mailed notice
of their assessments, of the right to object to the assessments, and notice of a public hearing
on the assessment roll to be held on September 14, 2015, not less than 15 days before the
hearing; and

WHEREAS, The Council held a public hearing on the assessment roll on September 14,
2015, at which time all the written objections to the assessment roll were considered and all
persons present who objected in writing were given the opportunity to be heard; and

WHEREAS, The Council has corrected all errors and inequalities in the assessment roll,
and finds that the assessment roll should be confirmed.

43 NOW, THEREFORE, BE IT RESOLVED that the final assessment roll for condominium
44 units in the District as presented by the City Clerk and reviewed and corrected where
45 necessary, which is attached hereto as Attachment A, is hereby confirmed as the official
46 assessment roll for condominium units in the Homer Natural Gas Distribution Special
47 Assessment District and the Mayor and Clerk are authorized and directed to sign the same.

48
49 BE IT FURTHER RESOLVED that in accordance with HCC 19.04.090, the City shall
50 prepare assessment statements for all assessed condominium units in the District, which
51 shall be submitted to the Superior Court for approval as provided in the Stipulated Motion for
52 Stay in *Castner v. City of Homer, et al.* Upon the Superior Court's approval of the assessment
53 statements, the Finance Director shall mail the assessment statements to property owners
54 and publish notice of mailing the statements as required by HCC 17.04.090(b).

55
56 BE IT FURTHER RESOLVED, that on or before 5:00 p.m. on December 15, 2015, all
57 assessments of condominium units in the Homer Natural Gas Distribution Special Assessment
58 District shall become due and payable in full. An optional installment payment plan is offered
59 whereby any assessment of a condominium unit in an amount exceeding \$405.27 may be
60 paid in yearly installments of principal plus interest of four percent (4%) per annum on the
61 unpaid balance of the assessment, with each installment of principal plus interest being
62 equal to the lesser of \$405.27 and the amount of the outstanding principal of the assessment
63 plus accrued interest. The first such installment shall be due and payable on or before 5:00
64 p.m. on December 15, 2015, with interest accrued from July 1, 2015 to the due date, and each
65 installment thereafter shall be due on or before July 1 of each year. The outstanding balance
66 of an assessment, plus accrued interest, may be prepaid at any time. If payment in full of any
67 annual installment payment is not received when due, the entire outstanding principal
68 amount of the assessment shall be in default and shall be immediately due and payable. The
69 entire outstanding assessment principal (including the annual installment) shall have added
70 a penalty of ten percent (10%) on the outstanding principal. The principal and penalty shall
71 draw interest at the rate of ten and one half percent (10.5%) per annum until paid. Should
72 default occur, the City of Homer will institute a civil action for a foreclosure of the assessment
73 lien. Foreclosure shall be against all property on which assessments are in default. All costs,
74 including collection and legal fees resulting from such action, shall be added and
75 incorporated into the assessed amount due plus interest and penalties and shall be
76 reimbursed from the proceeds of foreclosure sale of the assessed real property.

77
78 PASSED AND ADOPTED by the Homer City Council on this 14th day of September, 2015.

79
80 CITY OF HOMER

81
82
83 _____
84 MARY E. WYTHE, MAYOR

85 ATTEST:

86

87

88

89 _____
JO JOHNSON, MMC, CITY CLERK

90

91 Fiscal Note: N/A

Homer Natural Gas Special Assessment District
Final Assessment Roll Condominiums

Attachment A

Tax Parcel ID	OWNER	ADDRESS	CITY	STATE	ZIPCODE	COUNTRY	LEGAL	Assessed Value	Percent Ownership	Assessment
18103449CO01	MICKS JOHN E & KLIMOW SUSAN S	1441 GWENN DR	ANCHORAGE	AK	99515		T 7S R 13W SEC 1 Seward Meridian HM 2001017 LANDS END LODGES CONDOMINIUMS UN IT 1	\$458,700.00	3.8106	\$124.33
18103449CO02	COGNICOM PROPERTIES LLC	3135 KACHEMAK DR	HOMER	AK	99603		T 7S R 13W SEC 1 Seward Meridian HM 2001017 LANDS END LODGES CONDOMINIUMS UN IT 2	\$407,800.00	5.1303	\$167.39
18103449CO03	DE MIKI DINA CHUNG TRUST & MIKI ROBERTO ALEJANDRO TRUST	6930 TULIPAN CT	CORAL GABLES	FL	33143		T 7S R 13W SEC 1 Seward Meridian HM 2001017 LANDS END LODGES CONDOMINIUMS UN IT 3	\$458,700.00	3.8106	\$124.33
18103449CO04	THE GORDONS LLC	1068 W FIREWEED LN STE A	ANCHORAGE	AK	99503		T 7S R 13W SEC 1 Seward Meridian HM 2003007 LANDS END LODGES CONDOMINIUMS PHA SE 2 UNIT 4	\$385,500.00	2.7219	\$88.81
18103449CO05	KACHEMAK BAY RETREAT LLC	1430 K ST	ANCHORAGE	AK	99501		T 7S R 13W SEC 1 Seward Meridian HM 2003007 LANDS END LODGES CONDOMINIUMS PHA SE 2 UNIT 5	\$612,700.00	5.4287	\$177.13
18103449CO06	HALL JARED A & HANNA VIRGENE	4747 POTTER CREST CIR	ANCHORAGE	AK	99516		T 7S R 13W SEC 1 Seward Meridian HM 2003007 LANDS END LODGES CONDOMINIUMS PHA SE 2 UNIT 6	\$478,600.00	3.5816	\$116.86
18103449CO07	MINK PHILIP & ANNA LIVING TRUST	18310 POTTER BLUFF CIR	ANCHORAGE	AK	99516		T 7S R 13W SEC 1 Seward Meridian HM 2005009 LANDS END LODGES CONDOMINIUMS PHA SE 3 UNIT 7	\$388,800.00	3.041	\$99.22
18103449CO08	COX GERALD F & LEMERE CYNTHIA A	48 AVON CIR	NEEDHAM	MA	2494		T 7S R 13W SEC 1 Seward Meridian HM 2005009 LANDS END LODGES CONDOMINIUMS PHA SE 3 UNIT 8	\$618,500.00	5.5958	\$182.58
18103449CO09	DESANNOY MICHAEL WILLIAM	BOX 547	NESTOR FALLS	ON CANADA	POX1K	CANADA	T 7S R 13W SEC 1 Seward Meridian HM 2005009 LANDS END LODGES CONDOMINIUMS PHA SE 3 UNIT 9	\$478,600.00	3.9364	\$128.44
18103449CO10	LE NHU-Y T	PO BOX 1283	BARROW	AK	99723		T 7S R 13W SEC 1 Seward Meridian HM 2006002 LANDS END LODGES CONDOMINIUMS PHA SE 4 UNIT 10	\$397,100.00	3.041	\$99.22
18103449CO11	FREEMAN HOLDINGS OF ARKANSAS LLC	16221 FORSTER ST	OVERLAND PARK	KS	66085		T 7S R 13W SEC 1 Seward Meridian HM 2006002 LANDS END LODGES CONDOMINIUMS PHA SE 4 UNIT 11	\$612,900.00	5.9619	\$194.52
18103449CO12	HUFFMAN, JAMES & LESLIE	271 E BIRCH HILL RD	FAIRBANKS	AK	99742		T 7S R 13W SEC 1 Seward Meridian HM 2006002 LANDS END LODGES CONDOMINIUMS PHA SE 4 UNIT 12	\$474,700.00	3.9364	\$128.44
18103449CO13	THURSTON JAMES & JANET JOINT REVOCABLE TRUST	PO BOX 6469	HALIBUT COVE	AK	99603		T 7S R 13W SEC 1 Seward Meridian HM 2006012 LANDS END LODGES CONDOMINIUMS PHA SE 5 UNIT 13	\$429,200.00	3.0297	\$98.85
18103449CO14	CSV ALASKA LLC	400 MACHELLE DR	CARY	IL	60013		T 7S R 13W SEC 1 Seward Meridian HM 2006012 LANDS END LODGES CONDOMINIUMS PHA SE 5 UNIT 14	\$547,600.00	5.5883	\$182.33
18103449CO15	THE GORDONS LLC	1068 W FIREWEED LN STE A	ANCHORAGE	AK	99503		T 7S R 13W SEC 1 Seward Meridian HM 2006012 LANDS END LODGES CONDOMINIUMS PHA SE 5 UNIT 15	\$415,600.00	3.9233	\$128.01
18103449CO16	GORDON MICHELLE M & MICHAEL	PO BOX 2939	HOMER	AK	99603		T 7S R 13W SEC 1 Seward Meridian HM 2007069 LANDS END LODGES CONDOMINIUMS PHA SE 7 UNIT 16	\$805,900.00	7.8315	\$255.52

Homer Natural Gas Special Assessment District
Final Assessment Roll Condominiums

Tax Parcel ID	OWNER	ADDRESS	CITY	STATE	ZIPCODE	COUNTRY	LEGAL	Assessed Value	Percent Ownership	Assessment
18103449CO17	STASER KAREN K & JEFFERY	2203 SORBUS WAY	ANCHORAGE	AK	99508		T 7S R 13W SEC 1 Seward Meridian HM 2007012 LANDS END LODGES CONDOMINIUMS PHA SE 6 UNIT 17	\$354,400.00	3.8012	\$124.02
18103449CO18	LAWSON LARRY	2490 S WOODWORTH LOOP STE 449	PALMER	AK	99645		T 7S R 13W SEC 1 Seward Meridian HM 2007012 LANDS END LODGES CONDOMINIUMS PHA SE 6 UNIT 18	\$529,100.00	6.6358	\$216.51
18103449CO19	BARTLEY JEFFREY J AMENDED REVOCABLE TRUST	PO Box 147	EUREKA	NV	89316		T 7S R 13W SEC 1 Seward Meridian HM 2007012 LANDS END LODGES CONDOMINIUMS PHA SE 6 UNIT 19	\$420,700.00	4.4977	\$146.75
18103449CO20	ROBAIR LLC	3541 W 100TH AVE	ANCHORAGE	AK	99515		T 7S R 13W SEC 1 Seward Meridian HM 2008073 LANDS END LODGES CONDOMINIUMS PHA SE 8 UNIT 20	\$383,300.00	3.6436	\$118.88
18103449CO21	SLEZEWSKI MICHELLE L & HOLLOWAY RAY	3001 WIDGEON LN APT 3	ANCHORAGE	AK	99508		T 7S R 13W SEC 1 Seward Meridian HM 2008073 LANDS END LODGES CONDOMINIUMS PHA SE 8 UNIT 21	\$573,400.00	6.6883	\$218.22
18103449CO22	FREEMAN HOLDINGS OF ARKANSAS LLC	16221 FORSTER ST	OVERLAND PARK	KS	66085		T 7S R 13W SEC 1 Seward Meridian HM 2008073 LANDS END LODGES CONDOMINIUMS PHA SE 8 UNIT 22	\$432,200.00	4.3644	\$142.40
17920218CO01	DOTSON NANCY & MICHAEL	1468 BAY AVE #1	HOMER	AK	99603		T 6S R 13W SEC 21 Seward Meridian HM 2007020 BAY AVENUE CONDOMINIUMS UNIT 1	\$101,800.00	50	\$1,631.39
17920218CO02	NIEMAN RONALD JACK	PO BOX 1845	HOMER	AK	99603		T 6S R 13W SEC 21 Seward Meridian HM 2007020 BAY AVENUE CONDOMINIUMS UNIT 2	\$101,000.00	50	\$1,631.39
17918113CO01	ARNOLD PATRICIA ANN	3479 LANDINGS ST APT 1	HOMER	AK	99603		T 6S R 13W SEC 21 Seward Meridian HM 0800088 THE LANDINGS CONDOMINIUMS UNIT 01	\$93,100.00	5.41338	\$176.63
17918113CO02	MERSHON CHRISTY L	PO BOX 1677	HOMER	AK	99603		T 6S R 13W SEC 21 Seward Meridian HM 0800088 THE LANDINGS CONDOMINIUMS UNIT 02	\$95,600.00	5.51183	\$179.84
17918113CO03	BUZUNIS GARY R & LOUELLA FAMILY 2002 TRUST	PO BOX 39376	NINILCHIK	AK	99639		T 6S R 13W SEC 21 Seward Meridian HM 0800088 THE LANDINGS CONDOMINIUMS UNIT 03	\$113,400.00	5.51183	\$179.84
17918113CO04	NEEDHAM INVESTMENTS LLC	PO BOX 2389	HOMER	AK	99603		T 6S R 13W SEC 21 Seward Meridian HM 0800088 THE LANDINGS CONDOMINIUMS UNIT 04	\$108,300.00	5.41338	\$176.63
17918113CO05	MARTIN JEROMY & BRITTNEY	4511 FOLKER ST, APT 21-B	ANCHORAGE	AK	99507		T 6S R 13W SEC 21 Seward Meridian HM 0800088 THE LANDINGS CONDOMINIUMS UNIT 05	\$98,300.00	5.41338	\$176.63
17918113CO06	BUZUNIS GARY R & LOUELLA FAMILY 2002 TRUST	PO BOX 39376	NINILCHIK	AK	99639		T 6S R 13W SEC 21 Seward Meridian HM 0800088 THE LANDINGS CONDOMINIUMS UNIT 06	\$94,200.00	5.41338	\$176.63
17918113CO07	MARITIME HELICOPTERS INC	3520 FAA RD	HOMER	AK	99603		T 6S R 13W SEC 21 Seward Meridian HM 0800088 THE LANDINGS CONDOMINIUMS UNIT 07	\$91,900.00	5.41338	\$176.63
17918113CO08	MDIC LLC	PO BOX 615	HOMER	AK	99603		T 6S R 13W SEC 21 Seward Meridian HM 0800088 THE LANDINGS CONDOMINIUMS UNIT 08	\$101,500.00	5.75789	\$187.87
17918113CO09	WALTON INDY & STEPHANIE	38725 GAVIN CIR	SOLDOTNA	AK	99669		T 6S R 13W SEC 21 Seward Meridian HM 0800088 THE LANDINGS CONDOMINIUMS UNIT 21	\$94,900.00	5.61023	\$183.05
17918113CO10	CLARK TRAVIS P CLARK LIEU THI VO	226 DELTA DR	MANDEVILLE	LA	70448		T 6S R 13W SEC 21 Seward Meridian HM 0800088 THE LANDINGS CONDOMINIUMS UNIT 22	\$97,300.00	5.70866	\$186.26
17918113CO11	BUZUNIS GARY R & LOUELLA FAMILY 2002 TRUST	PO BOX 39376	NINILCHIK	AK	99639		T 6S R 13W SEC 21 Seward Meridian HM 0800088 THE LANDINGS CONDOMINIUMS UNIT 23	\$113,900.00	5.70866	\$186.26

Homer Natural Gas Special Assessment District
Final Assessment Roll Condominiums

Tax Parcel ID	OWNER	ADDRESS	CITY	STATE	ZIPCODE	COUNTRY	LEGAL	Assessed Value	Percent Ownership	Assessment
17918113CO12	DEVANEY MICHAEL L & KAREN	484 KLONDIKE AVE	HOMER	AK	99603		T 6S R 13W SEC 21 Seward Meridian HM 0800088 THE LANDINGS CONDOMINIUMS UNIT 24	\$110,000.00	5.61023	\$183.05
17918113CO13	SCHIPPER LUKE M	1588 DRAKE RD	LANSING	IA	52151		T 6S R 13W SEC 21 Seward Meridian HM 0800088 THE LANDINGS CONDOMINIUMS UNIT 25	\$100,000.00	5.61023	\$183.05
17918113CO14	ALASKA SNOW TRUST	PO BOX 4103	HOMER	AK	99603		T 6S R 13W SEC 21 Seward Meridian HM 0800088 THE LANDINGS CONDOMINIUMS UNIT 26	\$95,900.00	5.61023	\$183.05
17918113CO15	STROUS WILLIAM	3479 LANDINGS ST APT 27	HOMER	AK	99603		T 6S R 13W SEC 21 Seward Meridian HM 0800088 THE LANDINGS CONDOMINIUMS UNIT 27	\$93,600.00	5.61023	\$183.05
17918113CO16	SMITH B RUSSELL	14201 SE PETROVITSKY RD STE A3	RENTON	WA	98058		T 6S R 13W SEC 21 Seward Meridian HM 0800088 THE LANDINGS CONDOMINIUMS UNIT 28	\$103,200.00	5.95472	\$194.29
17918113CO17	MERSON JOSHUA K & MESILLE C	PO BOX 2637	HOMER	AK	99603		T 6S R 13W SEC 21 Seward Meridian HM 0800088 THE LANDINGS CONDOMINIUMS UNIT 30	\$249,600.00	10.72836	\$350.04
17915047CO1	FOLEY JACK A JR	3251 MONTPELIER CT (temp address House No. 4, SPG 140-22, JLN Tungku)	ANCHORAGE (Temp Address BANDAR SERI BEGAWAN)	AK (temp Address BRUNEI DARUSSALAM BE2719)	99503		T 6S R 13W SEC 22 Seward Meridian HM 2008015 KACHEMAK BAY CONDOMINIUMS UNIT 13A-1	\$198,500.00	50	\$1,631.39
17915047CO2	IRELAND COLETTE P	PO BOX 3464	HOMER	AK	99603		T 6S R 13W SEC 22 Seward Meridian HM 2008015 KACHEMAK BAY CONDOMINIUMS UNIT 13A-2	\$223,200.00	50	\$1,631.39
17730124CO01	PIETSCH TIA & JOEL	PO BOX 392	HOMER	AK	99603		T 6S R 13W SEC 20 Seward Meridian HM 0790140 BELUGA PROFESSIONAL CENTER CONDO MINIMUMS UNIT 1	\$148,900.00	25	\$815.69
17730124CO02	PIETSCH JOEL DAVID & TIA SYLANCE	PO BOX 392	HOMER	AK	99603		T 6S R 13W SEC 20 Seward Meridian HM 0790140 BELUGA PROFESSIONAL CENTER CONDO MINIMUMS UNIT 2	\$146,300.00	25	\$815.69
17730124CO03	ANVIL CREEK INVESTMENT COMPANY LLC	PO BOX 2882	KENAI	AK	99611		T 6S R 13W SEC 20 Seward Meridian HM 0790140 BELUGA PROFESSIONAL CENTER CONDO MINIMUMS UNIT 3	\$162,900.00	25	\$815.69
17730124CO04	SPROUT FAMILY SERVICES INC	3691 BEN WALTERS LN STE 4	HOMER	AK	99603		T 6S R 13W SEC 20 Seward Meridian HM 0790140 BELUGA PROFESSIONAL CENTER CONDO MINIMUMS UNIT 4	\$133,500.00	25	\$815.69
17727066CO01	WILD REGULA	152 MOUNTAIN VIEW DRIVE APT 1	HOMER	AK	99603		T 6S R 13W SEC 17 Seward Meridian HM 2007036 HIGH TIDE CONDOMINIUMS UNIT 1	\$135,000.00	25	\$815.69
17727066CO02	NOLAN JULIE	705 N STREET APT 1	ANCHORAGE	AK	99501		T 6S R 13W SEC 17 Seward Meridian HM 2007036 HIGH TIDE CONDOMINIUMS UNIT 2	\$146,800.00	25	\$815.69
17727066CO03	LAVRAKAS JAMES EDWARD LAVRAKAS RUTH ANN	PO BOX 1459	HOMER	AK	99603		T 6S R 13W SEC 17 Seward Meridian HM 2007036 HIGH TIDE CONDOMINIUMS UNIT 3	\$172,000.00	25	\$815.69
17727066CO04	KONDAK DOUGLAS J & MARGARIDA V	PO BOX 113	HOMER	AK	99603		T 6S R 13W SEC 17 Seward Meridian HM 2007036 HIGH TIDE CONDOMINIUMS UNIT 4	\$172,000.00	25	\$815.69
17727051CO01	WATSON BRIAN & JENNIFER	360 E INTERNATIONAL AIRPORT RD APT 1	ANCHORAGE	AK	99518		T 6S R 13W SEC 17 Seward SW HM 2006047 MOUNTAIN VIEW CONDOMINIUMS WEST PHASE 2 UNIT 1	\$266,000.00	25	\$1,631.39

Homer Natural Gas Special Assessment District
Final Assessment Roll Condominiums

Tax Parcel ID	OWNER	ADDRESS	CITY	STATE	ZIPCODE	COUNTRY	LEGAL	Assessed Value	Percent Ownership	Assessment
17727051CO02	WALDVOGEL ETHAN R	159 MOUNTAIN VIEW DR UNIT B	HOMER	AK	99603		T 6S R 13W SEC 17 Seward SW HM 2006047 MOUNTAIN VIEW CONDOMINIUMS WEST PHASE 2 UNIT 2	\$266,200.00	25	\$1,631.39
17727052CO01	LAFOND PAUL P REVOCABLE TRUST #2	171A MOUNTAIN VIEW DR	HOMER	AK	99603		T 6S R 13W SEC 17 Seward Meridian HM 2005024 MOUNTAIN VIEW CONDOMINIUMS WEST PHASE 1 UNIT 1	\$265,900.00	25	\$1,631.39
17727052CO02	ANDERSON CYNTHIA LYNN & ANDERSON DAVID NELS	171 MOUNTAIN VIEW DR # B	HOMER	AK	99603		T 6S R 13W SEC 17 Seward Meridian HM 2005024 MOUNTAIN VIEW CONDOMINIUMS WEST PHASE 1 UNIT 2	\$269,700.00	25	\$1,631.39
17716108CO01	CABANA JEREMY & HILARY	105 SKYLINE DR	HOMER	AK	99603		T 6S R 13W SEC 20 Seward Meridian HM 2002010 OLD TOWN PROFESSIONAL CENTER UNIT 1	\$131,600.00	20.6	\$672.13
17716108CO02	NORTH GULF OCEANIC SOCIETY	3430 MAIN ST STE B1	HOMER	AK	99603		T 6S R 13W SEC 20 Seward Meridian HM 2002010 OLD TOWN PROFESSIONAL CENTER UNIT 2	\$131,300.00	15.6	\$508.99
17716108CO03	SEA GLO LLC	212 LEE DR	HOMER	AK	99603		T 6S R 13W SEC 20 Seward Meridian HM 2002010 OLD TOWN PROFESSIONAL CENTER UNIT 3	\$161,800.00	19.4	\$632.98
17716108CO04	POSO ANNE M	PO BOX 1133	HOMER	AK	99603		T 6S R 13W SEC 20 Seward Meridian HM 2002010 OLD TOWN PROFESSIONAL CENTER UNIT 4	\$158,400.00	22	\$717.81
17716108CO05	MARQUARDT ORMAN & MARY ANN REVOCABLE TRUST	3430 MAIN ST APT E	HOMER	AK	99603		T 6S R 13W SEC 20 Seward Meridian HM 2002010 OLD TOWN PROFESSIONAL CENTER UNIT 5	\$178,100.00	22.4	\$730.86
17701082CO01	GOWER DAVID & SHERI	702 QUIET CREEK DRIVE	HOMER	AK	99603		T 6S R 13W SEC 17 Seward Meridian HM 2005045 QUIET CREEK COMMUNITY PHASE 1 UNIT 702	\$467,800.00	6.666	\$217.50
17701082CO02	LOCKWOOD HARLOW TRUST	602 PALLADIUM DR E	JOLIET	IL	60435		T 6S R 13W SEC 17 Seward Meridian HM 2005045 QUIET CREEK COMMUNITY PHASE 1 UNIT 704	\$450,600.00	6.666	\$217.50
17701082CO03	GRIFFITH MARY ANN	706 QUIET CREEK DR # 706	HOMER	AK	99603		T 6S R 13W SEC 17 Seward Meridian HM 2005045 QUIET CREEK COMMUNITY PHASE 1 UNIT 706	\$457,100.00	6.666	\$217.50
17701082CO04	FRANK WILLIAM E & GAIL S	PO BOX 1749	ROCKPORT	TX	78381		T 6S R 13W SEC 17 Seward Meridian HM 2005045 QUIET CREEK COMMUNITY PHASE 1 UNIT 708	\$455,100.00	6.666	\$217.50
17701082CO05	FORRESTER FAMILY TRUST	PO BOX 371	HOMER	AK	99603		T 6S R 13W SEC 17 Seward Meridian HM 2005045 QUIET CREEK COMMUNITY PHASE 1 UNIT 710	\$461,200.00	6.666	\$217.50
17701082CO06	AMMERMAN ROBERT L & GAIL	924 QUIET CREEK DR	HOMER	AK	99603		T 6S R 13W SEC 17 Seward Meridian HM 2006075 QUIET CREEK COMMUNITY LLC PHASE 2 UNIT 924	\$488,900.00	6.666	\$217.50
17701082CO07	NIKORA LEO & BEVERLEY TRUST	119 MISSION HILLS DR	RANCHO MIRAGE	CA	92270		T 6S R 13W SEC 17 Seward Meridian HM 2006075 QUIET CREEK COMMUNITY LLC PHASE 2 UNIT 926	\$489,200.00	6.666	\$217.50
17701082CO08	FEDERAL NATIONAL MORTGAGE ASSOCIAT	PO BOX 650043	DALLAS	TX	75265		T 6S R 13W SEC 17 Seward Meridian HM 2006075 QUIET CREEK COMMUNITY LLC PHASE 2 UNIT 928	\$493,600.00	6.666	\$217.50
17701082CO09	NEAL FAMILY LIMITED PARTNERSHIP	5800 LAKEWOOD RANCH BLVD N	LAKEWOOD RANCH	FL	34240		T 6S R 13W SEC 17 Seward Meridian HM 2006075 QUIET CREEK COMMUNITY LLC PHASE 2 UNIT 930	\$475,800.00	6.666	\$217.50
17701082CO10	DAVIDHIZAR FAMILY TRUST	1240 CHINOOK DRIVE	KENAI	AK	99611		T 6S R 13W SEC 17 Seward Meridian HM 2006075 QUIET CREEK COMMUNITY LLC PHASE 2 UNIT 932	\$492,900.00	6.666	\$217.50
17701082CO11	FULLER DAVID L & JOAN	PO BOX 837	GOODLAND	FL	34140		T 6S R 13W SEC 17 Seward Meridian HM 2007088 QUIET CREEK COMMUNITY LLC PHASE 3 UNIT 812	\$474,300.00	6.666	\$217.50
17701082CO12	GOOD SHEPHERD LEASING CORP	10065 CORTEZ BLVD	WEEKI WACHEE	FL	34613		T 6S R 13W SEC 17 Seward Meridian HM 2007088 QUIET CREEK COMMUNITY LLC PHASE 3 UNIT 814	\$500,200.00	6.666	\$217.50

Homer Natural Gas Special Assessment District
Final Assessment Roll Condominiums

Tax Parcel ID	OWNER	ADDRESS	CITY	STATE	ZIPCODE	COUNTRY	LEGAL	Assessed Value	Percent Ownership	Assessment
17701082CO13	BEERY TRUST	PO BOX 195	EXETER	CA	93221		T 6S R 13W SEC 17 Seward Meridian HM 2009011 QUIET CREEK COMMUNITY LLC PHASE 4 AMENDED UNIT 816	\$497,800.00	6.666	\$217.50
17701082CO14	ALASKA USA FEDERAL CREDIT UNION	4000 CREDIT UNION DR	ANCHORAGE	AK	99503		T 6S R 13W SEC 17 Seward Meridian HM 2009011 QUIET CREEK COMMUNITY LLC PHASE 4 AMENDED UNIT 818	\$479,000.00	6.666	\$217.50
17701082CO15	ALASKA USA FEDERAL CREDIT UNION	4000 CREDIT UNION DR	ANCHORAGE	AK	99503		T 6S R 13W SEC 17 Seward Meridian HM 2009011 QUIET CREEK COMMUNITY LLC PHASE 4 AMENDED UNIT 820	\$492,900.00	6.666	\$217.50
17516056CO01	MARQUARDT KAREN A	3430 MAIN ST APT E	HOMER	AK	99603		T 6S R 13W SEC 19 Seward Meridian HM 2008081 CHAMBERLAIN & WATSON OLD TOWN CO TTAGES ADD AMD UNIT 1	\$121,400.00	12.5	\$407.85
17516056CO02	DONALD MEARES	3459 MAIN STREET, APT 2	HOMER	AK	99603		T 6S R 13W SEC 19 Seward Meridian HM 2008081 CHAMBERLAIN & WATSON OLD TOWN CO TTAGES ADD AMD UNIT 2	\$202,300.00	12.5	\$407.85
17516056CO03	SWEENEY ALEXANDER J Jr & SWEENEY ADRIENNE W	135 W BUNNELL AVE	HOMER	AK	99603		T 6S R 13W SEC 19 Seward Meridian HM 2008081 CHAMBERLAIN & WATSON OLD TOWN CO TTAGES ADD AMD UNIT 3	\$202,300.00	12.5	\$407.85
17516056CO04	CLAPP JAIME LYNN & KELLY	PO BOX 4034	HOMER	AK	99603		T 6S R 13W SEC 19 Seward Meridian HM 2008081 CHAMBERLAIN & WATSON OLD TOWN CO TTAGES ADD AMD UNIT 4	\$197,300.00	12.5	\$407.85
17516056CO05	BROCK ANGELA	480 GRUBSTAKE AVE	HOMER	AK	99603		T 6S R 13W SEC 19 Seward Meridian HM 2008081 CHAMBERLAIN & WATSON OLD TOWN CO TTAGES ADD AMD UNIT 5	\$141,900.00	12.5	\$407.85
17516056CO06	YOUNG TODD PLATT & NOLLEY LORRAINE JUNE	PO Box 226	HOMER	AK	99603		T 6S R 13W SEC 19 Seward Meridian HM 2008081 CHAMBERLAIN & WATSON OLD TOWN CO TTAGES ADD AMD UNIT 6	\$199,800.00	12.5	\$407.85
17516056CO07	BOLING BETH & BOLING MICHAEL TODD	203 W PIONEER AVE STE 2	HOMER	AK	99603		T 6S R 13W SEC 19 Seward Meridian HM 2008081 CHAMBERLAIN & WATSON OLD TOWN CO TTAGES ADD AMD UNIT 7	\$204,200.00	12.5	\$407.85
17516056CO08	MILLER GARY & SUSAN	5201 E NORTHERN LIGHTS BLVD UNIT 4N	ANCHORAGE	AK	99508		T 6S R 13W SEC 19 Seward Meridian HM 2008081 CHAMBERLAIN & WATSON OLD TOWN CO TTAGES ADD AMD UNIT 8	\$144,600.00	12.5	\$407.85
17516052CO01	INLET TRADING POST LLC	106 W BUNNELL AVE STE A	HOMER	AK	99603		T 6S R 13W SEC 19 Seward Meridian HM 2011002 INLET TRADING POST CONDOMINIUMS UNIT 1	\$244,000.00	84	\$2,740.73
17516052CO02	SAVORY LOVE LLC	PO BOX 2311	HOMER	AK	99603		T 6S R 13W SEC 19 Seward Meridian HM 2011002 INLET TRADING POST CONDOMINIUMS UNIT 2	\$51,800.00	16	\$522.04
17516033CO01	RANDLE NORMAN L	165 W BUNNELL AVE APT 1	HOMER	AK	99603		T 6S R 13W SEC 19 Seward Meridian HM 0810021 BAY WATCH CONDOMINIUMS UNIT 101	\$103,300.00	8.71	\$284.19
17516033CO02	HURLEY LAWRENCE RICHARD	410 TOVEY DR	FAIRBANKS	AK	99709		T 6S R 13W SEC 19 Seward Meridian HM 0810021 BAY WATCH CONDOMINIUMS UNIT 102	\$87,900.00	8.21	\$267.87
17516033CO03	SPRAGUE FAMILY TRUST	1525 CHELTEN WAY	SOUTH PASADENA	CA	91030		T 6S R 13W SEC 19 Seward Meridian HM 0810021 BAY WATCH CONDOMINIUMS UNIT 103	\$89,700.00	8.21	\$267.87
17516033CO04	RYCKMAN ARLINE	1325 BELUGA CT	HOMER	AK	99603		T 6S R 13W SEC 19 Seward Meridian HM 0810021 BAY WATCH CONDOMINIUMS UNIT 104	\$87,900.00	8.21	\$267.87

Homer Natural Gas Special Assessment District
Final Assessment Roll Condominiums

Tax Parcel ID	OWNER	ADDRESS	CITY	STATE	ZIPCODE	COUNTRY	LEGAL	Assessed Value	Percent Ownership	Assessment
17516033CO05	JONES JAMES T & DUKE DAVID L	166 W BUNNELL AVE APT 9	HOMER	AK	99603		T 6S R 13W SEC 19 Seward Meridian HM 0810021 BAY WATCH CONDOMINIUMS UNIT 105	\$87,900.00	8.21	\$267.87
17516033CO06	MORETH PATRICIA S	PO BOX 305	HOMER	AK	99603		T 6S R 13W SEC 19 Seward Meridian HM 0810021 BAY WATCH CONDOMINIUMS UNIT 106	\$90,900.00	8.21	\$267.87
17516033CO07	SPELL BENJAMIN DAVID	166 W BUNNELL AVE APT 2	HOMER	AK	99603		T 6S R 13W SEC 19 Seward Meridian HM 0810021 BAY WATCH CONDOMINIUMS UNIT 201	\$112,800.00	8.84	\$288.43
17516033CO08	BILBO RACHEL M DECLARATION OF TRUST	166 W BUNNELL AVE APT 4	HOMER	AK	99603		T 6S R 13W SEC 19 Seward Meridian HM 0810021 BAY WATCH CONDOMINIUMS UNIT 202	\$97,600.00	8.28	\$270.16
17516033CO09	GUTIERREZ R SCOTT	166 W BUNNELL AVE, UNIT #203	HOMER	AK	99603		T 6S R 13W SEC 19 Seward Meridian HM 0810021 BAY WATCH CONDOMINIUMS UNIT 203	\$97,600.00	8.28	\$270.16
17516033CO10	(BARTILSON JAMES) NEW OWNER SCHNIPKE, EUGENE J	(166 W BUNNELL AVE # 204) NEW MAILING P.O. BOX 2575	HOMER	AK	99603		T 6S R 13W SEC 19 Seward Meridian HM 0810021 BAY WATCH CONDOMINIUMS UNIT 204	\$97,600.00	8.28	\$270.16
17516033CO11	SWEENEY ADRIENNE W & SWEENEY ALEXANDER J Jr	135 W BUNNELL AVE	HOMER	AK	99603		T 6S R 13W SEC 19 Seward Meridian HM 0810021 BAY WATCH CONDOMINIUMS UNIT 205	\$97,600.00	8.28	\$270.16
17516033CO12	SULLIVAN FAMILY TRUST	70 CEDAR AVE APT 1	COCOA BEACH	FL	32931		T 6S R 13W SEC 19 Seward Meridian HM 0810021 BAY WATCH CONDOMINIUMS UNIT 206	\$101,100.00	8.28	\$270.16
17902090CO1	GARDNER DANIEL M JR & BROOK	1876 TRITON CT UNIT B	HOMER	AK	99603		T 6S R 13W SEC 16 Seward Meridian HM 2007095 TRITON COURT CONDOMINIUMS UNIT 1	\$147,500.00	50	\$1,631.39
17902090CO2	TYLER JEFFREY J & CHRISTY	PO BOX 3668	HOMER	AK	99603		T 6S R 13W SEC 16 Seward Meridian HM 2007095 TRITON COURT CONDOMINIUMS UNIT 2	\$150,400.00	50	\$1,631.39
17921006CO01	OATES ROBERT	PO BOX 520	HOMER	AK	99603		T 6S R 13W SEC 21 Seward Meridian HM 0850131 INTERLUDE CONDOMINIUM PHASE 1 UN IT A1	\$166,300.00	16.191155	\$528.28
17921006CO02	NIEMAN RONALD JACK	PO BOX 1845	HOMER	AK	99603		T 6S R 13W SEC 21 Seward Meridian HM 0850131 INTERLUDE CONDOMINIUM PHASE 1 UN IT A2	\$192,200.00	16.904422	\$551.55
17921006CO03	WICK DONALD D & DIANE F	1363 BAY AVE APT 3	HOMER	AK	99603		T 6S R 13W SEC 21 Seward Meridian HM 0850131 INTERLUDE CONDOMINIUM PHASE 1 UN IT A3	\$192,200.00	16.904422	\$551.55
17921006CO04	HARDING MARY ANN LIVING TRUST	PO BOX 69	HOMER	AK	99603		T 6S R 13W SEC 21 Seward Meridian HM 0850131 INTERLUDE CONDOMINIUM PHASE 1 UN IT A4	\$166,300.00	16.191155	\$528.28
17921006CO05	SHOLTON RITA N	1665 BOB ATWOOD CIR	ANCHORAGE	AK	99517		T 6S R 13W SEC 21 Seward Meridian HM 0850131 INTERLUDE CONDOMINIUM PHASE 1 UN IT A5	\$200,800.00	16.904422	\$551.55
17921006CO06	SPRINGER AMY A	PO BOX 855	HOMER	AK	99603		T 6S R 13W SEC 21 Seward Meridian HM 0850131 INTERLUDE CONDOMINIUM PHASE 1 UN IT A6	\$200,800.00	16.904422	\$551.55
17930037CO01	BROWNING RYAN E	PO BOX 2765	HOMER	AK	99603		T 6S R 13W SEC 15 Seward Meridian HM 2007054 CLOVER CONDOMINIUMS UNIT 1	\$198,300.00	50	\$1,631.39
17930037CO02	HODGDON MARLENA R	PO BOX 3626	HOMER	AK	99603		T 6S R 13W SEC 15 Seward Meridian HM 2007054 CLOVER CONDOMINIUMS UNIT 2	\$199,400.00	50	\$1,631.39
17730125CO01	HOUGH CHARLES MICHAEL & HOUGH SHIL	3733 BEN WALTERS LN STE 2	HOMER	AK	99603		T 6S R 13W SEC 20 Seward Meridian HM 2007003 KACHEMAK BAY TITLE BUILDING UNIT A	\$528,700.00	53	\$1,729.27
17730125CO02	HOUGH CHARLES MICHAEL & HOUGH SHIL	3733 BEN WALTERS LN STE 2	HOMER	AK	99603		T 6S R 13W SEC 20 Seward Meridian HM 2007003 KACHEMAK BAY TITLE BUILDING UNIT B	\$146,400.00	17	\$554.67
17730125CO03	CASTNER KENNETH W III	PO BOX 558	HOMER	AK	99603		T 6S R 13W SEC 20 Seward Meridian HM 2007003 KACHEMAK BAY TITLE BUILDING UNIT C	\$280,500.00	30	\$978.83

Jo Johnson

From: Jack Foley <Jack.Foley@HALLIBURTON.com>
Sent: Friday, September 11, 2015 9:38 AM
To: Jo Johnson
Cc: 'akfoley33@hotmail.com'
Subject: Natural Gas Special Assessment for condominium owners - objection

City Clerk,

I'm writing to you to document my objection to the Natural Gas Special Assessment for condominium owners, as I'm unable to attend the City Council meeting on September 14, 2015. The Notice of Public Hearing, dated this 14th day of August, 2015, states I must document my objection prior to its assessment confirmation per State Law; this communication is meant to serve that purpose.

Regards,

Jack Foley
(Parcel Number 17915047C01)

This e-mail, including any attached files, may contain confidential and privileged information for the sole use of the intended recipient. Any review, use, distribution, or disclosure by others is strictly prohibited. If you are not the intended recipient (or authorized to receive information for the intended recipient), please contact the sender by reply e-mail and delete all copies of this message.

ORDINANCE REFERENCE SHEET
2015 ORDINANCE
ORDINANCE 15-40

An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a Curiosity Creates Grant From the Association of Library Service to Children in the Amount of \$7,500 for the Homer Public Library and Authorizing the City Manager to Execute the Appropriate Documents.

Sponsor: City Manager/Library Director

1. Council Regular Meeting October 12, 2015 Introduction
 - a. Notice of grant award from Association of Library Service to Children
 - b. Memorandum of Understanding

**CITY OF HOMER
HOMER, ALASKA**

City Manager/
Library Director

ORDINANCE 15-40

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
ACCEPTING AND APPROPRIATING A CURIOSITY CREATES GRANT
FROM THE ASSOCIATION OF LIBRARY SERVICE TO CHILDREN IN
THE AMOUNT OF \$7,500 FOR THE HOMER PUBLIC LIBRARY AND
AUTHORIZING THE CITY MANAGER TO EXECUTE THE
APPROPRIATE DOCUMENTS.

WHEREAS, The City has applied for a Curiosity Creates Grant from the Association of
Library Service to Children; and

WHEREAS, The City is pleased to have been awarded a Curiosity Creates Grant in the
amount of \$7,500 to be used to serve children 6 – 14 years old and focus on critical
components of creativity to include: Imagination & Originality, Flexibility, Decision-Making,
Communication & Self-Expression, Collaboration, Motivation, and Action & Movement.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The Homer City Council hereby accepts and appropriates a Curiosity
Creates Grant from the Association of Library Service to Children in the amount of \$7,500 as
follows:

Revenue:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
	Curiosity Creates Grant	\$7,500

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 October, 2015.

CITY OF HOMER

MARY E. WYTHE, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

AYES:

NOES:

ABSTAIN:

ABSENT:

First Reading:

Public Hearing:

Second Reading:

Effective Date:

Reviewed and approved as to form:

Mary K. Koester, City Manager

Thomas F. Klinkner, City Attorney

Date: _____

Date: _____

Fiscal information: Included in ordinance.



Memorandum of Understanding 2015 Curiosity Creates Grant

Instructions to Library: Please review the *Project Timeline, Reporting Requirements, and Required Activities*. Then, complete/sign the "Execution of Agreement" on page two (2) of this document. This Memorandum of Understanding (MOU) is an agreement between the Association for Library Service to Children and the signed library who will act as Project Manager of the received funds. In the event that the library uses a Friends of the Library group to serve as a fiscal agent for receipt and distribution of grant funds, the Project Manager of the signed library remains responsible for the completion of grant activities and communication with ALSC, while the fiscal agent accepts responsibility for the distribution and use of grant funds received.

This completed form should be uploaded through the online Curiosity Creates Grant Confirmation Form. It can also be emailed or faxed to Angela Hubbard, ALSC Program Officer, at ahubbard@ala.org or (312) 280-5271 by October 15, 2015.

Section I: Project Timeline, October 1, 2015 through May 31, 2016

- Funds will be distributed as soon as ALSC receives your completed MOU, please allow 2-4 weeks to receive funds from ALA.
- Between **October 1, 2015 and May 31, 2016** all Curiosity Creates grant-funded programming activities will be completed and all funds will be allocated.
- Project final report is due to ALSC on **June 3, 2016**

Section II: Reporting Requirements:

- Each library is required to submit a final report.
- All reports must be submitted online.
- Final report form will be due **June 3, 2016**:
- Each awarded library is also required to work with and respond to ALSC staff and/or contractors in a timely manner to provide information and details about their program to be included in the compilation of a best practices publication and digital resource.

Section III: Required Activities

- Conduct one or more Curiosity Creates program(s) serving 6 -14 year olds and incorporating one or more of the seven critical components of creativity, as outlined by the Center for Childhood Creativity
- Communicate in a timely manner with ALSC staff and Paula Holmes, external evaluator for the grant to document progress and best practices
- Complete final report and submit to ALSC by assigned date.



Memorandum of Understanding 2015 Curiosity Creates Grant

Section IV: Execution of Agreement

October 5, 2015

This signed "Memorandum of Understanding" confirms that the undersigned authorized representative(s) of _____ library will, in good faith, complete the proposed project as described in the accepted grant proposal to the best of their ability.

In addition, the undersigned authorized library representative(s) agrees to fulfill and complete all "required activities" in a timely manner, per the guidelines stated in "Section I: Project Timeline," "Section II: Reporting Requirements," and "Section III: Required Activities."

If _____ library fails to complete the accepted grant proposal or to complete all of the required activities outlined in Section I, II, and III they will forfeit all funds (up to \$7,500) granted to them from ALSC and all distributed funds will be returned to ALSC.

Deviations from the proposal must be submitted in writing and approved by Angela Hubbard, ALSC Program Officer.

ALSC must receive this "Memorandum of Understanding" (MOU) with two signatures (library and project coordinator) by close of business **Thursday, October 15, 2015**. Please upload, email or fax the MOU Angela Hubbard in the ALSC office. Keep a signed copy for your files.

Upon receipt of the signed MOU your library will receive a one-time payment of the amount requested in your grant proposal (up to \$7,500). These funds must be spent on Curiosity Creates costs in full by June 1, 2016.

Payable to:

Library/Fiscal Agent:

Address:

City, State and Zip code:

Library Name:

Library Director:

Phone:

Email:

Signature:

Date:

Project Coordinator:

Phone:

Email:

Signature:

Date:

Homer Public Library
Ann Dixon
907-435-3151
adixon@ci.homer.ak.us

Ann Haines
10/6/15

CLAUDIA HAINES
907-235-3180/435-3176
chaines@ci.homer.ak.us

Claudia Haines
10/6/15



Welcome and Congratulations

On behalf of the Association for Library Service to Children (ALSC), a division of the American Library Association, we are thrilled to welcome you as a recipient of the Curiosity Creates grant, made possible by a generous donation from Disney.

Enclosed is a welcome packet of materials and resources to help you successfully implement your grant programs. Digital copies of documents are attached to this email. **Please respond to this email to let me know you have successfully received the welcome packet and attached documents.**

Accepting the Grant

In order to accept this grant you will need to complete the online Curiosity Creates Grant Confirmation AND the attached Memorandum of Understanding (MOU). Both the form and the completed MOU must be returned to ALSC by **October 15, 2015**.

Once the confirmation form and MOU are received, your library will be mailed the grant funds for your program, please allow 2 to 4 weeks to receive these funds. Your library will receive the total amount requested in the budget section of your grant application.

Grant Management Materials

Important Dates and Deadlines – Important dates and deadlines throughout the grant cycle.

Evaluation Follow Up – Throughout the grant cycle, libraries may be contacted by our external evaluator for this grant, Paula Holmes. Included in this document are questions that she may ask during her call/visit. For your preparation, this information may also be included in the final report.

Photo Release Form – Throughout the grant cycle, ALSC will select and visit libraries to include as examples in a compilation of best practices in creativity programming. If your library is highlighted in video or photographs, we will require all participants pictured to submit a photo release form. This form will also be required of anyone images shared by ALSC through our social media channels. Feel free to add your library's own information onto this form for your use as well. This form is included for your reference. You may have participants complete this form at your own discretion, with the understanding that any photos/videos used by ALSC will require a photo release.

Questions

If you have any questions, comments or concerns thorough the Curiosity Creates grant cycle please feel free to contact Angela Hubbard, ALSC Program Officer for Projects and Partnerships. Angela can be reached by phone at (312) 280-1398, by email (ahubbard@ala.org), or by fax at (312) 280-5271.

Curiosity Creates Grant Evaluation Follow Up

Library:		Contact:	
Address:		Phone:	
City/State/Zip:		Email:	
Program Title:		Type of Program:	
Demographics:		Budget Requested:	
Critical Components:		Total Participation:	
Partnerships:		Number of Sessions:	

Short answers of 1-2 paragraphs or less (bullet points are acceptable).

1. Include a short program description and list grant activities:
 - a. Include any changes in the program from the initial program described in the application.
 - b. Include if project easily replicated.
2. Describe your target population:
 - a. What were your actual demographics compared to your expected demographics? Please supply data.
 - b. Describe your library's promotion of the grant-funded activity to your target audience?
 - c. Describe your most successful endeavors.
 - d. Do you have any anecdotal stories of how the program met the needs of the target audience?
3. Describe how you implemented the target components of the Seven Critical Components into your programming?
 - a. Which areas of creativity did you focus on?
 - b. Were your perceptions on creativity changed during this project?
 - c. Describe how Curiosity Creates Grant Sponsored activity has changed the view of creativity by staff, director and Trustees.
4. Did you alter your physical space to encourage creativity?
 - a. Tell me about storage, shelving & signing.
 - b. If you changed your space, changed your furniture, paint color, room arrangement, include any photos of before and after.
 - c. Tell me about what kids used or enjoyed the most?
5. Describe the outcomes of the kids as a result of participating in Curiosity Creates Grant sponsored activities?
 - a. Describe how you measured outcomes of the project; include data.
 - b. Please share any survey or evaluations done with the participants.
 - c. Did you see an increase in library usage due to the Grant sponsored activity? Please supply data.
 - d. Did you see an increase in new library users?
 - i. Did you reach an underserved population that had not been using the library?
 - ii. Describe any new library fans that have been created.
 - e. Describe any changes in perception of the library from families who participated in the program.
 - f. Share any anecdotal stories that demonstrate an increased perception of libraries as an informal learning space for children.
 - g. What activity or item sparked the most enthusiasm?
6. Tell me about what you really enjoyed and how did this stretched your own creativity?
7. One application stated that the research had changed their perspective on other projects and programs at their library? Share your thoughts on the Seven Critical Components impact on activities beyond the funded project.

8. How likely is it that this program/project will continue beyond the grant period? If not, why?
 - a. In full, part or modified.
 - b. Describe what you would encourage other libraries to replicate.
 - c. Describe challenges you would encourage other libraries to consider when planning a creativity program and any tips they you learned in dealing with these challenges.
9. Tell me about your partnerships
 - a. How successful was the collaboration?
 - b. Describe the collaboration.
 - c. Describe the aspects of the collaboration that would be a model for best practices.
10. Budget:
 - a. Include an itemized budget.
 - b. List all expenditures of the grant funds.
11. Membership:
 - a. If you were a member of ALSC prior to receiving this grant, describe your thoughts on being part of the ALSC.
 - b. If you were not a member of ALSC prior to receiving this grant, what are your thoughts about becoming part of the ALSC.
12. Attachments:
 - a. Please attach all surveys, evaluation and reports compiled.
 - b. Please attach examples of how kids were inspired through their participation and the outputs that are a result of the program. This can be photos, videos, digital media, stories, press releases, library websites, and any other links. (Please include releases for any photos – note that photos may be used in a best practice publication).
 - c. If you have shared your program at a conference or documented for a publication other than an ALSC publication, please share any handouts, power points, blog post or journal articles.



Curiosity Creates Grant Important Dates and Deadlines

Application period	August 17 – September 25, 2015
Notification of successful Applicants	October 1-5, 2015
Grant MOU due to ALSC office	October 15, 2015
Online confirmation form due to ALSC office	October 15, 2015
Grant implementation	October 1, 2015 – May 31, 2016
Library Visits	November 2015 – May 2016
<i>Selected libraries will be visited by Paula Holmes, external evaluator, for documentation of best practices.</i>	
Final report due to ALSC	June 3, 2016
<i>*All grant related funds must be spent prior to June 1, 2016</i>	

ALA Midwinter Meeting

*Are you planning on attending the **ALA Midwinter Meeting** in Boston, January 8-12, 2016? Join us for a News You Can Use Session: **Research and Best Practices in Creativity Programming for Children**. Participate in a panel discussion including Erica Fortescue, Associate Director of the Center for Childhood Creativity, and selected Curiosity Creates grant recipients.*



Photo/Image/Video Use Release Form

I authorize the Association for Library Service to Children (ALSC), a division of the American Library Association (ALA), to use my photo, image, and name – or that of my child, if applicable – in any official ALA/ALSC materials, both print and online, that promote reading, book awards, early literacy, libraries, library service to youth, ALA, and/or ALSC.

I understand that my photo/image (or that of my child) may be used in media reports associated with coverage of American Library Association/Association for Library Service to Children programs and events.

I understand that no payment is due me for such usage.

Name _____

Signature _____ Date _____

If under 18 (please be sure to print child's name in the space above)

Parent's Name _____

Parent's Signature _____ Date _____

**CITY OF HOMER
HOMER, ALASKA**

Burgess

RESOLUTION 15-088

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
EXPRESSING SUPPORT FOR A HOMER YACHT CLUB APPLICATION
TO THE RECREATIONAL TRAIL GRANT PROGRAM OF THE STATE
OF ALASKA DIVISION OF PARKS AND OUTDOOR RECREATION
FOR MOORING BUOYS IN KACHEMAK BAY.

WHEREAS, Mooring buoys have been utilized in Kachemak Bay, but were removed
when they deteriorated beyond repair; and

WHEREAS, The Homer Yacht Club (HYC) is preparing a Trail Grant Application for a
Recreational Trail Grant for the purchase, installation, and maintenance of up to 13 mooring
buoys in the Kachemak Bay State Park; and

WHEREAS, Homer will benefit from mooring buoys as our citizens often use their own
boats to visit and recreate in Kachemak Bay State Park; and

WHEREAS, HYC is asking for this resolution of support for a Recreational Trail Grant
with no financial obligations from the City of Homer.

NOW, THEREFORE, BE IT RESOLVED that the Homer City Council hereby expresses its
strong support for Homer Yacht Club's grant application to the Recreational Trail Grant
Program to purchase and install mooring buoys in the state park.

PASSED AND ADOPTED by the Homer City Council this 12th day October, 2015.

CITY OF HOMER

MARY E. WYTHE, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

Fiscal Note: N/A

CITY OF HOMER
HOMER, ALASKA

Mayor

RESOLUTION 15-089

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
EXPRESSING SUPPORT FOR THE ALASKA DEPARTMENT OF
TRANSPORTATION AND PUBLIC FACILITIES (ADOT/PF) HOMER
AIRPORT IMPROVEMENTS.

WHEREAS, The U.S. Department of Transportation, Federal Aviation Administration conducted a periodic inspection of the Homer Airport on July 22, 2015; and

WHEREAS, The inspection of the Homer Airport revealed that the airport is not in compliance with all the requirements of the FAR Part 139; and

WHEREAS, The Letter of Correction, dated July 23, 2015 noted discrepancies that should be corrected; and

WHEREAS, Alaska Department of Transportation and Public Facilities (ADOT/PF) Central Region proposes the Homer Airport Improvements project; and

WHEREAS, The Homer Airport Improvements describes all improvements, except fencing and ditch improvements that stem from the 07-23-2015 FAA Letter of Correction; and

WHEREAS, Compliance with FAR Part 139 is in the best interests of the safe operation of the Homer Airport; and

WHEREAS, The City of Homer values the safety of all who use the Homer Airport; and

WHEREAS, ADOT/PF has proposed the Homer Airport Improvements, a project addressing many compliance issues.

NOW, THEREFORE, BE IT RESOLVED that the Homer City Council hereby expresses its support for ADOT/PF's Homer Airport Improvements.

PASSED AND ADOPTED BY THE HOMER CITY COUNCIL this 12th day of October, 2015.

CITY OF HOMER

MARY E. WYTHE, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

Fiscal Note: N/A

New Project

Name of Project: Homer Airport Improvements

Region: C

Project ID#: PEB Score:

Region Score: 130

Primary Sponsor: State of Alaska

Sponsor Contact: Joselyn Biloon

Population: 5,099

Enplanements: 38,862

Student Population: 1,402

Project Description

Replace non-standard markings and signage. Correct non-standard safety areas on Taxiway Bravo North and Echo adjacent to the terminal. Relocate wind cone/segmented circle and upgrade supplemental wind cone outside of the OFA. Remove all obstructions (trees and non-standard berm on the south-east side) in the transitional surface areas. Remove obstructions for the transitional and approach areas.

Project Justification:

All the project description items, except the fencing and drainage ditch improvements, stem from the 07-23-2015 FAA Letter of Correction.

Land Status: DOT Owned

ALP Status: Approved 2005

Environmental: Pending

Design Status: Pending

Total Federal Estimated Costs:



U.S. Department
of Transportation

**Federal Aviation
Administration**

Alaskan Region Airports Division

222 W. 7th Avenue, Box #14
Anchorage, Alaska 99513-7587
Tel. (907) 271-5438
Fax (907) 271-2851

July 23, 2015

Mr. Rob Campbell
Regional Director, Central Region
State of Alaska, DOT & PF
P.O. Box 196900
Anchorage, AK 99519-6900

Homer Airport
Homer, Alaska

Letter of Correction

A periodic inspection of Homer Airport was concluded on July 22, 2015. The inspection was conducted to determine compliance with Federal Aviation Regulation (FAR) Part 139, the Airport Certification Manual, and the Airport Operating Certificate. The inspection revealed that the airport is not in compliance with all of the requirements of FAR Part 139. The following discrepancies to FAR Part 139 were noted during the inspection and should be corrected by the date indicated:

1. 139.7 – Compliance with Advisory Circulars

There are several destination signs that say "RAMP", that are non-standard. All destination signs must have arrows identifying the location of the destination. Either remove the non-standard signs or add the arrow to make them standard, IAW AC 150-5340-18.

**Correction date:
December 1, 2015**

2. 139.309(a) – Safety Areas

Develop a plan to address the non-standard safety areas on Taxiway Bravo and the Air Carrier section of Taxiway Echo adjacent to the terminal.

**Correction date:
December 1, 2015**

3. 139.311(d) – Markings Maintenance

There are several pavement areas that are 3 years old or older and are light enough to require enhanced (black outlined) markings. Those markings are the Hold, Enhanced Taxiway

Centerline, and Surface Painted Hold Position Sign markings per AC 150/5340-1. Develop a plan to have the markings completed in 2016.

Correction date: (for the plan)
December 1, 2015

4. 139.319(i5) – Record of ARFF Training

The ARFF recurrent training exceeded the 12 Consecutive Calendar Month requirements. All recurrent training must be completed within that time frame. Stick to a specific training schedule that meets the 12 CCM requirements.

Correction date:
July 22, 2015

5. 139.321(c) – Compliance with Fire Safety Standards

The fueling tenant(s) must have Fire Extinguishers rated at 20 BC not the currently used 20 ABC extinguishers.

Correction date:
September 1, 2015

6. 139.323 – Wind Cones

The primary wind cone/segmented circle is/are located within the OFA, contrary to AC 150/5340-30 and 5300-13. Also, the Runway 22 supplemental wind cone siting requires updating per 150/5340-30, it is currently outside of the 500 +/- of the proper siting.

Correction date:
September 1, 2016

7. 139.325(g4) & (h) – AEP Review & Triennial (Full-Scale) Exercise

Both the annual review (table-top) and the Triennial exercise were executed a month past their requirement due month. Ensure the established schedule/time-frame is met to ensure no bust of the 12 CCM requirement for the table-top or the 36 CCM requirement for the triennial.

Correction date:
July 22, 2015

8. 139.331 – Obstructions

There is a stand of trees that appear to be an obstruction that penetrates the Part 77 Transitional Surface to Runway 4/22 and are also a wildlife perching hazard. Verify the Part 77 Transitional Surface and remove trees, as necessary.

Correction date:
December 1, 2015

9. **139.337 – Wildlife Hazard Management**

There are large gaps in the fence (12-15 inches) in a few spots due to heaving. Also, there seems to be a lot of brush/vegetation growth that is preventing proper inspection/maintenance of the fence line/perimeter. A road should be built to provide access for routine fence inspections & maintenance. This not only is good for wildlife but for public protection and protection of NAVAIDS. A properly maintained fence line will help prevent inadvertent entry on to the airport.

Correction date:
June 1, 2016

10. **139.339(d) – Airport Condition Reporting**

The records of disseminations, for NOTAMs, were incomplete and needed to be corrected to ensure the 12 CCM requirements were being met.

Correction date:
July 22, 2015

We have given consideration to all available facts and conclude that this matter does not warrant legal enforcement action. Please advise in writing when the unresolved discrepancies are corrected, but no later than 15 days after the correction date.

Thank you for your time and assistance during the inspection process.

Sincerely,



Matthew Stearns
Airport Certification Safety Inspector

Cc: Mr. Jeff Doerning, DOT&PF CE/SW District Supervisor
Ms. Margaret Jones, DOT-CR Safety & Security
Mr. Kevin Jones, Homer Airport Manager
Mr. Krisjon Tabisola, FAA Project Manager

**CITY OF HOMER
HOMER, ALASKA**

City Manager

RESOLUTION 15-094

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
APPROVING RECOMMENDED COMMENTS AND QUESTIONS TO
THE STATE OF ALASKA MARIJUANA CONTROL BOARD ON THE
PROPOSED STATE MARIJUANA REGULATIONS.

WHEREAS, The City of Homer Cannabis Advisory Commission (“CAC”) has been working diligently to review the proposed State of Alaska regulations on marijuana use and facilities statewide; and

WHEREAS, The CAC has crafted comments and questions to the State of Alaska Marijuana Control Board designed to promote the City’s interest in clear and unambiguous regulation of the marijuana industry; and

WHEREAS, City Council has reviewed those comments and questions and finds the presentation of these comments and questions to be in the City’s best interest.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, hereby adopts the following comments and questions for presentation to the State of Alaska Marijuana Control Board and authorizes the City Attorney to present these comments and questions both verbally and in writing to the Marijuana Control Board:

1. 3 AAC 306.010

Given the unique nature of each Alaskan community and its topography and land use approach, the City recommends that the regulations defer to the municipalities for restrictions on location via the zoning and planning authority grant to such municipalities. This approach will avoid unintentional contradictions between local and zoning laws and the regulations. It will also permit municipalities to adopt more or less restrictive location prohibitions depending upon the needs of the municipality in question. Similarly, the City recommends that any restriction based upon church services or religious places of worship be removed from the regulations as the communities within Alaska often involve the use of commercial or industrial spaces for religious services and other nontraditional religious service locations that would make the application of the regulations extremely challenging, if not impossible without severely impacting the regulated facilities ability to comply with the regulations.

2. 3 AAC 306.715; 3 AAC 306.325

Please clarify the handler permit process. Under the regulations, may a private entity become authorized to issue permits similar to other professional job classifications? Will the process for becoming an approved handler permit course under 3 AAC 306.325 be included in the regulations or will a policy regarding such courses be adopted prior to or in conjunction with the adoption of the regulations?

3. 3 AAC 306.020

Please explain the requirement for the social security numbers and other identifying information for “family member(s)” and “affiliates” of individuals seeking a license under 3 AAC 306.020. While the regulations require only identifying information on the owners or shareholders of partnerships and corporations, the requirements are much more far reaching for individuals. The City fears that requiring such personal information without regard for the relation of such information to the license itself or even the licensee may constitute a breach of privacy.

4. 3 AAC 306.400, et seq.

Please explain the intent in limiting the ability of cultivation facilities to sell directly to retail or manufacturing establishments and the interaction between a marijuana cultivation broker facility and a marijuana cultivation facility under the proposed regulations.

PASSED AND ADOPTED by the Homer City Council on this 12th day of October, 2015.

CITY OF HOMER

MARY E. WYTHE, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

Fiscal Note: N/A



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 15-170

TO: MAYOR WYTHE AND CITY COUNCIL

FROM: CANNABIS ADVISORY COMMISSION

DATE: OCTOBER 7, 2015

SUBJECT: RECOMMENDATIONS AND QUESTIONS TO SUBMIT TO THE STATE OF ALASKA
MARIJUANA CONTROL BOARD REGARDING PROPOSED REGULATIONS

The Cannabis Advisory Commission at the regular meeting on September 24, 2015 reviewed and discussed the proposed state regulations and at the recommendation of the City Attorney made the following recommendations to be submitted in the form of a question to the State of Alaska Marijuana Control Board. Following is the excerpt of the meeting minutes regarding the discussion and recommendations:

REPORTS

A. Holly Wells, City Attorney (via telephonic participation)

1. Memorandum: Proposed Comments and Questions Regarding State of Alaska Marijuana Regulations

- Exhibit A: Moving at a Snail's Pace
- Exhibit B: Three Sets of Proposed Marijuana Regulations
- Exhibit C: Marijuana Control Board Public Comments, Questions & Answers
- Exhibit D: Regulation of Marijuana Industry 3 AAC 306 Table of Contents

City Atty Wells spoke on her review of the proposed regulations and speaking with the Marijuana Control Board it would behoove the CAC is to think about all comments be put into question format such as "We are looking for a definition of a brokerage facility, but phrase it as, "Where are the definitions of a brokerage facility" City Attorney Wells felt that it will offer a better chance of a response from the Marijuana Control Board. Her firm is working on the questions on behalf of all communities.

Commissioner Monroe inquired if they were to devise their comments at this time?

City Attorney Wells responded that if the Commissioners will craft their comments/questions and Deputy City Clerk can submit them to her she can have them included in the Resolution that she will draft and present to Council for the October 12th Council meeting and then recommended that a representative, which she would like to attend, the Public Meeting of the Marijuana Control Board.

City Attorney Wells continued that by attending the last meeting will offer an opportunity to engage the Marijuana Control Board in person.

BURGESS/MONROE - MOVED TO INCLUDE IN THE RESOLUTION THE RECOMMENDATION THAT A REPRESENTATIVE OF THE CITY BE PRESENT AT THE ORAL HEARING.

There was a discussion on who the representative should be and clarified that it would be the City Attorney Wells or appointed representative of the firm but as worded allows the Council to determine another representative if they so choose.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

City Attorney Wells requested the record show the most precise intent of the commission, she requested the Commission to address zoning related issues at this meeting and then she can have a draft ordinance for the next meeting.

City Planner Abboud responded that he has provided materials in a laydown for tonight for general recommendations to begin running them through the Planning Commission to discuss any special requirements, hold a Public Hearing, bring back to this body then present to Council for final approval until the State has made up its mind.

City Attorney Wells agreed and commented on the ability of a community effectively prohibiting certain aspects of marijuana industry within their community through zoning. She would really like to have this body start tonight to consider which areas of the city are they going to open up to what component of the marijuana industry. She will draft an ordinance for presentation to the Planning Commission as a starting point.

City Planner Abboud replied that he requires some insight into cultivation and how that would affect some of the districts; most of the other districts such as the industrial districts this type of stuff is allowed; commercial districts we need to take a closer look at and it may require a Conditional Use Permit (CUP) but he did not think there would be any stricter restrictions than the state is proposing.

City Attorney Wells responded but do to interference the Clerk could not transcribe her response.

Commissioner Burgess requested clarification on page 13 of the packet, item 3 AAC 306.900 regarding the City's position on marijuana clubs, he stated that they are in a unique position, people will be coming to Homer under Cannatourism and the City will lose any revenue aspects.

City Attorney Wells responded that if Homer wants to take the position as the City under the recommendation of the CAC, that revenue raising sources are important to the City including the marijuana industry and that the marijuana tourism industry is an important component of that therefore they find this provision very restrictive. Previously, early in the process, she would not have supported a comment on this issue. However, here you are saying what laws are needed to be implemented to capitalize on the industry and support the industry in Homer. City Attorney then added that when the Commission has a comment that is more policy loaded make sure that she understands what they understand and if Council does not approve the commission's recommendation it is still the beginning of sculpting your intent and position on the industry and your goals.

Commissioner Lewis stated that Denver, Colorado did not allow clubs but now they are talking about it since they have issued over 1000 citations for smoking in public and he questioned structuring a question that will address the issue since the City will not have the law enforcement resources to provide the enforcement necessary. We are already down a couple of officers and with everything else the city will want to use the resources they do have for more priority related efforts.

City Attorney Wells replied that it was an excellent argument and they can point to the priorities of the Federal Government. It can be argued that they are being very deliberate in what local regulations they adopt so they can enforce what regulations they establish and are in compliance with these priorities. This prohibition of clubs puts the municipality into a position that we may be unable to enforce these provisions due to the lack of resources. This regulation does not affect any of the other listed priorities.

Commissioner Burgess opined that there would be no apprehension on the Council level on supporting what the Commission submits as policy recommendation for the Council's approval. He believed that they did not need to worry about the bureaucracy.

BURGESS/MONROE - MOVED THAT THE CITY ATTORNEY INCLUDE IN THE RESOLUTION THE RECOMMENDATION TO ALLOW CLUBS FOR THE REASONS STATED PREVIOUSLY.

City Attorney Wells also stated that it may be helpful if the Commission produce a statement that Council can approve in that basically expresses the city's intent; such as "the City of Homer, Alaska, supports the Marijuana Industry equal to and in the same manner as any other industry development within the city limits with the understanding that there are limitations based upon Federal law. Additionally the City of Homer recognizing that the industry is unlawful under Federal law but permitted under Alaska Law it will be promoted and regulated respective of the industry. City Attorney Wells indicated that a statement will present a unified presence to the State. This will provide some flexibility at the oral hearing to answer questions, fill in or expand upon the comments keeping in mind the position of the city.

Commissioner Burgess believed that as a commission they may make that statement but wanted to address his motion regarding clubs.

There was a brief discussion on the purpose of the motion was to allow the city attorney to include in the resolution that the commission would like to address the issue of where people can utilize the product stating that there is safety, enforcement, and economic implications and allowing the city attorney some brevity of expansion in that area. It was noted that at some time in the future the commission may want to issue a statement of support as recommended by the city attorney.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Commissioner Burgess then asked about the zoning component, he wanted to follow the Drug Free zone, because the incongruities he would like the city attorney to include as many angles as possible since what the state is proposing really ties the municipality's hands with regard to limiting the areas where it could be allowed. The City attorney will look into that.

Commissioner Harris questioned if the regulations proposed included church properties that may be owned outside of where services may be conducted. City Attorney Wells believed it was broader than that but did not have the specific answer and would look into it and send an email to the Clerk who could forward the information to the Commission.

City Planner Abboud responded that it was to be a place where religious services are regularly conducted. Commissioner Monroe agreed with that statement.

Commissioner Lewis inquired if someone held services regularly in their home, school or space in a commercial district would the regulation be applied. City Attorney Wells responded that this was the exact scenario that she wanted to address. This broad interpretation limits or restricts the community.

City Attorney Wells inquired if there were any other questions for her. She will be available if they need her later in the meeting.

The Commission expressed confidence in their Clerk being able to get their motions and recommendations succinctly.

Commissioner Burgess encouraged the commission to voice the concerns and allow the attorney to put this into a question.

The commission discussed the number of licenses a person or entity could have; the types of licenses various entities are allowed to possess; if it was a restraint of trade regarding the resident requirement and that they are using the PFD residency requirement/qualifications; this has been argued before the Board by several attorneys and they will not budge on this requirement.

Commissioner Monroe provided a few scenarios before the Board and it was shot down within five minutes of discussion. He further added that the Cole Memorandum does not even address recreational marijuana only medical marijuana.

BURGESS/ MOVED TO INCLUDE IN THE DRAFT RESOLUTION TO GO BEFORE COUNCIL, 3 AAC 306.310 (c)(3) (B) OFFER OR DELIVER TO A CONSUMER AS A MARKETING PROMOTION OR FOR ANY OTHER REASON: MARIJUANA OR MARIJUANA PRODUCT AT A PRICE BELOW THE MARIJUANA RETAIL STORE'S ACQUISITION COST

Commissioner Monroe stated that this has been struck from the regulations within the past 5 or 6 days it was one of the two things that had changed.

Commissioner Burgess removed his motion from the table for consideration.

Commissioner Lewis inquired if they wanted to question that the handler permit be available online and payable by credit card.

LEWIS/BURGESS – MOVED TO REQUEST CLARIFICATION ON THE HANDLER PERMIT PROCESS, IF THIS WILL BE AVAILABLE ELECTRONICALLY INCLUDING THE PROCESS ON HOW A PRIVATE ENTITY CAN BECOME AUTHORIZED TO ISSUE PERMITS SIMILAR TO OTHER PROFESSIONAL JOB CLASSIFICATIONS.

A discussion on the intent of the motion was to make applications for a Handler Permit as accessible as possible in areas that may not have physical training opportunities available and that there be a prescribed process on how to be a teacher or certifier to get a handlers permit. It was noted that due to the geographic nature of the state it is imperative that the certification and payment be available electronically. Further comment on the economic impact to a municipality to have clear direction and process for private industries to offer these courses as soon as possible so that businesses can be ready as soon as license applications can be accepted. Additional discussion on what Colorado and Washington currently require and have in place ensued.

VOTE. YES. NON-OBJECTION. UANIMOUS CONSENT.

Motion carried.

Commissioner Harris wanted to ask how the State will provide the classes in order to get the permits. She was unsure how to frame that in a better question.

Commissioner Burgess responded that the Clerk will have captured the discussion in the last motion which carried that request regarding the process of establishing a system.

Chair Young expressed concern on the regulation 3 AAC 306.020(2) the name, mailing address, phone number and social security number of the applicant and each family member and affiliate of the applicant. Chair Young expressed that this seemed excessive.

Speculation ensued on the requirement of family member's personal information, the requirement was noted to be more restrictive than trying to obtain and Department of Defense contract, it was noted that a change was made that the personal information of any dependent children was not required. Further comment was made that for each member, shareholder, or anybody with any interest is a licensee and must provide their fingerprints and information, there must be a divestiture clause because if one licensee moves out of state then the entity can lose their license.

Commissioner Harris read from Exhibit B, Questions and Answers provided by the Marijuana Control Board, page 159 of the packet, top of the page, Answer to 3-7 Regarding strictness: requirements concerning the identification of all interested parties in a license is related to the unique status of this substance. See answer to Questions 1-2 above and specifically those priorities in the Cole memo that require that state regulations clearly address prevention of revenue from the sale of marijuana from going to criminal enterprises, gangs and cartels and prevention of state authorized marijuana activity from being used as a cover or pretext for the trafficking of other illegal drugs or other illegal activity. The proposed regulations are modeled after the type of financial background investigations that appear to have satisfied the federal priorities in other states and which is contemplated by the Alaska legislature in AS 17.38.084 which mandates disclosure of financial interests.

Commissioner Harris then referenced the Question 1 and 2 on page 156 of the packet regarding the restrictive nature and asking if this was similar to other state licensing requirements commenting that to her they are not answering the question and do not plan to and want control.

BURGESS/LEWIS - MOVED TO INCLUDE IN THE RESOLUTION INCLUSION OF LEADING QUESTIONS OR AN OUTRIGHT OBJECTION TO REQUIRING PROPRIETARY OR OVERLY BEARING PERSONAL INFORMATION OF ANY PERSONS NOT A SHAREHOLDER, APPLICANT OR REPRESENTATIVE OF THE CORPORATION.

Discussion and comments from the commission were that the requirement of every family member was overly excessive, controlling and draconian ensued and that a clarification of affiliate be requested.

YOUNG/LEWIS – MOVED TO AMEND THE MOTION TO INCUDE A REQUEST FOR A DEFINITION OF AFFILIATE AS USED IN 3 AAC 306.020.

There was a brief discussion on this applying within the sense of business in that sense.

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

Motion carried.

Chair Young called for additional discussion.

Commissioner Harris noted that within the same Question and Answer document she recalled reading a question on the security of proprietary information and the State responding that it has been able to collect and keep that type of proprietary information secured without incident.

Chair Young called for approval of the motion as amended.

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

Motion carried.

Chair Young inquired if there were any additional recommendations.

Commissioner Burgess inquired if anyone else had issue with the restriction that if you have an interest in a testing facility you cannot have an interest in any other facility. He can understand a restriction that you could not test the product of an affiliate facility. He provided an example as such that if you test the proof of alcohol you cannot have an interest in a brewery.

Commissioner Monroe stated he could not remember the exact discussion on this subject but stated that for the most part it could be circumvented within the corporate structure for practical purposes.

Commissioner Burgess read from the proposed regulations under 3 AAC 306.400 (c) A licensee of any marijuana cultivation facility, or an employee or agent of a marijuana product manufacturing facility, may not have an ownership interest in, or a direct or indirect financial interest in any licensed marijuana testing facility; which he interpreted that to include shareholders of either.

Commissioner Harris could understand the restriction with regards to testing a product and giving a false positive and maybe they should they ask for direction from the City Attorney.

Chair Young inquired if anyone would like to make a motion at this time.

Commissioner Burgess stated he had additional questions regarding the requirement under 3 AAC 306.410 Limited marijuana cultivation facility license; privileges and prohibited acts. Item (b)(3) sell directly to a consumer or to any marijuana establishment that does not hold a marijuana cultivation broker facility license, his interpretation of this regulation is that a middleman is required. This limits the limited cultivation facility to selling their product to a broker, they cannot sell directly to a retail facility.

Commissioner Harris commented that she read, could not remember what page, but that brokers would be able to contract with testing facilities. To her that the regulations are so tight creating an arena that limits the overall number of participants. The full size cultivators will be able to contract with the brokers because currently they do not know what the broker regulations will be yet, but if they contract with the brokers they will literally be able to push the small cultivators out.

Commissioner Burgess agreed stating that was a major concern and put forward the following motion:

BURGESS/LEWIS - MOVED THAT THE CITY ATTORNEY INCLUDE IN THE DRAFT RESOLUTION THE QUESTION OR OBJECTION IF NECESSARY, WHY IS IT NECESSARY TO LIMIT THE ABILITY OF LIMITED CULTIVATION FACILITIES TO SELLING DIRECTLY TO RETAIL OR MANUFACTURING ESTABLISHMENTS.

Discussion included points that this restriction inherently limits small business opportunities, is poor business practices; there are no well-founded public safety reasons, restriction based on issues regarding the excise taxes; the activities of the limited growers; brokers are basically performing the secretarial/bookkeeping responsibilities; regulations need to allow for small full grow operations under 500 feet or allow small scale access to retail or manufacturing facility.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

BURGESS/MONROE - MOVED TO ELIMINATE ANY REFERENCE TO CHURCHES OR RELIGIOUS ENTITY FROM THE DRAFT REGULATIONS.

There was a brief discussion on the inclusion of churches in the regulations goes against the separation of church and state; there are already avenues that any non-profit or church may register with the board to receive notice and can submit objection on any location or application; this allows the city to not be discriminatory based on an entity having a religious affiliation.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

**CITY OF HOMER
HOMER, ALASKA**

City Manager/
Public Works Director

RESOLUTION 15-095

A RESOLUTION OF THE HOMER CITY COUNCIL AWARDING A SOLE SOURCE CONTRACT FOR THE BELUGA SLOUGH TRAIL RECONSTRUCTION (PHASE II) HELICAL PIER FOUNDATION INSTALLATION TO THE FIRM OF TECHNO METAL POST OF ALASKA OF HOMER, ALASKA, IN THE AMOUNT OF \$18,000 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE APPROPRIATE DOCUMENTS.

WHEREAS, The City Council authorized the acceptance of a grant from the USF&W Service for the construction of the last portion of the Beluga Slough Trail (known as Phase II) and authorized a \$30,000 match for design and inspection; and

WHEREAS, The construction of the trail includes the installation of a helical pier foundation (across wetlands); and

WHEREAS, The installation of helical piers is a specialty construction service, not available from any other firm on the Kenai Peninsula and efforts to identify firms in Alaska with certified installers was unsuccessful; and

WHEREAS, In accordance with the Procurement Policy, when it has been determined there is only one available source, the City Council may approve the procurement of a service or construction item without competitive bidding; and

WHEREAS, Techno Metal Post of Alaska is considered a local Contractor, eligible for the 5% local bidders preference and has successfully competed for and won similar work on City projects (Phase I of the trail construction was competitively bid, the results of which awarded that portion of the helical pier foundation work to Techno Metal Post of Alaska); and

WHEREAS, This award is not final until written notification is received by Techno Metal Post of Alaska from the City of Homer.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, approves the contract award for a sole source contract for the installation of the Beluga Slough Trail (PHASE II) helical pier foundation work to the firm of Techno Metal Post of Alaska of Homer, Alaska, in the amount of \$18,000 and authorizes the City Manager to execute the appropriate documents.

PASSED AND ADOPTED by the Homer City Council this 12th day of October, 2015.

CITY OF HOMER

MARY E. WYTHE, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

Fiscal Note: Acct. No. 151-0772-5261 GLA # 52 (\$18,000)

VISITORS

ANNOUNCEMENTS
PRESENTATIONS
BOROUGH REPORT
COMMISSION REPORTS

Session 15-14, a Regular Meeting of the Homer Advisory Planning Commission was called to order by Acting Chair Bos at 6:30 p.m. on September 16, 2015 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

PRESENT: COMMISSIONERS BOS, BRADLEY, ERICKSON, HIGHLAND, VENUTI

ABSENT: STEAD, STROOZAS

STAFF: DEPUTY CITY PLANNER ENGBRETSSEN
DEPUTY CITY CLERK JACOBSEN

Approval of Agenda

Acting Chair Bos asked for a motion to approve the agenda.

HIGHLAND/BRADLEY SO MOVED.

Commissioner Erickson suggested amending the agenda to move New Business item A after Presentations. After discussion no motion was made to amend.

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).

There was no public comment.

Reconsideration

Adoption of Consent Agenda

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

A. Approval of Minutes of August 19, 2015

Acting Chair Bos asked for a motion to approve the consent agenda.

VENUTI/BRADLEY SO MOVED.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Presentations

A. Adele Person on Walkability and the Homer Accelerated Road and Trails Program

Adele Person presented to the Commission about Homer Safe Routes. She addressed challenges the city faces with disconnected trails, unpleasant and unsafe places to walk, and the need for transportation options. She also referenced city plans and documents that support a walkable and bike friendly community in Homer; the Comprehensive plan chapters 5 and 7, 2004 Non-Motorized Transportation and Trails Plan (NMTTP), 2005 Transportation Plan, Economic Development Strategy, Climate Action Plan, MAPP Health Needs assessment, PARC needs assessment, and the City Council's Strategic Doing. Ms. Person talked about funds available to work on trails through the HART fund and the need to proposed projects to utilize funds as outlined in Resolution 13-078. Proposed projects from the NMTTP include walking trails at Soundveiw Avenue near West Homer Elementary, W.R. Bell trail, Greatland Street, Main Street, Bartlett Street, West Hill Road, the Town Center area, and Old Town. Steps that have been taken include Safe Route to School Grant, Homer Parks and Trails Symposium, Homer Cycling Club campaign, and trail group efforts. Next steps include HART fund request in October 2015 for priority projects, commit to fulfilling the NMTTP using HART, solicit and empower community groups, DOT rehabilitation of Pioneer Avenue, partnerships like Schoolyard Habitat, SVT's 10,000 steps, and getting out and enjoying the community.

Reports

Deputy City Planner Engebretsen reported there will be a Town Hall meeting for revenue solutions on September 23rd at 5:30 p.m. in the Council Chambers.

Public Hearings

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

A. Staff Report PL 15-66, CUP 15-04 Slavin Dr. for more than one building on a lot in the Rural Residential District.

Deputy City Planner Engebretsen reviewed the staff report.

Fred Pfiel, applicant, thanked the Commission for their work and said he was available to answer questions.

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

VENUTI/BRADLEY MOVED TO APPROVE STAFF REPORT PL 15-66 AN APPLICATION TO BUILD A THIRD DWELLING UNIT ON THE PROPERTY.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

Plat Consideration

Pending Business

New Business

A. Staff Report 15-65 2016 Trail Project Recommendations

Deputy City Planner Engebretsen commented to the Commission about trail costs. A lot of trails can be built for \$100,000, but the trick is it takes a lot of staff time to acquire easements, plan, and do the leg work. When building roads, an engineer is hired to do the leg work. Trails don't require engineering the way roads do. She reviewed the staff report in the packet that includes the recommendations from the Parks and Recreation Advisory Commission.

Acting Chair Bos commented in support of completing the sidewalks that end at the schools is a good place to start. Deputy City Planner Engebretsen commented that there have been times when the city has worked with the school district in the past but it can be challenging. It is good when community groups get involved as well to address issues and concerns to the district.

Commissioner Erickson supports striping on the roads, particularly in time for winter driving when it is difficult to see the shoulder and bike lanes. Deputy City Planner Engebretsen explained the process the city uses for striping. There are things done with HART money like the striping on Bunnell when they paved the shoulder. Typically the striping is part of operations. The recommendation can be that we need to do a better job with striping then the City Manager and Council can address where the money comes from and how to better maintain striping.

Deputy City Planner Engebretsen noted Ms. Person's recommendation to work on the walkability loop between West Homer Elementary, Homer Middle School, and Bartlett. There are a lot of other connections that have been built and we could fill in some of the gaps and complete the loop. It's an easier part of town to address.

Commissioner Erickson supports including extending the sidewalk on Soundview in the Commission's recommendation.

Commissioner Bradley added comments of support for the loop around the schools; she feels it's a great opportunity.

HIGHLAND/VENUTI MOVED THAT THEY SUPPORT THE PARKS AND RECREATION ADVISORY COMMISSION IN THE THREE PROJECTS, CALHOUN TRAIL WORK, PEDESTRIAN AND BICYCLE IMPROVEMENT, AND SOUNDVIEW SIDEWALK EXTENSION.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Acting Chair Bos commented about a photograph in Ms. Person's presentation that had a newer subdivision with a rolled curb. He suggested painting the rolled curb, as he has seen done in other areas.

Commissioner Venuti added additional crosswalks across the bypass near the Chamber of Commerce, requesting the state to stripe more frequently, and improving the access on the west side of Svedlund near the Senior Center.

Deputy City Planner Engebretsen will prepare a memorandum with their recommendations for their next meeting.

B. 2015 Commissioner Attendance at City Council Meetings

The Commission reviewed the schedule of the remaining City Council meetings. Acting Chair Bos said he would attend on October 12th.

There was discussion that the schedule will be included in their packets and others can sign up.

Informational Materials

- A. City Manager's Report September 14, 2015
- B. KBP Planning Commission-High Tide Replat decision

Comments of the Audience

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

Adele Person thanked the Commission for their time tonight. She noted on page 57 of the NMTTP lists the near term projects for completion and read through some of them. She is excited the group appreciates what's been done and is excited about taking it farther.

Comments of Staff

Deputy City Planner Engebretsen thanked Ms. Person for her presentation. She said the NMTTP is her favorite city plan and is happy to say we have accomplished most, if not all of the policy statements the documents. What we haven't accomplished is as much construction as we would like to, but there

is money in the bank to do some projects. It's a matter of the city having it be a priority and hearing from citizens that they want the improvements.

Deputy City Clerk Jacobsen commented about early voting starting. She also noted that election workers are needed for Election Day, October 6th.

Comments of the Commission

Commissioner Highland commented trails are near to her heart and she is glad Ms. Person and her group is working on that. There has always been the comment, Homer the city connected by trails, is one of the dreams.

Commissioner Bradley thanked Ms. Person for her presentation. It brought up several topics that have been on her mind lately, including the depressed downtown district and pedestrian crossings. We all need to do our part to lead by example and help support safe pedestrian and bicycle crossing. She's impressed with the changes she has seen since she was going to school.

Commissioner Erickson thanked everyone for their work. She is concerned about safety, not only pedestrians and bicyclists, but also for the drivers. Whatever we can do to make it safe along the sides of the roads is where she's at with the striping.

Commissioner Venuti said it was an interesting meeting. Business after hours is at the Pratt Museum and he encouraged people to attend. He also noted Commissioner Stroozas is running for City Council so there may be a seat open on the Commission soon.

Acting Chair Bos thanked Ms. Person for the presentation. He recognized one of the people driving one of the buggies with wheels in the pictures she displayed. She is staying in one of his cabins and navigating Main Street is a nightmare for her and there is nothing else she can do. That street isn't going to get better anytime soon. He thanked everyone for a good meeting.

Adjourn

There being no further business to come before the Commission, the meeting adjourned at 7:50 p.m. The next regular meeting is scheduled for October 7, 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: _____

PUBLIC HEARING(S)

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

BUDGET 2016
Exemptions from Natural Gas Special Assessment District
Ordinances 15-35 and 15-36(A)
Resolution 15-084(A)

A **public hearing** is scheduled for **Monday, October 12, 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.

BUDGET 2016

Exemption from Homer Natural Gas Special Assessment District

1. HomePlate LLC - KPB Parcel 17316009
2. Daniel and Brenda Farren – KPB Parcel 17324145
3. Phoebe Estill – KPB Parcel 17928022

Ordinances 15-35 and 15-36(A) internet address:

<http://www.cityofhomer-ak.gov/ordinances>

Ordinance 15-35, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 1.08.020, Enactment Procedures, to Authorize the Introduction of Ordinances by the City Clerk. City Manager.

Ordinance 15-36(A), An Ordinance Amending HCC 9.16.010 to Suspend the Dedication of 0.75% of the City Sales Tax to the Homer Accelerated Roads And Trails (H.A.R.T.) Program for a Period of Up to Three Years, and Authorizing the City to Submit the Question of Suspending Such Sales Tax Dedication to the Qualified Voters of the City at a Special Election to Be Held in the City on _____. Mayor.

Resolution 15-084(A) internet address:

<http://www.cityofhomer-ak.gov/resolutions>

Resolution 15-084(A), A Resolution of the Homer City Council Adopting the 2016-2021 Capital Improvement Plan and Establishing Capital Project Legislative Priorities for State Fiscal Year 2017. Mayor/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, and the City's homepage - <http://clerk.ci.homer.ak.us>. Contact the Clerk's Office at City Hall if you have any questions. 235-3130, Email: clerk@ci.homer.ak.us or fax 235-3143.

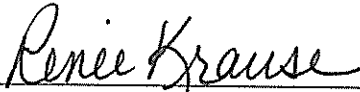
Jo Johnson, MMC, City Clerk

Publish: Homer Tribune: October 7, 2015

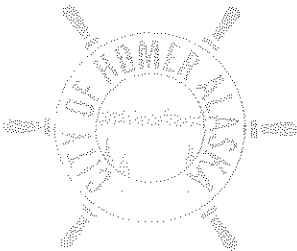
CLERK'S AFFIDAVIT OF POSTING

I, Renee Krause, Deputy City Clerk for the City of Homer, Alaska, do hereby certify that a copy of the Public Hearing Notice for **Budget 2016; Exemptions from Homer Natural Gas Special Assessment District; Ordinance 15-35**, Amending Homer City Code 1.08.020, Enactment Procedures, to Authorize the Introduction of Ordinances by the City Clerk; and **Ordinance 15-36(A)** Amending Homer City Code 9.16.010, to Suspend the Dedication of 0.75% of the City Sales Tax to the Homer Accelerated Roads and Trails (H.A.R.T.) Program for a Period of Up to Three Years and Authorizing the City to Submit the Question of Suspending Such Sales Tax Dedication to the Qualified Voters of the City at a Special Election to Be Held in the City on _____ was distributed to the City of Homer kiosks located at City Clerk's Office, and the Homer Public Library on Wednesday, September 30, 2015 and posted the same on City of Homer Website on Tuesday, September 29, 2015.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal of said City of Homer this 28th day of September, 2015.



Renee Krause, CMC, Deputy City Clerk



AMENDED
CLERK'S AFFIDAVIT OF POSTING

I, Jo Johnson, qualified City Clerk for the City of Homer, Alaska, do hereby certify that a copy of the Public Hearing Notice for Budget 2016, Exemption from Homer Natural Gas Special Assessment District 1. HomePlate LLC, 2. Daniel and Brenda Farren, 3. Phoebe Estill, Ordinance 15-35, Amending HCC 1.08.020, Authorizing the Introduction of Ordinances by the City Clerk, Ordinance 15-36(A), Amending HCC 9.16.010 to Suspend the Dedication of 0.75% of City Sales Tax to H.A.R.T. Program for Up to Three Years and Submitting the Question to the Voters at a Special Election, and Resolution 15-084(A) Adopting the 2016-2021 Capital Improvement Plan and Establishing Capital Project Legislative Priorities for State Fiscal Year 2017 was posted at Homer City Hall and at the Homer Public Library on September 30, 2015 and that the City Clerk posted same on City of Homer Homepage on September 29, 2015.

The Public Hearing Notice was posted on KBBI's Community Calendar to be aired October 9 - 11, 2015 due to not publishing in the local newspaper as requested.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal of said City of Homer this 8th day of October, 2015.



Jo Johnson, City Clerk



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

Gas Assessment Exclusion Application

Property Owner

Name: HomePlate LLC Telephone No.: 399-4700

Address: PO Box 3670 Homer, AK - 99603

Email: homerunoil@alaska.net

Property Information:

Address: 3501 Sterling Hwy

KPB Tax ID # 17316009 Assessed Value: \$ 8300

Legal Description of Property: T6S R 14W Section 15 Seward meridian
~~1/4~~ 1/2 NE 1/4 SE 1/4 NW 1/4 excluding
the Sterling Hwy rdw

Grounds for exclusion that the Council will not consider include without limitation that the assessment imposes economic hardship on the property owner, that the property owner has no present plan to develop the property, and that the property owner has no present plan to obtain natural gas service to the property. Low income deferrals can be requested through the Clerk's Office.

I am applying for an exemption from the natural gas assessment because:

☐ My parcel is not served by natural gas. Attach documentation from Enstar that under the terms of the ENSTAR Tariff a main extension will be required to provide natural gas service to the property.

OR

☐ My parcel is not benefited by gas because:

- ☐ Property is tidal and not developable
- ☐ Property is too steep to build on
- ☐ Property has no developed road access, no homes or businesses, and no city utilities.
- ☐ Property does not border a publicly dedicated right of way
- ☐ Property has a legal restriction on development, such as conservation easements or designated park lands.
- ☒ Property is not buildable for another reason. Attach specific facts of why the land cannot be developed, and why it does not benefit from natural gas.

Steep ravine/drainage - no usable property to build on

Staff Review

The City Clerk will not accept an application, and the Council will not consider or act on an application, unless the property that is the subject of the application is, and remains, current in the payments on its assessment in the District. If the Council adopts a resolution excluding a property from the District, the City shall refund all payments made for the property on its assessment in the District [without interest] to the record owner of the property as of the effective date of the resolution.

Finance Dept: Payments are current for existing gas assessments as of (date) 9/03/15 ^{ad}

Payment is delinquent by \$ _____ as of (date) _____

Planning Dept:

☒ Property is reasonably not developable, see attached

☐ Property can be developed, see attached

☐ Property can be developed although there are constraints, see attached

Council Review:

- At the hearing, the applicant will have the burden of proving that the property satisfies either of the grounds for exclusion from the District.
- At the conclusion of the hearing, the Council will take one of the following actions, in its sole discretion:

1. Adopt or reject a resolution excluding the property from the District; or
2. Continue the hearing to allow the applicant time to provide additional information in support of the application.

- The decision of the Council on an application is final and non-appealable.
- Approval of an exclusion of property from the District is subject to the Council's determination that after the exclusion there will be sufficient funds available from the assessment of properties in the District and other sources to satisfy the City's obligations to the Kenai Peninsula Borough under the Loan Agreement between the City and the Borough for the financing of the cost of the improvement in the District.

Land Owner signature Melley Erickson Date: 9/3/15

OR Council member signature _____ Date: _____

Date of Clerk's Office Receipt: _____ Date application accepted as complete _____

All applications must be submitted by February 11, 2017, Ordinance 15-27.

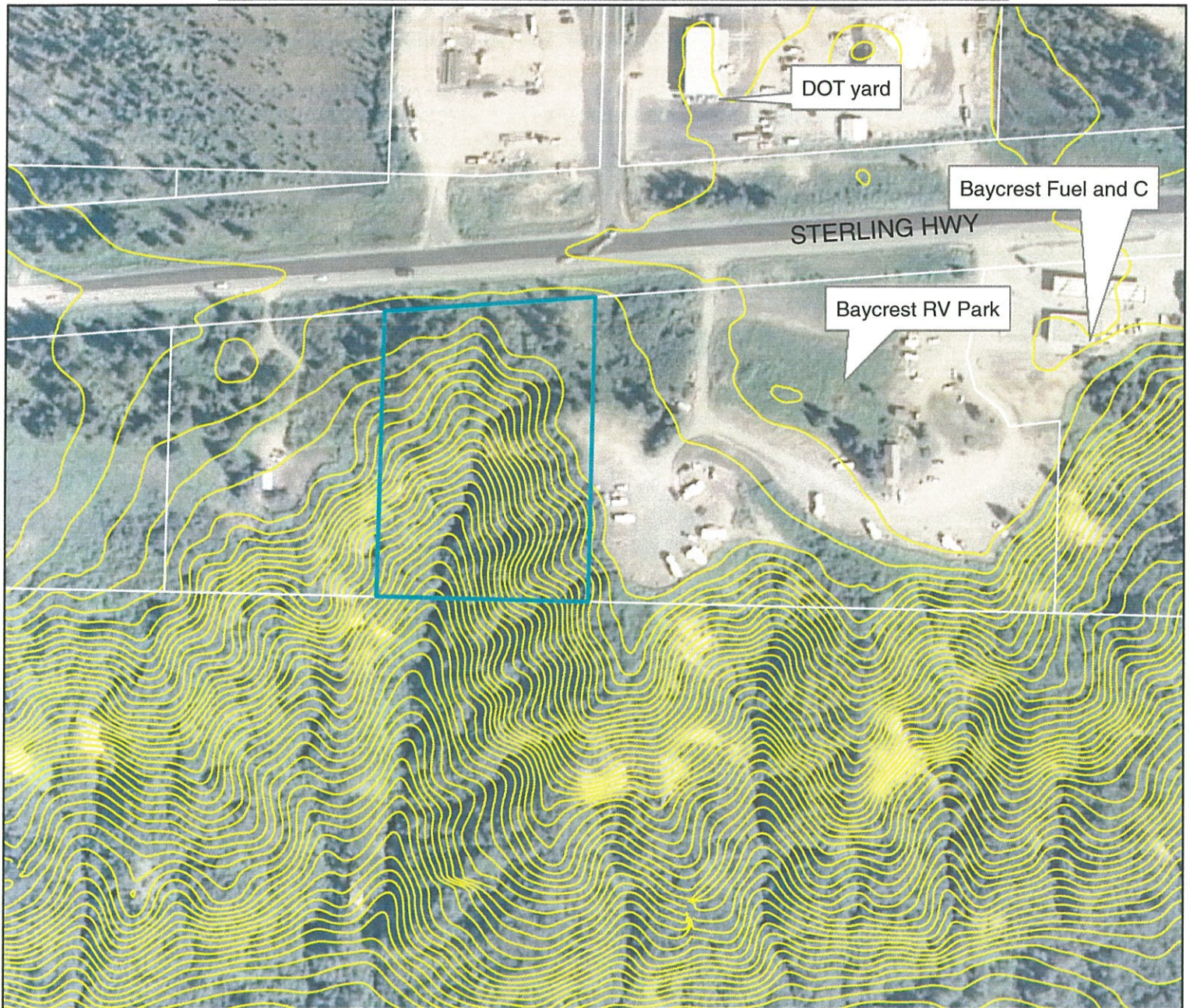
Date application denied as incomplete. Attach list of deficiencies. _____

Date of scheduled City Council City Council Hearing: _____

Council approval date: _____ Resolution # _____

Council denial date: _____ Resolution # _____

**17316009, HM E 1/2 SE1/4 SE 1/4 NW 1/4,
Excluding the Sterling HWY ROW, T6S R14W S 14 SM**



Planning Staff Comments:

This is a very steep ravine, as shown by the contour lines. Zoning setback requirements are 20 feet from the Sterling Highway right of way, and 40 feet from the edge of the ravine. Zoning is General Commercial 1.

There is very little usable area on this lot. It would be very difficult to fit a septic system, driveway and building of any size on this parcel.

Legend

Parcels

10 Ft Topo

0 250 500
Feet

2013 Photo; property lines are approximate.
Map produced 9/4/15.





Looking across
the ravine to the
property (looking
east)





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

September 21, 2015

HomePlate LLC
P.O. Box 3670
Homer, AK 99603

Dear Shelly,

Your application to exempt Kenai Peninsula Borough Parcel No. 17316009 from the natural gas special assessment district will be heard by the Homer City Council on October 12, 2015. A public hearing has been scheduled at the regular city council meeting that begins at 6:00 p.m.

The Finance and Planning Departments reviewed the status of your assessment payment and prospective development of your property. I have enclosed your application and supporting documents for your review.

At the public hearing you will have the burden of proving that the property satisfies grounds for exemption from the special assessment district. The Council will then take action to either adopt or reject a resolution excluding the property from the district or continue the hearing.

If you should have any questions regarding this process, please feel free to call me.

Sincerely,

Jo Johnson
City Clerk

Enc. Gas Assessment Exclusion Application
& supporting documents

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY																	
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature <input checked="" type="checkbox"/> <i>Paula Gallyn</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>																	
<p>1. Article Addressed to:</p> <p style="text-align: center;">HomePlate LLC P.O. Box 3670 Homer, AK 99603</p>		<p>B. Received by (Printed Name) _____ C. Date of Delivery _____</p>																	
<p>2. Article Number (Transfer from service label)</p> <p style="text-align: center;">7011 1570 0001 6391 7814</p>		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>																	
<p>9590 9403 0211 5146 6263 20</p>		<p>3. Service Type</p> <table border="0"> <tr> <td><input type="checkbox"/> Adult Signature</td> <td><input type="checkbox"/> Priority Mail Express®</td> </tr> <tr> <td><input type="checkbox"/> Adult Signature Restricted Delivery</td> <td><input type="checkbox"/> Registered Mail™</td> </tr> <tr> <td><input checked="" type="checkbox"/> Certified Mail®</td> <td><input type="checkbox"/> Registered Mail Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail Restricted Delivery</td> <td><input type="checkbox"/> Return Receipt for Merchandise</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery</td> <td><input type="checkbox"/> Signature Confirmation™</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td> <td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Registered Mail</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Registered Mail Restricted Delivery (over \$500)</td> <td></td> </tr> </table>		<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®	<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™	<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery	<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Return Receipt for Merchandise	<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™	<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery	<input type="checkbox"/> Registered Mail		<input type="checkbox"/> Registered Mail Restricted Delivery (over \$500)	
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<input type="checkbox"/> Registered Mail																			
<input type="checkbox"/> Registered Mail Restricted Delivery (over \$500)																			

PS Form 3811, April 2015 PSN 7530-02-000-9053

Domestic Return Receipt



City of Homer

www.cityofhomer-ak.gov

AUG 20 2015 PM 03:43 De
Office of the City Clerk
491 East Pioneer Avenue
Homer, Alaska 99603
clerk@cityofhomer-ak.gov
(p) 907-235-3130
(f) 907-235-3143

Gas Assessment Exclusion Application

Property Owner

Name: Daniel + Brenda Farren Telephone No.: 907 235 6612

Address: 497 Westwood Ave Homer

Email: —

Property Information:

Address: Westwood Ave - Homer

KPB Tax ID # 17324142 17324143 173241-45 Assessed Value: \$ —

Legal Description of Property: Westwood Estates, Lots 33, 34, 35, 36

Grounds for exclusion that the Council will not consider include without limitation that the assessment imposes economic hardship on the property owner, that the property owner has no present plan to develop the property, and that the property owner has no present plan to obtain natural gas service to the property. Low income deferrals can be requested through the Clerk's Office.

I am applying for an exemption from the natural gas assessment because:

— My parcel is not served by natural gas. Attach documentation from Enstar that under the terms of the ENSTAR Tariff a main extension will be required to provide natural gas service to the property.

OR

☒ My parcel is not benefited by gas because:

- ☐ Property is tidal and not developable
- ☐ Property is too steep to build on
- ☐ Property has no developed road access, no homes or businesses, and no city utilities.
- ☐ Property does not border a publicly dedicated right of way
- ☒ Property has a legal restriction on development, such as conservation easements or designated park lands. Wetlands
- ☐ Property is not buildable for another reason. Attach specific facts of why the land cannot be developed, and why it does not benefit from natural gas.

Staff Review

The City Clerk will not accept an application, and the Council will not consider or act on an application, unless the property that is the subject of the application is, and remains, current in the payments on its assessment in the District. If the Council adopts a resolution excluding a property from the District, the City shall refund all payments made for the property on its assessment in the District [without interest] to the record owner of the property as of the effective date of the resolution.

Finance Dept: Payments are current for existing gas assessments as of (date) 8/12/15 - No pymts made yet. ad
Payment is delinquent by \$ _____ as of (date) _____

Planning Dept:

___ Property is reasonably not developable, see attached

X Property can be developed, see attached only lot 36 is assessed.

___ Property can be developed although there are constraints, see attached

Council Review:

- At the hearing, the applicant will have the burden of proving that the property satisfies either of the grounds for exclusion from the District.
- At the conclusion of the hearing, the Council will take one of the following actions, in its sole discretion:

1. Adopt or reject a resolution excluding the property from the District; or
2. Continue the hearing to allow the applicant time to provide additional information in support of the application.

- The decision of the Council on an application is final and non-appealable.
- Approval of an exclusion of property from the District is subject to the Council's determination that after the exclusion there will be sufficient funds available from the assessment of properties in the District and other sources to satisfy the City's obligations to the Kenai Peninsula Borough under the Loan Agreement between the City and the Borough for the financing of the cost of the improvement in the District.

Land Owner signature D. Farrer Date: 8/19/15

OR Council member signature _____ Date: _____

Date of Clerk's Office Receipt: _____ Date application accepted as complete _____

All applications must be submitted by February 11, 2017, Ordinance 15-27.

Date application denied as incomplete. Attach list of deficiencies. _____

Date of scheduled City Council City Council Hearing: _____

Council approval date: _____ Resolution # _____

Council denial date: _____ Resolution # _____

8/19/15

City Council, Homer, Alaska

Our property being assessed for natural gas is not buildable due to wetlands designation by the Corp. (Copies enclosed)

Please exclude us from this assessment.

Thank You Very Much.

Dan & Brenda Farren

Homer, Alaska



This lot assessed

Wetlands.



296.87

150

17324145, Westwood Estates Sub Amended, Lot 36



Planning Staff Comments:

Westwood Estates Lot 36 has a very long driveway already constructed, and the applicant has provided no information that they would not be able to build a home under Nationwide Permit #29.

General wetlands information:

Wetlands are very common in Homer. When building a residential development, frequently a single family home, land owners work with the Army Corps of Engineers under what is called a Nationwide Permit.

There are 52 categories of activities that fall under the nationwide permit, and #29 is Residential Developments. Staff confirmed with ACOE Kenai office that Nationwide Permit #29 allows fill material to be used in an area up to half an acre.

Planning issues many zoning permits every year for new construction in wetlands. The applicant has provided no information that they could not also build a home under Nationwide Permit #29.

0 50 100 200 300 400
Feet



2013 Photo; property lines are approximate.
Map produced 8/21/15.

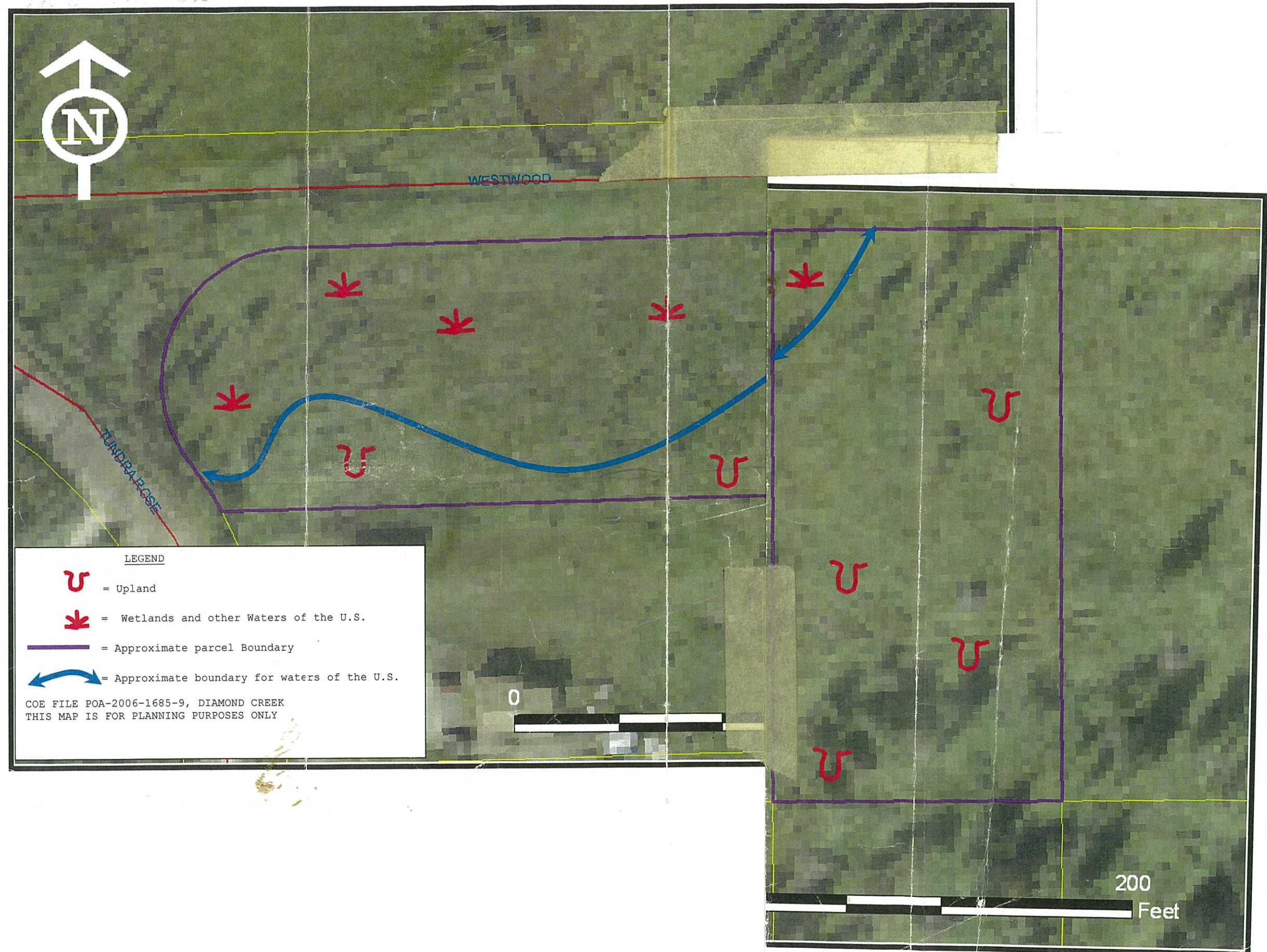
ACOE Nationwide Permit

29. Residential Developments. Discharges of dredged or fill material into non-tidal waters of the United States for the construction or expansion of a single residence, a multiple unit residential development, or a residential subdivision. This NWP authorizes the construction of building foundations and building pads and attendant features that are necessary for the use of the residence or residential development. Attendant features may include but are not limited to roads, parking lots, garages, yards, utility lines, storm water management facilities, septic fields, and recreation facilities such as playgrounds, playing fields, and golf courses (provided the golf course is an integral part of the residential development).

The discharge must not cause the loss of greater than 1/2-acre of non-tidal waters of the United States, including the loss of no more than 300 linear feet of stream bed, unless for intermittent and ephemeral stream beds the district engineer waives the 300 linear foot limit by making a written determination concluding that the discharge will result in minimal adverse effects. This NWP does not authorize discharges into non-tidal wetlands adjacent to tidal waters.

Subdivisions: For residential subdivisions, the aggregate total loss of waters of United States authorized by this NWP cannot exceed 1/2-acre. This includes any loss of waters of the United States associated with development of individual subdivision lots.

Notification: The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity. (See general condition 31.) (Sections 10 and 404)





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

September 21, 2015

Daniel and Brenda Farren
497 Westwood Avenue
Homer, AK 99603

Dear Mr. and Mrs. Farren,

Your application to exempt Kenai Peninsula Borough Parcel No. 17324145 from the natural gas special assessment district will be heard by the Homer City Council on October 12, 2015. A public hearing has been scheduled at the regular city council meeting that begins at 6:00 p.m.

The Finance and Planning Departments reviewed the status of your assessment payment and prospective development of your property. I have enclosed your application and supporting documents for your review.

At the public hearing you will have the burden of proving that the property satisfies grounds for exemption from the special assessment district. The Council will then take action to either adopt or reject a resolution excluding the property from the district or continue the hearing.

If you should have any questions regarding this process, please feel free to call me.

Sincerely,

Jo Johnson
City Clerk

Enc. Gas Assessment Exclusion Application
& supporting documents

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Daniel and Brenda Farren
497 Westwood Avenue
Homer, AK 99603



9590 9403 0211 5146 6263 44

2. Article Number (Transfer from service label)

7011 1570 0001 6391 7807

COMPLETE THIS SECTION ON DELIVERY

A. Signature

☒ *Brenda Farren*

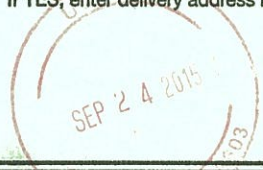
- ☐ Agent
- ☐ Addressee

B. Received by (Printed Name)

Brenda Farren

C. Date of Delivery

- D. Is delivery address different from item 1?** ☐ Yes
If YES, enter delivery address below: ☐ No



3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Insured Mail Restricted Delivery (over \$500)

- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Return Receipt for Merchandise
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery



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clerk@cityofhomer-ak.gov

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(f) 907-235-3143

Gas Assessment Exclusion Application

Property Owner

Name: Phoebe Estill Telephone No.: 235-8930

Address: 62084 Sky Line DR

Email: Boydoy@PTI ALASKA.NET

Property Information:

Address: _____

KPB Tax ID # 179-280-22 Assessed Value: \$ 0

Legal Description of Property: Wet Land drainage

Grounds for exclusion that the Council will not consider include without limitation that the assessment imposes economic hardship on the property owner, that the property owner has no present plan to develop the property, and that the property owner has no present plan to obtain natural gas service to the property. Low income deferrals can be requested through the Clerk's Office.

I am applying for an exemption from the natural gas assessment because:

____ My parcel is not served by natural gas. Attach documentation from Enstar that under the terms of the ENSTAR Tariff a main extension will be required to provide natural gas service to the property.

OR

____ My parcel is not benefited by gas because:

____ Property is tidal and not developable

____ Property is too steep to build on

____ Property has no developed road access, no homes or businesses, and no city utilities.

____ Property does not border a publicly dedicated right of way

____ Property has a legal restriction on development, such as conservation easements or designated park lands.

☒ Property is not buildable for another reason. Attach specific facts of why the land cannot be developed, and why it does not benefit from natural gas.

WET LAND Drainage. Corp. Eng.

Staff Review

The City Clerk will not accept an application, and the Council will not consider or act on an application, unless the property that is the subject of the application is, and remains, current in the payments on its assessment in the District. If the Council adopts a resolution excluding a property from the District, the City shall refund all payments made for the property on its assessment in the District [without interest] to the record owner of the property as of the effective date of the resolution.

Finance Dept: Payments are current for existing gas assessments as of (date) 9/09/15 *per schedule*

Payment is delinquent by \$ _____ as of (date) _____

Planning Dept:

___ Property is reasonably not developable, see attached

~~X~~ Property can be developed, see attached

___ Property can be developed although there are constraints, see attached

Council Review:

- At the hearing, the applicant will have the burden of proving that the property satisfies either of the grounds for exclusion from the District.
- At the conclusion of the hearing, the Council will take one of the following actions, in its sole discretion:

1. Adopt or reject a resolution excluding the property from the District; or
2. Continue the hearing to allow the applicant time to provide additional information in support of the application.

- The decision of the Council on an application is final and non-appealable.
- Approval of an exclusion of property from the District is subject to the Council's determination that after the exclusion there will be sufficient funds available from the assessment of properties in the District and other sources to satisfy the City's obligations to the Kenai Peninsula Borough under the Loan Agreement between the City and the Borough for the financing of the cost of the improvement in the District.

Land Owner signature: Shaula G. Galt Date: 7/8/15

OR Council member signature _____ Date: _____

Date of Clerk's Office Receipt: _____ Date application accepted as complete _____

All applications must be submitted by February 11, 2017, Ordinance 15-27.

Date application denied as incomplete. Attach list of deficiencies. _____

Date of scheduled City Council City Council Hearing: _____

Council approval date: _____ Resolution # _____

Council denial date: 03/03/2015 Resolution # 01500

17928022, Tietjen Sub Tr o Resub Tract O-2
Tax Assessed Value: \$17,000



Planning Staff Comments:

Wetlands are very common in Homer. Developing commercial buildings in wetlands is more complicated than a single family home.
The landowner will need to apply for an ACOE permit prior to development.

Legend

- Parcels
- Wetlands

0 250 500
Feet

2013 Photo; property lines are approximate.
Map produced 9/4/15.





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

September 21, 2015

Phoebe Estill
62084 Skyline Drive
Homer, AK 99603

Dear Ms. Estill,

Your application to exempt Kenai Peninsula Borough Parcel No. 17928022 from the natural gas special assessment district will be heard by the Homer City Council on October 12, 2015. A public hearing has been scheduled at the regular city council meeting that begins at 6:00 p.m.

The Finance and Planning Departments reviewed the status of your assessment payment and prospective development of your property. I have enclosed your application and supporting documents for your review.

At the public hearing you will have the burden of proving that the property satisfies grounds for exemption from the special assessment district. The Council will then take action to either adopt or reject a resolution excluding the property from the district or continue the hearing.

If you should have any questions regarding this process, please feel free to call me.

Sincerely,

Jo Johnson
City Clerk

Enc. Gas Assessment Exclusion Application
& supporting documents

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Phoebe Estill
62084 Skyline Drive
Homer, AK 99603



9590 9403 0211 5146 6263 37

2. Article Number (Transfer from service label)

7011 1570 0001 6391 7791

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *R. Bell*

☒ Agent

☐ Addressee

B. Received by (Printed Name)

Ray Bell

C. Date of Delivery

9-24-15

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☐ Adult Signature

☐ Adult Signature Restricted Delivery

☒ Certified Mail®

☐ Certified Mail Restricted Delivery

☐ Collect on Delivery

☐ Collect on Delivery Restricted Delivery

☐ Insured Mail

☐ Insured Mail Restricted Delivery (over \$500)

☐ Priority Mail Express®

☐ Registered Mail™

☐ Registered Mail Restricted Delivery

☐ Return Receipt for Merchandise

☐ Signature Confirmation™

☐ Signature Confirmation Restricted Delivery

PS Form 3811, April 2015 PSN 7530-02-000-9053

Domestic Return Receipt

ORDINANCE REFERENCE SHEET
2015 ORDINANCE
ORDINANCE 15-35

An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 1.08.020, Enactment Procedures, to Authorize the Introduction of Ordinances by the City Clerk.

Sponsor: City Manager

1. City Council Regular Meeting September 28, 2015 Introduction
2. City Council Regular Meeting October 12, 2015 Public Hearing and Second Reading

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

3 City Manager

4 **ORDINANCE 15-35**

5 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
6 AMENDING HOMER CITY CODE 1.08.020, ENACTMENT
7 PROCEDURES, TO AUTHORIZE THE INTRODUCTION OF
8 ORDINANCES BY THE CITY CLERK.
9

10
11 THE CITY OF HOMER ORDAINS:

12
13 Section 1. Homer City Code 1.08.020, Enactment procedures, is amended to read as
14 follows:

15
16 1.08.020 Enactment procedures.

17 The following procedure governs the enactment of all ordinances except emergency
18 ordinances:

19 a. Introduction and First Reading. An ordinance may be introduced by a member or
20 committee of the Council, ~~or~~ by the Mayor, or **by** the City Manager **or City Clerk**. An
21 introduction of an ordinance shall be considered the first reading of that ordinance, and that
22 ordinance shall be set for hearing by the affirmative vote of the majority of the votes
23 authorized on the question.

24 b. Publication and Posting. After hearing date is set a summary of the ordinance and
25 its amendments is published together with a notice of time and place for the public hearing.
26 The hearing follows publication by at least five days. Copies of the ordinance shall be posted
27 in at least two public places, one of which is the office of the City Clerk.

28 c. Public Hearing and Final Reading. The Council shall hear all interested persons
29 wishing to be heard on an ordinance. After the hearing or hearings the Council shall consider
30 the ordinance on second reading and may adopt it with or without amendment. Second
31 reading may occur at the same meeting as the public hearing immediately following public
32 testimony. Final reading may occur at the public hearing or at a subsequent Council meeting.
33 Council may postpone action on the ordinance to the next regular or special meeting. An
34 additional public hearing or additional public hearings may be scheduled as the City Council
35 deems necessary and shall be noticed according to subsection (b) of this section. Copies of
36 the ordinance must be available to all persons present or the ordinance must be read in full.

37
38 Section 2. This Ordinance is of a permanent and general character and shall be
39 included in the City Code.
40

ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER, ALASKA, this ____ day of _____, 2015.

CITY OF HOMER

MARY E. WYTHE, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

AYES:

NOES:

ABSTAIN:

ABSENT:

First Reading:

Public Reading:

Second Reading:

Effective Date:

Reviewed and approved as to form:

Mary K. Koester, City Manager

Thomas F. Klinkner, City Attorney

Date: _____

Date: _____

ORDINANCE REFERENCE SHEET
2015 ORDINANCE
ORDINANCE 15-36

An Ordinance Amending HCC 9.16.010 to Suspend the Dedication of 0.75% of the City Sales Tax to the Homer Accelerated Roads And Trails (H.A.R.T.) Program for a Period of Five Years, and Authorizing the City to Submit the Question of Suspending Such Sales Tax Dedication to the Qualified Voters of the City at a Special Election to Be Held in the City on _____.

Sponsor: Mayor

1. City Council Regular Meeting September 28, 2015 Introduction
 - a. HART Fund Road and Trails Activities Reports
 - b. HART Manual
 - c. Ordinance 06-42
2. City Council Regular Meeting October 12, 2015 Public Hearing and Second Reading
 - a. HART Fund Road and Trails Activities Reports
 - b. HART Manual
 - c. Ordinance 06-42

CITY OF HOMER
HOMER, ALASKA

Mayor

ORDINANCE 15-36(A)

AN ORDINANCE AMENDING HCC 9.16.010 TO SUSPEND THE DEDICATION OF 0.75% OF THE CITY SALES TAX TO THE HOMER ACCELERATED ROADS AND TRAILS (H.A.R.T.) PROGRAM FOR A PERIOD OF FIVE **UP TO THREE** YEARS, AND AUTHORIZING THE CITY TO SUBMIT THE QUESTION OF SUSPENDING SUCH SALES TAX DEDICATION TO THE QUALIFIED VOTERS OF THE CITY AT A SPECIAL ELECTION TO BE HELD IN THE CITY ON _____.

THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code 9.16.010 is amended to read as follows:

9.16.010 Levied.

a. A consumer's sales tax in the amount of three **and three-quarters** percent is levied by the City on all sales, rents and services within the City except as the same may be otherwise exempted by law.

b. An additional consumer's sales tax in the amount of three-quarters percent is hereby levied by the City of Homer on all sales, rents and services within the City except as the same may be otherwise exempted by law, for the purpose of funding debt retirement of the sewer treatment plant improvements, and to the extent revenues from such tax exceed such debt retirement obligations, for the purpose of funding water and sewer systems.

~~c. An additional consumer's sales tax in the amount of three quarters percent is hereby levied by the City of Homer on all sales, rents and services within the City except as the same may be otherwise exempted by law, for the purpose of funding of street reconstruction improvements and related utilities, construction of new local roads, and construction of new local trails.~~

Section 2. Homer City Code 9.16.010 is amended to read as follows:

9.16.010 Levied.

a. A consumer's sales tax in the amount of three ~~and three-quarters~~ percent is levied by the City on all sales, rents and services within the City except as the same may be otherwise exempted by law.

b. An additional consumer's sales tax in the amount of three-quarters percent is hereby levied by the City of Homer on all sales, rents and services within the City except as the same may be otherwise exempted by law, for the purpose of funding debt retirement of

the sewer treatment plant improvements, and to the extent revenues from such tax exceed such debt retirement obligations, for the purpose of funding water and sewer systems.

c. An additional consumer's sales tax in the amount of three-quarters percent is hereby levied by the City of Homer on all sales, rents and services within the City except as the same may be otherwise exempted by law, for the purpose of funding of street reconstruction improvements and related utilities, construction of new local roads, and construction of new local trails.

Section 3. A special election in and for the City is called for _____, at which the City shall submit the following proposition to the qualified voters of the City. The proposition must receive an affirmative vote from a majority of the qualified voters voting on the question to be approved.

PROPOSITION NO. 1

SUSPEND THE DEDICATION OF 0.75% OF THE CITY SALES TAX TO THE HOMER ACCELERATED ROADS AND TRAILS (H.A.R.T.) PROGRAM FOR A PERIOD OF FIVE UP TO THREE YEARS, TO MAKE SUCH 0.75% OF CITY SALES TAX AVAILABLE FOR GENERAL GOVERNMENT PURPOSES

Shall the dedication of 0.75% of the City sales tax to the Homer Accelerated Roads and Trails (H.A.R.T.) Program be suspended for a period of five up to three years, to make such 0.75% of City sales tax available for general government purposes?

Section 4. The proposition shall be printed on paper ballots and machine ballots, and the following words shall be added as appropriate next to an oval provided for marking the ballot for voting by hand or machine:

PROPOSITION NO. 1

O Yes
O No

Section 5. Section 1 of this ordinance shall become effective on January 1, 2016, but only if the proposition described in Section 3 is approved by a majority of the qualified voters voting on the proposition at the special election to be held in the City on _____. Section 2 of this ordinance shall become effective on January 1, ~~2021~~ **2019 or earlier**, but only if the proposition described in Section 3 is approved by a majority of the qualified voters voting on the proposition at the special election to be held in the City on _____. The remaining sections of this ordinance shall become effective upon adoption.

Section 6. Sections 1 and 2 of this ordinance are of a permanent and general character and shall be included in the city code upon their respective effective dates. The remaining sections of this ordinance are not permanent in nature, and shall not be codified.

ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER, ALASKA, this ____ day of _____ 2015.

CITY OF HOMER

MARY E. WYTHE, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

AYES:

NOES:

ABSTAIN:

ABSENT:

First Reading:

Public Reading:

Second Reading:

Effective Date:

Reviewed and approved as to form:

Mary K. Koester, City Manager

Thomas F. Klinkner, City Attorney

Date: _____

Date: _____

HART Fund
Roads - Activities Report

	<u>12/31/2010</u>	<u>12/31/2011</u>	<u>12/31/2012</u>	<u>12/31/2013</u>	<u>12/31/2014</u>	<u>7/31/2015</u>
Revenue						
160-0375-4201 Sales Tax	989,932	1,061,183	1,057,215	1,095,521	1,122,738	462,156
160-0375-4801 Interest Income	9,149	34,990	26,215	25,966	18,068	4,422
160-0771-4610 Sale of Plans & Specs	0	60	0	0	0	0
160-0774-4610 Specs & Plans	0	0	0	600	0	0
Total Revenue	<u>999,081</u>	<u>1,096,233</u>	<u>1,083,430</u>	<u>1,122,088</u>	<u>1,140,807</u>	<u>466,578</u>
Expenditures						
160-0375-5241 G/F Admin Fees	144,856	0	161,590	75,737	0	0
160-0766-5241 G/F Admin Fees	0	141,927	0	0	93,476	115,365
160-0766-5105 Overtime	0	0	0	2,138	0	0
160-0766-5212 Engr/Arch/Desin	0	0	27,620	0	0	0
160-0774-5212 Engr/Arch/Design	0	0	16,350	12,785	0	0
160-0766-5261 Construction	0	0	2,988	690,080	33,800	0
160-0771-5261 Construction	0	169,588	2,014	0	0	0
160-0774-5261 Construction	0	0	0	630,449	44,845	0
160-0771-5227 Advertising	0	300	0	0	0	0
160-0766-5227 Advertising	0	150	861	0	0	0
160-0774-5227 Advertising	0	0	0	414	200	0
160-0774-5103 Part Time Employees	0	0	0	9,608	0	0
160-0766-5102 Fringe Benefits	0	0	0	677	0	0
160-0774-5104 Fringe Benefits - P/T	0	0	0	1,208	0	0
160-0774-5107 P/T Overtime	0	0	0	2,616	0	0
Total Expenses	<u>144,856</u>	<u>311,965</u>	<u>211,424</u>	<u>1,425,712</u>	<u>172,320</u>	<u>115,365</u>
Revenue Over (Under) Exp.	<u>854,225</u>	<u>784,269</u>	<u>872,007</u>	<u>(303,625)</u>	<u>968,486</u>	<u>351,213</u>
Beginning Fund Balance	<u>3,818,917</u>	<u>4,673,142</u>	<u>5,457,410</u>	<u>6,329,417</u>	<u>6,025,792</u>	<u>6,994,279</u>
Ending Fund Balance	<u>4,673,142</u>	<u>5,457,410</u>	<u>6,329,417</u>	<u>6,025,792</u>	<u>6,994,279</u>	<u>7,345,491</u>

HART Fund
Trails - Activities Report

	<u>12/31/2010</u>	<u>12/31/2011</u>	<u>12/31/2012</u>	<u>12/31/2013</u>	<u>12/31/2014</u>	<u>7/31/2015</u>
Revenue						
165-0375-4201 Sales Tax	111,631	134,891	100,502	121,725	124,744	51,351
165-0375-4801 Interest Income	522	1,695	1,506	1,448	1,391	340
165-0375-4610 Plans & Specs		300				
Total Revenue	<u>112,153</u>	<u>136,886</u>	<u>102,007</u>	<u>123,172</u>	<u>126,135</u>	<u>51,691</u>
Expenditures						
165-0375-5102 Fringe Benefits	0	0	0	27	0	0
165-0375-5105 Overtime	0	0	0	81	0	0
165-0375-5212 Engr/Arch/Desin	3,150	0	0	17,500	7,769	4,284
165-0375-5227		100				
165-0375-5241 G/F Admin Fees	16,095	15,770	17,954	8,415	10,386	28,841
165-0375-5261 Construction	0	7,715	0	18,103	5,810	1,672
165-0375-5990 Transfers To			61,000			
Total Expenses	<u>19,245</u>	<u>23,585</u>	<u>78,954</u>	<u>44,125</u>	<u>23,965</u>	<u>34,796</u>
<u>Revenue Over (Under) Exp.</u>	<u>92,908</u>	<u>113,300</u>	<u>23,053</u>	<u>79,047</u>	<u>102,170</u>	<u>16,895</u>
<u>Beginning Fund Balance</u>	<u>133,314</u>	<u>226,222</u>	<u>339,522</u>	<u>362,576</u>	<u>441,623</u>	<u>543,793</u>
<u>Ending Fund Balance</u>	<u>226,222</u>	<u>339,522</u>	<u>362,576</u>	<u>441,623</u>	<u>543,793</u>	<u>560,687</u>

H.A.R.T. POLICY MANUAL

Homer Accelerated Roads and Trails Program



Adopted September 10, 2007

Produced & Distributed by the City Clerk's Office — 2/19/2008 — rt

H.A.R.T. POLICY MANUAL
(HOMER ACCELERATED ROADS AND TRAILS PROGRAM)

TABLE OF CONTENTS

- I. Purpose and Intent
- II. Definitions
- III. Qualifying Criteria
- IV. Financing and Assessments
- V. Utilities
- VI. Special Provisions
- VII. Trail Prioritizing Criteria and Planning Guidelines

February 2008

I. PURPOSE and INTENT

1. The H.A.R.T. is a combined local funding source of dedicated sales tax and assessments to upgrade city streets, new city streets and new city non-motorized trails.(Ordinance 06-42(S); Resolution 88-47 #1)
2. The intent of the program is to reconstruct local substandard city roads and/or upgrade existing city roads, construct new city streets and non motorized trails, thereby reducing maintenance cost, improving access, increasing property values and improving the quality of life. (Ordinance 06-42(S); Resolution 88-47 #2)
3. Reconstruction and new construction shall be to City Standards. (Ordinance 06-42(S) Resolution 88-47 #19)
4. The City will not accept a street for full time maintenance until it meets city standards and is shown on the official maintenance map.¹ (Ordinance 85-14 07/01/85; Resolution 88-47 #8)
5. When practical, the intent of the program is to preclude the destruction of existing property improvements in built up areas. (Resolution 88-77(A), be it further Resolved clause.)
6. State maintained roads are not part of this program. (Resolution 88-47 #7)
7. The criteria for the H.A.R.T. shall be reviewed annually by the Transportation Advisory Committee, with recommendations reported to the Homer City Council. (Resolution 88-47 #22)
8. Annexed roads are included as newly eligible roads, as listed on the Official Road Maintenance Map. (Resolution 03-116, 08/25/03)
9. New roads shall be listed on the Official Road Maintenance Map. (Resolution 07-82)
10. New trails shall be listed on a map in the City Clerk's Office. (Resolution 07-82)

II. DEFINITIONS

- A. Sidewalk- the term "sidewalk" means a pedestrian facility associated with a road and generally within a street right of way. (Resolution 07-82)
- B. Trail – a pedestrian facility detached from a road, or not within a street right of way. (Resolution 07-82)

¹1.Clerk's Note: Done by Ordinance

III. QUALIFYING CRITERIA

A. Roads

The schedule of street improvements and costs developed by the Public Works Department August 87, consisting of Groups I-IV and the annexed roads of the City boundary amendment of Ordinance 02-08(A) and as noted on the Official Road Maintenance Map, are hereby incorporated. (Resolution 05-70, 06/13/05; Ordinance 02-23(A), 06/10/02; Ordinance 02-08(A), 04/08/03; Resolution 03-116, 08/25/03)

Amendments to the schedule can be accomplished only by Council action and are limited to additions to the schedule due to revision of the street map or transfer of state rights-of-ways to the City.

All projects will be authorized only after a public hearing to insure public participation in the process. (Resolution 88-47 #13)

1. The following criteria may be considered for roads qualifying for reconstruction/utility improvements: (Resolution 88-47 #14, Resolution 87-61(S))

- a. Life, safety and traffic flow (Resolution 87-61(S), Resolution 88-47);
- b. Correct deficiencies of existing systems (Resolution 87-61(S), Resolution 88-47);
- c. System wide basis versus local needs (Resolution 87-61(S), Resolution 88-47);
- d. Complete traffic circulation pattern (Resolution 87-61(S), Resolution 88-47);
- e. Encourage economic development (Resolution 87-61(S), Resolution 88-47);
- f. Correct drainage problems (Resolution 87-61(S), Resolution 88-47);
- g. Reduce maintenance cost (Resolution 87-61(S), Resolution 88-47);
- h. Built to city standards prior to acceptance for maintenance (Resolution 61(S), Resolution 88-47);
- i. Reconstruction is a higher priority than new construction projects (Resolution 87-61(S), Resolution 88-47);
- j. Property owner contribution through LID process by paying \$30 per front foot for gravel and \$17 per front foot for paving cost of a residential standard street and the city pays all costs for additional improvements deemed necessary (Resolution 87-61(S); Resolution 88-47, Resolution 94-50; Resolution 95-97)
- k. City share can apply to related utilities, sidewalks, street lighting, drainage, paving and/or reconstruction of roads identified on the road maintenance map. (Resolution 88-47, Resolution 04-41(A).);
- l. Other factors deemed appropriate by the City Council. (Resolution 87-61(S), Resolution 88-47))

2. The following criteria may be considered for new local roads in addition to applicable criteria in 1:

- a. Connectivity to existing road(s), for example completes a traffic pattern.
- b. Arterials or thoroughfares;
- c. Existing utilities;
- d. Contributing funds such as property owner assessments, loans, grants, etc;
- e. Level of need. (Resolution 07-82)

B. Trails

New local non motorized trails shall be prioritized according to the following:

- a. Project is listed in the HNMTTP or furthers a stated goal of that plan;
- b. Solves a safety concern;
- c. Creates connectivity to existing trail(s), completes pattern or provides access to a point of interest;
- d. Protects an established trail;
- e. Creates or improves a trailhead;
- f. Has significant scenic or aesthetic value;
- g. Existence or potential for contributing funds;
- h. Property owner participation. (Resolution 07-82)

IV. FINANCING and ASSESSMENTS

1. The program will utilize an additional dedicated City sales tax not to exceed three quarters of one percent ($\frac{3}{4}\%$) supplemental with assessments against adjacent benefited properties. (Ordinance 06-42, Resolution 87-61(S), Resolution 88-47 #3).
2. A three quarters of one percent ($\frac{3}{4}$) dedicated sales tax and will be collected for up to twenty years expiring December 31, 2007 and reauthorizing up to an additional twenty years expiring December 31, 2027 to participate in funding the accelerated roads and trails program (Ordinance 06-42, Resolution 87-61(S), Resolution 88-47 #4). Reauthorized twenty additional years at the October 3, 2006 election (Resolution 06-145(S)) to expire December 31, 2027. Ten percent of the annual revenue shall be used for trail projects.
3. The road improvements will be financed on a combined pay as you go basis as well as sale of revenue bonds in a fifty-fifty ratio. There may be future bond sales as revenues increase. (Resolution 87-47 #6)
4. The City will attempt to obtain long term financing for up to ten years for the private share of funding. (Resolution 88-74 #12, bond change Ordinance 89-17, regarding ten years financing.)

5. Interest, if any, generated from the program will remain with the program funds. (Resolution 88-47 #18)

6. Abutting property owners will share the cost of upgrading a street to residential standards by paying \$30 per front foot for gravel and \$17 per front foot for paving.² (Resolution 87-61(S), Resolution 88-47, Resolution 94-50, Resolution 95-97)

7. The City will pay all costs for any additional improvements required when deemed necessary by the City. Other improvements requested by the benefited property owners will be paid by those same property owners. (Resolution 88-47 #11)

8. The \$30/\$17 split in front foot assessment stands unless there is 100% agreement on a revised formula for a specific project or the amount is adjusted by the City Council. (Resolution 87-61(S), Resolution 88-47; #21; Resolution 95-97)

9. Road Reconstruction assessment payment date, penalty and interest shall be set as soon as the reconstruction project has been accepted by the Public Works Department regardless if the LID/Assessment district wherein reconstruction has been completed is also scheduled for paving as part of the same LID/Assessment District. Paving assessment payment date, penalty and interest will be set as soon as the paving project has been accepted by the Public Works Department. HCC 17.04.070--110. (Resolution 96-73)

10. New Local Roads may be constructed by 100% program funds when the construction thereof benefits the entire City or when the City owns the property wherein the road is to be constructed. The Road to be constructed must meet the qualifying criteria and be recommended by the Transportation Advisory Committee to the City Council. This expenditure must be approved via Ordinance with justification noted within the body of the Ordinance. Whenever possible, New Local Roads will be constructed using the LID process HCC 17.04 and the assessment methodology as noted in item 6. and 8. (Resolution 07-82)

11. HART funds may be used to leverage outside funds for New Local Roads and Trails. (Resolution 07-82)

12. New Local Trails may be constructed using 100% program funds and follow the procedures listed in item 10. (Resolution 07-82)

13. Sidewalks shall be paid for out of road funds, and trails shall be paid for out of the 10% allocated to trails. (Resolution 07-82)

² Danview/Svedlund and Sabrina/Mark White are grandfathered in at the \$20/\$11 split per Council action. (Resolution 94-52)

V. UTILITIES

1. Prior to street reconstruction, necessary related non existing water and sewer improvements shall be encouraged whenever possible. (Resolution 88-47 #9)
2. Water and Sewer utility extensions necessary to extend the utilities short distances beyond a construction area will be paid for by the program. (Resolution. 88-47 #10)
3. Water and sewer utility relocations directly caused by reconstruction will be paid for by the Accelerated Roads Program. (Resolution. 88-47 #10)
4. Water and sewer utility upgrades necessary for future capacity that are done concurrently with reconstruction and/or paving will be paid for by the utility (a) fund. (Resolution 88-47 #10)
5. The City shall recover from the property owner the cost of construction of City-provided sewer and water service connections by including the cost of construction of such connections in the service connection fee established under HCC Chapter 14.13. (Resolution. 88-47)
6. Cost of installing stub-outs would be a necessary expense to anyone building on lots requiring sewer and/or water service. Sewer and/or Water funds or other public money was provided to pay the cost of these stub-outs because of the benefit of a quality finished road and the use of stub-outs benefit only those particular lots. Costs will be recouped from benefiting property owners through deferred assessments. The Planning Clerk and Finance Department will maintain a listing of these deferred sewer and/or water service connection fees.
7. Whenever practical street lights shall be included in the construction of new local roads and shall be paid by HART funds. Property owners participating in a road reconstruction and/or paving LID may request street lights. If the project is deemed feasible the property owners shall be assessed for the installation of the street lights on an equal share per parcel methodology. Property owner approval of the street light assessment shall follow the process in HCC 17.04. Once constructed, the City will absorb the utility billing for the street light(s). (Resolution 07-82)

VI. SPECIAL PROVISIONS

1. Additional right-of-way required will be paid by this program, at no additional cost to abutting property owners. (Resolution 88-47 #20)
2. Corner lots are exempt from a double front footage assessment and the total assessed frontage shall not exceed the longest side of the lot. Reconstruction assessments apply to

reconstruction and paving. Corner lot agreement is required after 10/25/94. (Resolution 87-61(S) #15; Resolution. 88-47 #15, Resolution 91-68, Ordinance 94-16(A))

3. Lots having a frontage on two parallel streets, or flag lots having a frontage on two perpendicular streets, are exempt from a double front footage assessment unless actually accessing the lot from both streets either prior to or after reconstruction and/or paving Deferred Assessment Agreement Required pursuant to HCC 17.04.160. (Resolution 88-47 #16)

4. This program includes paving driveway aprons on contracts funded by H.A.R.P. (Resolution 88-47 #17; Resolution 91-48)

5. When at all practical, the center line of rights-of-way will be the established road center line. Where impractical, the center line may be shifted to mitigate improvement encroachments of high cost hillside excavation. (Resolution 88-77(A))

6. In established neighborhoods, where improvements such as housing, carports, lawns or landscaping have been constructed near the right-of-way line and ditching would seriously impact these improvements, alternates to open ditching may be considered. These alternates may include gently sloping ditches back to the lawn, trench drains, standard or rolled curbs and gutter or any other sound engineering practices. The cost of these alternates will be born by the road program unless the residents elect to participate in the curb, gutter and sidewalk programs. (Resolution 88-77(A))

7. Pedestrian amenities shall be included in all new road projects unless exempted by the City Council. (Resolution. 04-41(A))

8. Exempting Certain Lands that will not be Developed due to Conservation Easements or Owned by Organizations that Conserve Land for Public Purpose and/or Habitat Protection from the Homer Accelerated Roads Program and the Homer Accelerated Water and Sewer Program Assessment District Assessments on a Case by Case Basis and that Each Program Shall be Amended to Include this Exemption under Special Provisions. (Resolution 05-50(A).)

9. New Subdivisions may not participate in HART for the construction of subdivision roads or trails.

a. Exception: To encourage trail connectivity, the Subdivider will be required to pay a prorated share of the project cost not to exceed 75% of the cost of public trail construction. (Resolution 07-82)

10. HART funds may be used in accordance with Title 11.04.05. If a development includes a segment of an arterial or collector street as shown on the Master Plan, the

developer shall construct the streets on the alignment adopted in the Master Roads and Streets Plan, and conforming to the respective classification. The developer shall be required to construct the street to a twenty-eight-foot width in accordance with the minimum requirements of a local residential street; provided, however, that the City may, upon direction of the City Council, elect to require construction to the full standards and pay to the developer the cost difference between the required street and the proposed street. (Resolution 07-82)

VII. TRAIL PRIORITIZING CRITERIA AND PLANNING GUIDELINES

A. Trail Prioritizing. The TAC and Parks and Recreation Advisory Commission will review the trail priority list during the annual review of the HART. The list will be presented in a memorandum from staff, and will contain a mix of large and small projects. Generally it will include up to five trail projects that staff has reviewed and found ready for preliminary work. Trails on this list are planned for construction in the near term (one to three year timeframe). Staff will actively work to prepare those projects for construction. (Resolution 07-82)

B. Trail Planning Guidelines

Trail design shall take into account at minimum the following:

1. Use context sensitive design when locating and planning trails to take advantage of scenic resources.
2. Respect the character of trails based on function, setting, and expectation of accessibility.
3. Evaluate the soils, drainage, wetlands, Tsunami zone, flood plain, stream setbacks, historical resources, visual resources, topography, existing and potential land use, zoning and land ownership.
4. Where estimated costs, operating costs and outside funding availability are considerations and important criteria, care should be used to ensure that important trails are not eliminated solely using cost as a determinant.
5. Multi-use trails are encouraged. Design of the trail should include consideration of compatible uses such as pedestrians and bicycles.
6. All trails should be designed to recognize the requirements of ADA standards and guidelines. (Resolution 07-82)

**CITY OF HOMER
HOMER, ALASKA**

Council/Manager

ORDINANCE 06-42

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA SUBMITTING A SET OF BALLOT QUESTIONS TO THE VOTERS AT THE REGULAR MUNICIPAL ELECTION ON OCTOBER 3, 2006, REGARDING THE HOMER ACCELERATED ROADS PROGRAM (HARP), INCLUDING CONTINUATION OF THE PROGRAM AND REAUTHORIZING THE THREE FOURTHS PERCENT ($\frac{3}{4}\%$) SALES TAX LEVY FOR UP TO TWENTY ADDITIONAL YEARS, AMENDING HARP TO AUTHORIZE CONSTRUCTION OF NEW ROADS AND NEW TRAILS, AND AMENDING HOMER CITY CODE SUBSECTION 9.16.010 (C) ACCORDINGLY.

WHEREAS, The Homer Accelerated Roads Program (HARP) and the three fourths percent ($\frac{3}{4}\%$) sales tax levy approved by the voters in October 1987 to provide funding for the program, both expire on December 31, 2007; and

WHEREAS, The general intent of the program, as approved by the voters in 1987, is to provide for the reconstruction of local substandard roads and/or upgrade existing City roads, thereby reducing maintenance costs, improving access, increasing property values, and improving the quality of life (Resolution 88-47 #1); and

WHEREAS, The purpose, intent, qualifying criteria, financing, and other provisions of the HARP are provided in the HARP Policy Manual as amended from time to time and in Ordinance 87-19; and

WHEREAS, The City Council has determined that reconstruction and upgrades of local streets and associated utilities remains a urgent need and top priority; and

WHEREAS, The Council wishes to continue to provide a dedicated source of local revenue for this purpose and wishes to ask the voters to reauthorize the HARP Program and the existing three quarters percent ($\frac{3}{4}\%$) sales tax levy to provide funding for HARP for up to 20 additional years; and

WHEREAS, State and Federal funding for the construction of new local roads and trails is dwindling and the Council hereby finds it is in the public interest to develop a local source of funding to provide for necessary expansion of the local transportation infrastructure; and

WHEREAS, the construction of new roads and new trails are high priorities in both the Homer Transportation Plan and the Homer Non-Motorized Transportation Plan respectively; and

WHEREAS, The Council also wishes to ask the voters for authorization to amend the HARP to allow the revenue generated by the three fourths percent (3/4%) dedicated sales tax levy to be used for the construction of new local roads and new trails.

NOW THEREFORE, The City of Homer Ordains:

Section 1: The Homer City Council finds that it is in the best interest of the community to ask the voters if the Homer Accelerated Roads Program (HARP) and the three fourths percent (3/4%) sales tax levy currently dedicated to this purpose should be reauthorized and extended for up to twenty additional years. The Council also finds that it is in the best interest of the community to ask the voters if they will authorize amendments to the HARP and permit the dedicated sales tax levy to be used for construction of new local roads and trails.

Section 2: Homer City Code Section 9.16.010 is hereby amended to read as follows:

9.16.010 c. An additional consumer's sales tax in the amount of three quarter's percent (3/4%) is hereby levied by the City of Homer on all sales, rents, and services within the City except the same may be otherwise exempted by law, for the purpose of funding of street reconstruction improvements and related utilities, construction of new local roads, and construction of new local trails.

Section 3: The City Clerk shall submit the following questions to the voters at the regular municipal election to be held on October 3, 2006. The ballot propositions shall read as follows:

PROPOSITION 1:

Shall the City of Homer, Alaska continue to provide a funding source for street reconstruction improvements and related utilities in accordance with the City of Homer Accelerated Roads Program (HARP) by continuing after December 31, 2007 to levy a three fourth percent (3/4%) sales tax to fund HARP for up to twenty additional years?

YES _____ NO _____

PROPOSITION 2:

If Proposition 1 is approved by the voters, shall the City also be authorized to use the revenue from the three fourths percent (3/4 %) dedicated sales tax for the construction of new local streets?

YES _____ NO _____

PROPOSITION 3:

If Proposition 1 is approved by the voters, shall the City also be authorized to use the revenue from the three fourths percent (3/4%) dedicated sales tax for the construction of new local non-motorized trails?

YES _____ NO _____

Section 4. If Ballot Proposition 1 contained herein is not approved by the voters, the amendments to HCC 9.16.010 (C) approved in Section 2 of this ordinance shall not take effect and the three fourths percent (3/4%) dedicated sales tax levy is not extended beyond December 31, 2007.

Section 5. If Ballot Proposition 1 contained herein is approved by the voters but Ballot Propositions 2 and 3 are rejected, the amendment to HCC 9.16.010 (C) approved in section 2 of this ordinance shall not take effect, but the authorization to extend HARP and to levy the three fourths percent (3/4%) dedicated sales tax for HARP shall take effect and continue for 20 years after December 31, 2007.

Section 6. If Ballot Proposition One and Proposition Two contained herein are approved by the voters, then the amendment to HCC 9.16.010 C referring to construction of new streets shall take effect, and the Council shall amend the HARP program by resolution to provide qualifying criteria and conditions under which new street construction projects could be funded using HARP revenue.

Section 7. If Ballot Proposition One and Proposition Three contained herein are approved by the voters, then the amendment to HCC 9.16.010 C referring to construction of new trails shall take effect, and the Council shall amend the HARP program by resolution to provide qualifying criteria and conditions under which new trail construction projects could be funded using HARP Revenue.

Section 8. The City Manager and the City Clerk and their designees are authorized to provide unbiased factual and educational information to the public regarding these ballot questions and what effect they might have on the budget, the capital improvement program, community development generally, or other relevant information that might help the voters make an informed decision.

Section 9. If Ballot Proposition 1 and either or both of Ballot Propositions 2 and 3 are approved by the voters, the respective amendments to HCC 9.16.010 C shall be effective immediately upon certification of the election. If approved by the voters, the amendment(s) to HCC 9.16.010 C shall be incorporated in the Homer City Code. The remaining sections of this ordinance are not of a permanent nature and as such, shall not be codified.

PASSED AND ENACTED by the Homer City Council this 14 day of Sept,
2006.



ATTEST:


MARY L. CALHOUN, CMC, CITY CLERK

Introduction: 07/24/06
Public Hearing: 08/14/06
Second reading: 08/14/06
Effective Date: 08/15/06

Ayes: 6
Nays: 0
Abstain: 0
Absent: 0

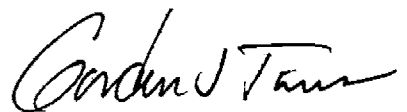
Reviewed as to form and content:


Walt Wrede, City Manager

Date: 8/15/06

CITY OF HOMER


JAMES C. HORNADAY, MAYOR


Gordon Tans, City Attorney
Date:

22 August 2006

Fiscal Note: Revenue estimated at \$1 Million per year

**CITY OF HOMER
HOMER, ALASKA**

Mayor/City Council

RESOLUTION 15-084(A)

A RESOLUTION OF THE HOMER CITY COUNCIL ADOPTING THE
2016-2021 CAPITAL IMPROVEMENT PLAN AND ESTABLISHING
CAPITAL PROJECT LEGISLATIVE PRIORITIES FOR FISCAL YEAR
2017.

WHEREAS, Duly published hearings were held on September 14 and October 12, 2015
in order to obtain public comments on capital improvement projects and legislative
priorities; and

WHEREAS, The Council received comments from all of the Commissions and held a
Worksession on August 24, 2015; and

WHEREAS, It is the intent of the City Council to provide the Governor, the State
Legislature, State agencies, the Alaska Congressional Delegation, and other potential funding
sources with adequate information regarding the City's capital project funding needs.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Homer, Alaska, that the
"City of Homer Capital Improvement Plan 2016-2021" is hereby adopted as the official 6-year
capital improvement plan for the City of Homer.

BE IT FURTHER RESOLVED that the following capital improvement projects are
identified as priorities for the FY 2017 State Legislative Request:

1. Public Safety Building
2. East Boat Harbor
3. Harbor Sheet Pile Loading Dock
4. Fire Department Fleet Management
5. Storm Water Master Plan

BE IT FURTHER RESOLVED that projects for the FY 2017 Federal Legislative Request
will be:

1. Public Safety Building
2. East Boat Harbor

BE IT FINALLY RESOLVED that the City Manager is hereby instructed to advise the
appropriate State and Federal representatives and personnel of the City's FY 2017 capital
project priorities and take appropriate steps to provide necessary background information.

PASSED AND ADOPTED by a duly constituted quorum of the City Council for the City of
Homer on this 12th day of October, 2015.

CITY OF HOMER

MARY E. WYTHE, MAYOR

ATTEST:

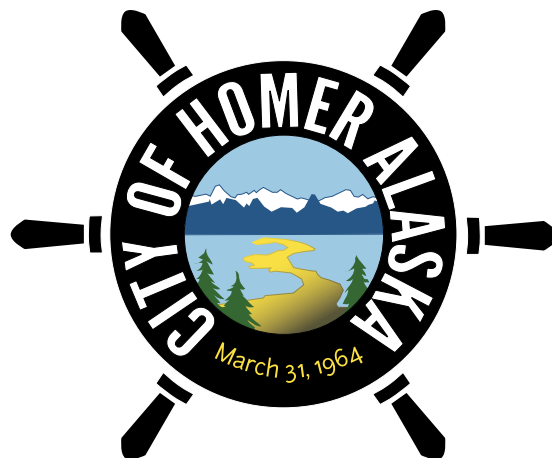
JO JOHNSON, MMC, CITY CLERK

Fiscal Note: N/A

City of Homer Capital Improvement Plan 2016-2021



The Sesok and Surfbird in the Uplands. Infrastructure for a haulout to facilitate boat work on large vessels is on the 2016-2021 City of Homer CIP.



City of Homer
491 E. Pioneer Avenue
Homer, Alaska 99603
907-235-8121



City of Homer

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Office of the City Manager

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September 14 , 2014

To The Honorable Mayor and Homer City Council:

This document presents the City of Homer 2016 through 2021 Capital Improvement Plan. The CIP provides information on capital projects identified as priorities for the Homer community. Descriptions of City projects include cost and schedule information and a designation of Priority Level 1 (highest), 2, or 3. Projects to be undertaken by the State of Alaska and other non-City organizations are included in the CIP in separate sections. An overview of the financial assumptions can be found in the Appendix.

The projects included in the City of Homer's 2106-2021 CIP were compiled with input from the public, area-wide agencies, and City staff, as well as various advisory commissions serving the City of Homer.

It is the City of Homer's intent to update the CIP annually to ensure the long-range capital improvement planning stays current, as well as to determine annual legislative priorities and assist with budget development. Your assistance in the effort is much appreciated.

Sincerely,

Katie Koester
City Manager



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Funded Projects from 2015-2020 CIP List

The City of Homer is pleased to note that full funding for the following project has been identified or procured:

- Homer Harbor -Ramp 5 Restroom construction is complete
- Water Storage/Distribution Improvements - Phase 1
- Rodgers Loop Trailhead Land Acquisition
- East to West Transportation Corridor- Phase 1 - Waddell Way
- Backup Generator for the Homer Public Library
- Replacement Ambulance



Introduction: The Capital Improvement Program

A capital improvement plan (CIP) is a long-term guide for capital project expenditures. The CIP includes a list of capital projects a community envisions for the future, and a plan that integrates timing of expenditures with the City's annual budget. The program identifies ways a project will benefit the community, indicates the priorities assigned to different projects, and presents a target construction schedule.

A carefully prepared capital improvement plan has many uses. It can assist a community to:

- Anticipate community needs in advance, before needs become critical.
- Rank capital improvement needs in order to ensure the most important projects are given consideration for funding before less critical projects.
- Plan for maintenance and operating costs so expenses are budgeted in advance, and projects communities cannot afford are avoided.
- Provide a written description and justification for projects submitted for state funding so the legislature, governor, and appropriate agencies have the information necessary to make decisions about funding capital projects.
- Provide the basis for capital projects as part of the annual budget.

A capital improvement project is one that warrants special attention in the municipal budget. Normally, public funds are not expended if the project is not listed in the CIP. A capital expenditure should be a major, nonrecurring budget item that results in a fixed asset with an anticipated life of at least two years. Projects eligible for inclusion in the City of Homer CIP have a lower cost limit of \$50,000 for City projects and \$25,000 for those proposed by non-profit organizations. Projects proposed by non-profit organizations and other non-City groups may be included in the CIP with City Council approval, but such inclusion does not indicate that the City intends to provide funding for the project.

The municipality's capital improvement plan is prepared in accordance with a planning schedule, usually adopted by City Council at the onset of the CIP process. A copy of the City of Homer CIP schedule appears in the appendix of this document.

The number of years over which capital projects are scheduled is called the capital programming period. The City of Homer's capital programming period coincides with the State's, which is a six year period. The CIP is updated annually, due to some of the projects being funded and completed within the year.

A capital improvement plan is not complete without public input. The public should be involved throughout the CIP process, including the nomination and adoption stages of the process. The City of Homer solicits input from City advisory bodies, advertises for public input during the CIP public hearing, and invites the public to participate throughout the entire process.

The City's capital improvement program integrates the City's annual budget with planning for larger projects that meet community goals. Though the CIP is a product of the City Council, the administration provides important technical support and ideas with suggestions from the public incorporated through the entire process.

Determining project priorities: City of Homer CIP projects are assigned a priority level of 1, 2, or 3, with 1 being the highest priority. To determine priority, the Council considers such questions as:

- Will the project correct a problem that poses a clear danger to human health and safety?
- Will the project significantly enhance City revenues or prevent significant financial loss?
- Is the project widely supported within the community?
- Has the project already been partially funded?
- Is it likely that the project will be funded only if it is identified as being of highest priority?
- Has the project been in the CIP for a long time?
- Is the project specifically recommended in other City of Homer long-range plans?
- Is the project strongly supported by one or more City advisory bodies?

Once the overall CIP list is finalized, the City Council names a subset of projects that will be the focus of efforts to obtain state and/or federal funding in the coming year. The overall CIP and the legislative priority list are approved by resolution.

Integration of the CIP with Comprehensive Plan Goals

Each project listed in the CIP document has been evaluated for consistency with the City's goals as outlined in the Comprehensive Plan. The following goals were taken into account in project evaluation:

Land Use: Guide the amount and location of Homer's growth to increase the supply and diversity of housing, protect important environmental resources and community character, reduce sprawl by encouraging infill, make efficient use of infrastructure, support a healthy local economy, and help reduce global impacts including limiting greenhouse gas emissions.

Transportation: Address future transportation needs while considering land use, economics, and aesthetics, and increase community connectivity for vehicles, pedestrians, and cyclists.

Public Service & Facilities: Provide public services and facilities that meet current needs while planning for the future. Develop strategies to work with community partners that provide beneficial community services outside of the scope of City government.

Parks, Recreation & Culture: Encourage a wide range of health-promoting recreation services and facilities, provide ready access to open space, parks, and recreation, and take pride in supporting the arts.

Economic Vitality: Promote strength and continued growth of Homer's economic industries including marine trades, commercial fishing, tourism, education, arts, and culture. Preserve quality of life while supporting the creation of more year-round living wage jobs.

Energy: Promote energy conservation, wise use of environmental resources, and development of renewable energy through the actions of local government as well as the private sector.

Homer Spit: Manage the land and other resources of the Spit to accommodate its natural processes, while allowing fishing, tourism, other marine-related development, and open space/recreational uses.

Town Center: Create a community focal point to provide for business development, instill a greater sense of pride in the downtown area, enhance mobility for all forms of transportation, and contribute to a higher quality of life.

City of Homer State Legislative Request FY2017 Capital Budget



The Homer Harbor is a major economic power for the City of Homer. The addition of the Harbor Sheet Pile Loading Dock will grow our capacity to service barges, landing craft and fishing vessels in various capacities, stimulating economies and creating additional jobs.

**City of Homer
491 E. Pioneer Avenue
Homer, Alaska 99603
907-235-8121**



Legislative Request FY2017

**City of Homer FY2017 State Legislative Priorities list
approved by the Homer City Council
via Resolution 14-093**

- 1. Public Safety Building - \$1,267,000**
- 2. East Boat Harbor - \$9,232,200**
- 3. Harbor Sheet Pile Loading Dock- \$955,000**
- 4. Fire Department Equipment Upgrades -\$1,012,500**
- 5. Storm Water Master Plan - \$306,000**



1. Public Safety Building

Project Description & Benefit: New Fire and Police Stations have been on the City of Homer Capital Improvement Plan for over 10 years. Both buildings are from the early 80's and suffer from a series of inadequacies such as lack of office, storage, training space and health and safety violations from inadequate ventilation.

The current fire hall does not have adequate equipment storage bays. Expensive equipment has to be stored outside and exposed to the elements. In the winter, equipment is winterized and decommissioned due to lack of heated garage space. The fire hall does not meet fire station design criteria with separated biohazard decontamination/ cleaning areas or separated storage areas for cleaning medical supplies. It lacks adequate space to accommodate more than four overnight crew members.

The current police station has no area for evidence processing of large items, a crisis cell for special needs prisoners, or a proper juvenile holding area. Existing dispatch facilities are cramped. The jail entry area, booking room, and jail offices are poorly designed; prisoners have to pass by dispatch staff coming and going. The building floods during heavy rain. Both facilities are inefficient and heat with electric. A new building will take advantage of efficient building practices and natural gas.

A joint public safety building will create a central location for emergency response and benefit the entire Homer area. The Homer Police Department provides 9-1-1 services for many of the communities on the southern Kenai Peninsula and area-wide dispatching and support services to a host of agencies. Agencies such as the Coast Guard and State Parks could benefit from the expanded training spaces. A new building will allow the departments to work better together for the safety of the Homer residents and take advantage of shared spaces.

Plans & Progress: The Public Safety Building Review Committee, comprised of members of the public and Council, was formed in 2013 to oversee design and construction. The City Council hired a general contractor/construction manager team to see the project through construction including Stantec, Loren Berry Architect, and Cornerstone General Contractors. Over the last year, the committee and consultants have worked on conceptual design including siting criteria, concept design, cost projections, and a space needs analysis that accommodates Homer's public safety needs for the next 30 years.

Total Project Cost: \$32,148,000

2014-2016 Design: \$1,874,000

2014 (to 16% Design, funding secured): \$300,000

2015 (to 35% Design): \$355,000

2016 (to 100% Design): \$1,219,000

2016 (Site Preparation): \$2,251,000

2016-2017 (Construction): \$23,431,000

2017 (Contingency/Inspection/Admin): \$4,592,00

FY2017 State Request for Design: \$1,267,000

(City of Homer 35% Match: \$655,000)



Homer Fire Hall in winter



Homer Police Department in winter



2. East Boat Harbor

Project Description & Benefit: This project will construct a new harbor ranging in size from 11 to 15 acres. It would enhance harbor capabilities by:

- Accommodating the large commercial vessels (fishing vessels, workboats, landing craft, tugs, barges, etc.) that are currently congesting the harbor at System 4 and System 5 transient floats, rafting two and three abreast due to shortage of moorage space at the floats, thus overstressing the floats;
- Enabling Homer to accommodate and moor the additional 40 to 60 large commercial vessels that potentially would use Homer Harbor as a home port but which have in the past been turned away due to lack of space;
- Providing a long-term solution to mooring problems the USCGC Hickory experiences on Pioneer Dock during the northeasterly storm surges and to the security problem faced by both the USCG cutters home-ported at Homer. These vessels are unable to maintain an adequate security zone around their current moorings in the existing small boat harbor (USCGC Roanoke Island) and on the Pioneer Dock west trestle (USCGC Hickory).

The Port of Homer and Homer Small Boat Harbor are regional facilities serving and supporting the northern Gulf of Alaska, Prince William Sound, Cook Inlet, and Kachemak Bay and are also a “place of refuge” for Gulf of Alaska, Cook Inlet, and Kennedy Entrance marine traffic in event of severe weather or machinery malfunctions.



Several conceptual designs have been proposed for a new Homer boat harbor. This one would add a new basin with its own entrance adjacent to the existing Small Boat Harbor.

The proposed new harbor basin will be dredged to minus 20 feet Mean Lower Low Water (MLLW) to accommodate large commercial vessels so they will not touch bottom on the lowest tides of the year (minus 5.6 feet). It will need to be dredged to minus 22 feet MLLW in the entrance channel, fairway, and one side of the basin to accommodate the USCGC *Hickory* at the proposed Coast Guard float. The new basin will provide the security zone and private moorings for the U.S. Coast Guard vessels at one side and will accommodate the large, deep draft commercial vessels at the other side.

Plans & Progress: The Army Corps of Engineers completed a reconnaissance study in 2004 that indicated a federal interest in having a new harbor in Homer; however, subsequent analysis found that the cost/benefit ratio was too low for the Corps to recommend the project. The City of Homer has requested a technical report from the Corps and is seeking funding from other sources.

Total Project Cost: \$115,725,000

Design and Permitting: \$10,258,000

Breakwater Construction and Dredging: \$90,275,000

Inner Harbor Improvements: \$23,700,000

FY2017 State Request: \$9,232,200

(City of Homer 10% Match: \$1,025,800)



3. Harbor Sheet Pile Loading Dock

Project Description & Benefit: This project will construct a sheet pile loading pier between the existing barge ramp and the fuel dock on the east side of the Small Boat Harbor. It is estimated that the dock will be 225 feet long and dredged to -17 feet. This dock would be used to transfer heavy loads by crane onto barges and landing crafts. During peak fishing time it can be used for delivering fish when the Fish Dock is at capacity. It would also serve as mooring for large shallow-draft vessels that are now mooring on the System 5 float. The project will stimulate the shipping and freight sectors of the local economy, creating jobs and providing revenues for Port & Harbor operations. A sheet pile loading dock is a cost effective way to increase docking facilities available at the Homer Port and Harbor.

Plans and Progress: This project was first identified as a need when the State of Alaska transferred ownership of the harbor to the City of Homer in 1999. Material from dredging of the harbor will be used to back fill the dock, saving the project the cost of fill. The Alaska State Legislature awarded \$350,000 in FY2015 which funds 100% of design and just shy of 20% of construction. Design for the sheet pile loading dock is currently underway.

Total Project Cost: \$1,450,000

2015 (Design Funding Secured): \$145,000

2016 (Construction): \$1,100,000

Funding Secured: \$205,000

FY2017 State Request: \$955,000

(City of Homer 15% Match: \$145,000)





4. Fire Department Fleet Management

Project Description & Benefit: The Homer Volunteer Fire Department is in need of a number of vehicle upgrades to be able to safely and efficiently protect the lives and property of Homer residents.

Quint (Ladder Truck): An Aerial truck will greatly enhance the City of Homer's fire fighting capability. As Homer continues to grow and the size and complexity of buildings increases it is no longer safe or practical to fight fire from the ground or off of ground ladders (the Homer Volunteer Fire Department's tallest ground ladder is only 35 feet.) Large footprint and tall buildings (two stories or more) often require the use of elevated hose streams to fight fire effectively. HVFD has no ability to provide for elevated hose streams except off of ground ladders, which severely limits the application of water and endangers the lives of firefighters. Aerial apparatus allow for the application of water to the interior of a building without placing firefighters in immediate danger. They also allow for the rescue of persons that become trapped in upper stories or on rooftops by fire or other incidents that impede the use of interior stairways. An aerial truck will increase fire fighting capability for large public buildings recently built (West Homer Elementary School, the Islands and Ocean Visitor Center, the Homer Ice Rink, and the South Peninsula Hospital Expansion), potentially lowering insurance rates for the community. Cost: \$1,000,000

Brush/Wildland Firefighting Truck: The Department's existing brush truck is a Ford F-350 that was converted to a brush unit in-house in 1990 by adding a manufactured tank, portable pump and a home-built tool storage compartment. The existing truck is severely deficient due to age-related wear and lack of capacity to handle the weight of fire fighting equipment. A new Ford F-450/550 4x4 with wildland pump unit, tank, and tool compartments will provide critical and reliable service. In addition to fighting wildfires, the truck provides fire protection to areas inaccessible with traditional large fire apparatus due to poor road conditions during winter and break-up. Cost: \$150,000

Harbor Fire Cart Replacement: The Homer Harbor is outfitted with nine custom motorized fire carts that on multiple occasions have saved vessels and prevented the spreading of fire in the small boat harbor. These full response fire carts act as mini mobile fire engines and are capable of delivering AFFF foam to two attack lines at the same time. Unfortunately, the carts are over 20 years old and even though they are maintained with monthly and annual check-ups, many are failing due to the harsh marine environment. This project would purchase the pieces necessary to assemble eight new fire carts. Because of the special conditions in Alaska - harsh weather, extreme tides and the size of vessels - there is no pre-made fire cart that meet needs of the Homer Harbor. The City will assemble the fire carts using pieces that can be salvaged from the existing fire carts. A prototype has been constructed and tested by Harbor staff and is currently in operation. Cost: \$205,000

Total Project Cost: \$1,355,000

State Request FY2017: \$1,219,500

(City of Homer 10% Match: \$135,500)



A ladder truck like the one shown here will increase fire fighting capability, firefighter safety, and potentially reduce insurance rates for homeowners.



5. Storm Water Master Plan

Project Description & Benefit: The City of Homer has an outdated storm water master plan. The current plan was prepared in the 80's, projecting only basin runoff flows. The existing storm drainage system is expanding and a comprehensive storm water plan is needed to more effectively plan and construct storm water infrastructure, including sedimentation/detention facilities, snow storage and water quality improvements.

A new master plan will outline how the City can:

- Identify current and future storm runoff flows from individual drainage basins within the community.
- Identify infrastructure needed to effectively collect, transmit, treat, and discharge surface water runoff to Kachemak Bay.
- Provide a staged approach to constructing needed infrastructure to serve an expanding/developing community
- Establish pipe sizing, detention basin volumes, and cost estimates.
- Mitigate storm water runoff through the use of a wide variety of gray and green infrastructure practices and technologies that improve the quality and reduce the quantity of runoff discharging directly to receiving waters.
- Develop public education programs targeting specific stream degradation from storm water runoff.
- Provide storm water management systems and practices including collection, storage, conveyance and treatment structures that are components of a comprehensive plan to preserve or restore natural/stable in-stream hydrology.
- Identify projects that incorporate green infrastructure to manage, treat or reduce storm water discharges and urban non-point source runoff to the critical wildlife habitat of Kachemak Bay.

Total Project Cost: \$340,000

State Request FY2017: \$306,000

(City of Homer 10% Match: \$34,000)



A master plan is needed to address storm water management issues.



Mid-Range Projects

Part 2: Mid-Range Projects

- **Local Roads**
- **Parks and Recreation**
- **Port and Harbor**
- **Public Safety**



Local Roads

- **East to West Transportation Corridor**
- **Heath Street - Pioneer to Anderson**
- **Land Acquisition for New Roads**



East to West Transportation Corridor

Project Description & Benefit: Currently the only way for drivers to get through town is via Pioneer Avenue or the Sterling Highway. Extending Bartlett Street, acquiring and upgrading Waddell Way and putting in a road through Town Center providing an alternate east - west route for traffic will ease congestion and allowing drivers to more quickly and efficiently get to their desired destination. This project fulfills a major objective of the City's 2005 Transportation Plan.

Building a road through Town Center, 30 acres of undeveloped land in the heart of Homer, is the first step in opening up this prime real estate. The Homer Comprehensive Plan, Town Center Development Plan and Comprehensive Economic Development Strategy all call for careful development of Town Center. The roads will be built to urban road standards and include such amenities as sidewalks, storm drains, and street lighting. Development on newly opened lots will help grow Homer's downtown business sector.

Plans & Progress: The City has purchased a lot for the Bartlett Street extension. The City dedicates a percentage of sales tax to the Homer Area Roads and Trails (HART) fund for road improvement projects and has pledged over 2.1 million dollars from the fund as a match for this project. The Alaska State Legislature funded \$1.4 million in the FY2015 Capital Budget to initiate the first leg of the east to west transportation corridor, Waddell Way.

Total Project Cost: \$8,459,000

2015 (Land Acquisition): \$1,400,000

2015 (Design): \$543,000

2016 (Construction): \$5,430,000

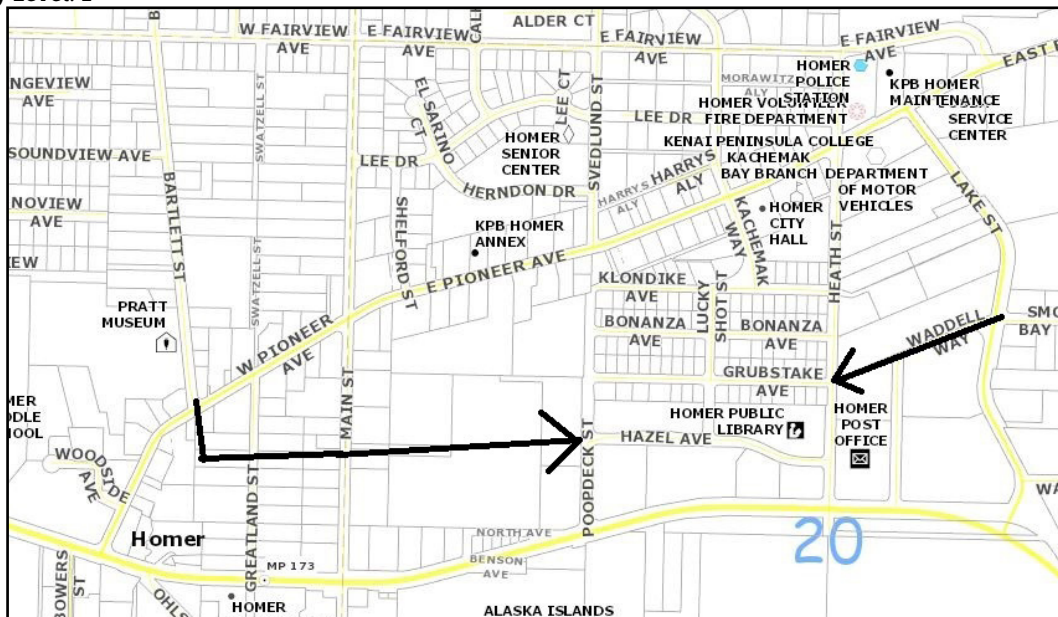
2017 (Inspection & Contingency): \$1,086,000

State Request FY2016: \$4,939,250

(City of Homer 25% Match: \$2,114,750)

(Waddell Way FY15 State Grant: \$1,405,000 approved)

Priority Level: 1





Heath Street - Pioneer to Anderson

Project Description & Benefit: This project provides for the design and construction of a connection from East End Road to Anderson Street. The project will address concerns raised by Alaska Department of Transportation and Public Facilities (ADOT&PF) regarding the Heath Street/Pioneer and Lake Street/Pioneer intersections and will provide access from East End Road past Homer High School to a developing residential area north of the high school. The City of Homer will work with ADOT&PF engineers to determine the best route (extension of Heath Street vs. extension of Lake Street) to provide safer and more effective circulation, improve emergency access to and from the high school, provide for pedestrian access from the high school to a hillside trail system, and reduce congestion at existing intersections.

Plans & Progress: The improvement is recommended in the 2005 Homer Area Transportation Plan and would implement recommendations of the 2005 Homer Intersections Planning Study (ADOT&PF). The City of Homer has committed to funding 50% of the project with Homer Area Roads and Trails (HART) funds.

Total Project Cost: \$4,500,000

Schedule:

2018 (Design): \$500,000

2020 (Construction): \$4,000,000

Priority Level: 3





Land Acquisition for New Roads

Project Description & Benefit: This project will help meet current and future transportation needs by acquiring specific land parcels and rights of way to extend five local roads: It will improve traffic flow in Homer by providing alternate connections between different sectors of town.

Lake/Heath Street to Anderson Avenue

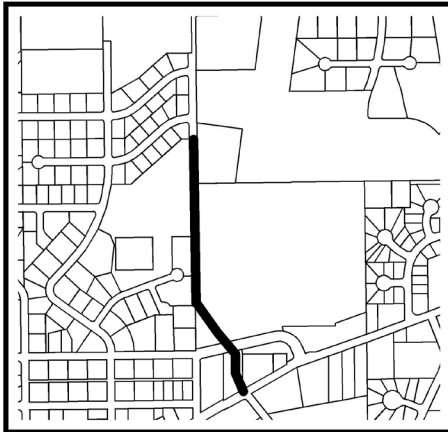
- Poopdeck Street extension north to Pioneer Avenue
- Early Spring Street extension north to East End Road

Plans & Progress: All three road projects are recommended in the 2005 Homer Area Transportation Plan.

Total Project Cost: \$1,000,000

Schedule: 2015-2017

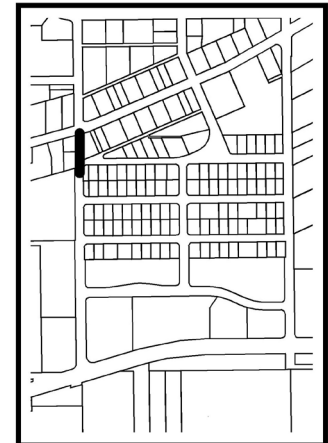
Priority Level: 1



Lake/Heath Street to Anderson Avenue.



Early Spring Street to East End Road.



Poopdeck Street to Pioneer Avenue.



Parks and Recreation

- **Multi-Use Community Center**
- **Ben Walters Park Improvements, Phase 2**
- **Jack Gist Park Improvements, Phase 2**
- **Karen Hornaday Park Improvements, Phase 2**
- **Mariner Park Restroom**
- **Baycrest Overlook Gateway Project**
- **Bayview Park Restoration Project**
- **Rogers Loop Trailhead Land Acquisition**
- **Homer Spit Trailhead Restroom**



Multi- Use Community Center

Project Description & Benefit: This project would be the first step in designing and constructing a Multi-Use Community Center to provide adequate space for many different functions. There are continuous demands and requests for indoor space for educational and recreational programs activities, a large gathering space for hosting conferences, weddings, community meetings, and private rentals. The City of Homer's 2015 Parks, Art Recreation and Culture (PARC) Needs Assessment has identified this project and need for indoor space as a significant future investment for the community. The identified needs include a general-purpose gymnasium and a multi-purpose space for safe walking/running, dance, martial arts, performing arts, community events and dedicated space for youth.

The needs assessment included a statistically valid survey question asking the community's interest for constructing and funding an \$18 million facility. The response showed that 30% of respondents agreed with the statement that this facility is a priority in the next 5 years, and an additional 27% responded its a priority in the next 5-10 years. This facility would draw additional year round programs and events to Homer, contribute to the local economy by attracting additional visitors and businesses, and would be an incentive for families to relocate to Homer. The success of this project requires sound capital and ongoing operations funding.

Plans & Progress: The first step is to complete a reconnaissance or a preliminary research of the size and type of facility, estimated total cost, and ongoing funding mechanisms.

Total Project Cost: \$500,000

Priority Level: 2

Schedule: 2017



City of Unalaska Community Center is the hub of community activities. Located in the center of town, the Community Center is widely used by residents of and visitors to the island. The Community Center has everything from a cardio and weight room to music and art areas.



Ben Walters Park Improvements, Phase 2

Project Description & Benefit: Ben Walters Park comprises 2.5 acres on the shore of Beluga Lake, near the intersection of Lake Street and the Sterling Highway. With its central location, proximity to McDonalds restaurant, and access to the lake for winter and summer recreation, it is one of Homer's most frequently visited parks. Phase 2 will enlarge the parking area and renovate the picnic shelter that has become worn with heavy use over the years.

Plans & Progress: Phase 1 of the park improvement project, to replace the dock, was completed in 2009. Since then the Kachemak Bay Rotary Club has adopted the park under the City of Homer's Adopt-a-Park Program. They have made improvements such as painting the restrooms, installing a bench, resetting the posts and tending flower beds in the summer months.

Total Project Cost: \$250,000

Schedule: 2015

Priority Level: 2



Improvements are needed at Ben Walters Park including enlarging the parking lot and renovating the shelter.



Jack Gist Park Improvements, Phase 2

Project Description & Benefit: Jack Gist Park has been in development since 1998 on 12.4 acres of land donated to the City of Homer by a private landowner. As originally envisioned by the Jack Gist Recreational Park Association, this parcel has been developed primarily for softball fields. The proposed project will complete Phase 2 by improving drainage, constructing a concession stand/equipment storage building adjacent to the softball fields, and developing an irrigation system utilizing a stream on the property in conjunction with a cistern. Phase 3 will provide potable water (water main extension), construct a plumbed restroom, and acquire land for soccer fields.

Plans & Progress: Phase 1 of this project was completed in 2011. In 2005-2006, a road was constructed to Jack Gist Park from East End Road, a 70-space gravel parking area was created, and three softball fields were constructed including fencing, dugouts, and backstops. In 2008, bleachers were installed at all three softball fields. In 2009, three infields were resurfaced. In 2010, with volunteer help, topsoil was spread and seeded on two fields and the parking area was improved and expanded. In 2011, drainage work was completed on the outside perimeter (right and left field lines) of the third ball field, material was imported to improve the infield, and the outfield was improved with topsoil and seeding.

Total Project Cost: \$160,000

Drainage: \$50,000

Concession Stand and Equipment Storage: \$75,000

Irrigation System: \$35,000

Schedule: 2015

Priority Level: 2





Karen Hornaday Park Improvements, Phase 2

Project Description & Benefit: Homer's popular Karen Hornaday Park encompasses baseball fields, a day use/ picnic area, a playground, a campground, and a creek on almost 40 acres. It is also used to host community events such as the Highland Games and KBBi's Concert on the Lawn. The Karen Hornaday Park Master Plan, updated and approved in 2009, sets forth goals and objectives to be accomplished over a 10-year period.

Phase 2 consists of parking lot improvements, moving the road, a trail along Woodard Creek, and a restroom. The road to access the park runs between the park and the parking lot, causing kids to have to cross in front of traffic to get to the park's attractions. The master plan proposes moving the road to the east and placing the improved gravel parking lots in between the road and the park. Woodard creek is one of the jewels of Karen Hornaday Park but gets little attention because there is no convenient way to access it. A trail along the creek would allow people to enjoy the city's only creek. One of the most common complaints of the park is the old restroom with crumbling cement and a leaking roof. A new restroom is in great demand from the parents, children and picnickers that frequent the park.

Plans & Progress: The Alaska Legislature appropriated \$250,000 for park improvements in FY 2011. This money together with City funds and fundraising by an independent group organized to make playground improvements (HoPP), helped complete Phase 1 (drainage improvements, ballfield improvements, new playground, new day use area and northern parking lot improvements). The City received a Land and Water Conservation Fund (LWCF) grant for campground improvements and the development of a new day use area between the two ball fields which was completed in 2014. The City spent \$25,000 on preliminary engineering for moving the road, one of the goals of Phase 2.

Total Project Cost: \$1,978,750

Schedule: 2015 - 2017

Priority Level: 2



Karen Hornaday Park was a construction site for one week during the Summer of 2012 when the community came together to build a state of the art playground.



Mariner Park Restroom

Project Description & Benefit: As one of Homer's most popular recreation areas, Mariner Park attracts campers, beach walkers, kiteflyers, Spit Trail users, birders, people with dogs, and others who come to enjoy the views and open-air recreation opportunities. This project will accomplish the most pressing need at Mariner Park: the construction of a plumbed restroom to better meet the needs of campers and beach walkers during the busy summer months.

Plans & Progress: Mariner Park is in a flood plain and any structure built there will require unique design to address flooding issues.

Total Project Cost: \$330,000

Schedule: 2016

Priority Level: 2



The portable restrooms at Mariner Park campground get heavy use during the summer season.



Baycrest Overlook Gateway Project

Project Description & Benefit: The Homer Public Arts Committee has designated the Baycrest Hill Overlook as one of the major elements of the Gateway Project, which entails enhancing visitor and resident experiences at the entrances to Homer. The other Gateways are the Homer Airport and the Homer Port.

Everyone who has driven to Homer remembers the first time they came around the corner on the Sterling Highway and saw the breathtaking panorama of Kachemak Bay. For many that was the same moment they made the decision to become part of this diverse, eclectic, and energetic community. In the 1990's visionaries at Alaska Department of Transportation and Public Facilities constructed the current pullout during the Sterling Highway reconstruction effort. However, the current site does not adequately meet the goals of the Gateway Program.

Improving the landscaping and comfort of Baycrest Overlook will inspire locals and visitors and enhance this phenomenal setting. Interpretive signage will tell the story of Homer and the surrounding communities and highlight the phenomenal natural resources of Kachemak Bay. Improvements to the overlook will spur economic development, welcoming everyone and encouraging commerce and trade in a community dedicated to unique and natural quality of life experiences.

Plans & Progress: The first Gateway Project was undertaken in 2009. A collaborative effort with the City of Homer Public Arts Committee, City of Homer Airport Manager, City of Homer Public Works Director, Alaska State Parks, National Park Service, Kachemak Research Reserve and U.S. Fish and Wildlife created a beautiful diorama highlighting the wealth of public and private resources available to everyone who comes to Kachemak Bay.

This group plus representatives from Alaska Department of Fish and Game, Alaska Department of Transportation, Pratt Museum, Homer Chamber of Commerce, Kachemak Bay Conservation Society and Homer Garden Club have come together to work on the Baycrest Overlook Gateway Project.

The State and the City of Homer spent \$6,000 in 2013 to produce the Baycrest Overlook Interpretive Plan. The Plan included design, development, and locations for welcome and interpretive signage and was officially adopted by Homer City Council in 2013. Public Arts Committee meetings on the project are ongoing and a public comment meeting was held on September 18, 2012.

The project will consist of three phases:

1. Interpretive signage, benches and picnic areas
2. Enhanced landscaping
3. New restrooms and paving upgrades.

Total Project Cost: \$262,000

2013 (Preliminary Design): \$6,000

2015 (Construction): \$256,000

Signage/Benches: \$50,000

Landscaping: \$25,000;

Restrooms and Paving: \$181,000

Priority Level: 3





Bayview Park Restoration

Project Description & Benefit:

The goal of this project is to improve the accessibility and safety of Bayview Park and its playground elements with a focus on making the park more user-friendly to young children (infant-toddler-preschool age) and for children and parents/caregivers with disabilities or mobility issues.

- **Summer 2015:** Replace existing white picket fence with a wood frame-chain link fence to improve the stability and durability of the fence (current fence is in constant need of repair). Parents/caregivers appreciate having a fence as it provides a level of safety for young children around the busy roads and ditches surrounding the park.
- **Summer 2016-17:** Upgrade ground cover to playground standards, replace jungle gym, add additional swing port, and extend ADA trail to new elements as needed. The goal is to provide new playground elements that are designed for younger/toddler age and to have some accessible for children with disabilities.

Plans & Progress: In 2011 Homer Early Childhood Coalition raised money and funded a new slide and boulders that were installed by the City. Several parents built and installed stepping logs and 2 small “bridges”. In 2013 Homer Early Childhood Coalition coordinated with Corvus Design to meet with local families and children for project ideas and create a master plan with cost estimates. \$5,347.76 was raised to purchase and install elements and pay for design costs.

During the summer of 2014 \$5,118 and additional in-kind donations (equipment and labor) were spent to complete the ADA parking/trail improvements.

Homer Early Childhood Coalition Play spaces Work Group (Kate Crowley, Cheryl Illg, Angie Otteson-City of Homer, Jenny Martin, and Rick Malley- ADA specialist from ILP.) have developed a fundraising plan to raise additional funds through grant writing, community donations and in-kind donations of supplies, equipment, and labor. The group meets regularly to discuss design plans and fundraising.

Total Project Cost: \$189,974

Priority Level: 2



Though charming, the white picket fence that surrounds Bayview Park is in need of constant repair. A more practical chain length fence is needed to keep young children out of roads and ditches.



Homer Spit Trailhead Restroom

Project Description & Benefit: The parking lot at the intersection of the Ocean Drive bike path and Homer Spit Trail gets heavy use year round. The Spit trail is a popular spot for biking, running, walking, and roller blading. Parents bring their young children to ride bikes because the trail is relatively flat and has few dangerous intersections. A restroom would be heavily used by recreators and commuters using both trails.

Total Project Cost: \$295,000

Priority Level: 3



The parking lot at the Spit trail head full of cars on a sunny day.



Port and Harbor

- **Deep Water/Cruise Ship Dock Expansion, Phase 1**
- **Barge Mooring Facility**
- **Marine Ways Large Vessel Haulout Facility**
- **Homer Spit Dredged Material Beneficial Use Project**
- **Ice Plant Upgrade**
- **System 4 Vessel Mooring Float System**
- **Truck Loading Facility Upgrades at Fish Dock**
- **Ramp 8 Restroom**
- **Seafarers Memorial Parking Expansion**
- **Boat House Pavilion and Plaza on the Homer Spit**



Deep Water/Cruise Ship Dock Expansion, Phase 1

Project Description & Benefit: To provide a facility that can accommodate multiple industry groups and provide the greatest economic benefit to the area, upgrades to the Deep Water/Cruise Ship Dock are necessary. Phase 1 of the project will widen the existing dock to 88 feet, increase overall length to 744 feet, and widen and strengthen the existing trestle. Later phases will expand the dock further, add a terminal building with other upland improvements, and add a rail for a 100-foot gauge gantry crane.

Resource Development Capabilities: The facility will provide staging for barged freight service to the Lake and Peninsula Borough via the Williamsport-Pile Bay Road or other facilities built to meet the need of future resource development. There is demand in the near term for modifications of the existing dock to accommodate long term mooring of large resource development vessels such as timber, mining and oil and gas barges.

Cargo Capabilities: The facility will be capable of handling containerized freight delivery to the Kenai Peninsula, thus reducing the cost of delivering materials and supplies to much of the Peninsula. The City has a 30-acre industrial site at the base of the dock which can support freight transfer operations and serve as a staging area for shipping to and from the Alaska Peninsula, Aleutians, and Bristol Bay.

Visitor Industry Capabilities: The dock expansion will also enhance cruise ship-based tourism in Homer by providing moorage at the dock for two ships (a cruise ship and a smaller ship) at the same time, reducing scheduling conflicts.

Improvements to the dock will fulfill a contingency planning requirement under Homeland Security provisions. The Port of Anchorage, through which 90% of the cargo for the Alaska Railbelt areas and the Kenai Peninsula passes, is vulnerable. If the Port of Anchorage were to be shut down and/or incapacitated for any reason, the port of Homer would become even more important as an unloading, staging, and transshipping port. The dock will also be able handle icebreakers, of particular importance given Alaska's strategic arctic location.

Plans & Progress:

In 2005 the City of Homer spent \$550,000 for cathodic protection of the existing dock and conceptual design of an expanded dock. \$2 million in federal transportation earmark funds was appropriated for the project for FY 2006 to prepare preliminary design and conduct further economic analysis. The Alaska Legislature appropriated an additional \$1 million for FY 2011. The Homer City Council has authorized the sale of \$2 million in bonds to help fund the construction of this project. The City has initiated the feasibility study for this project.

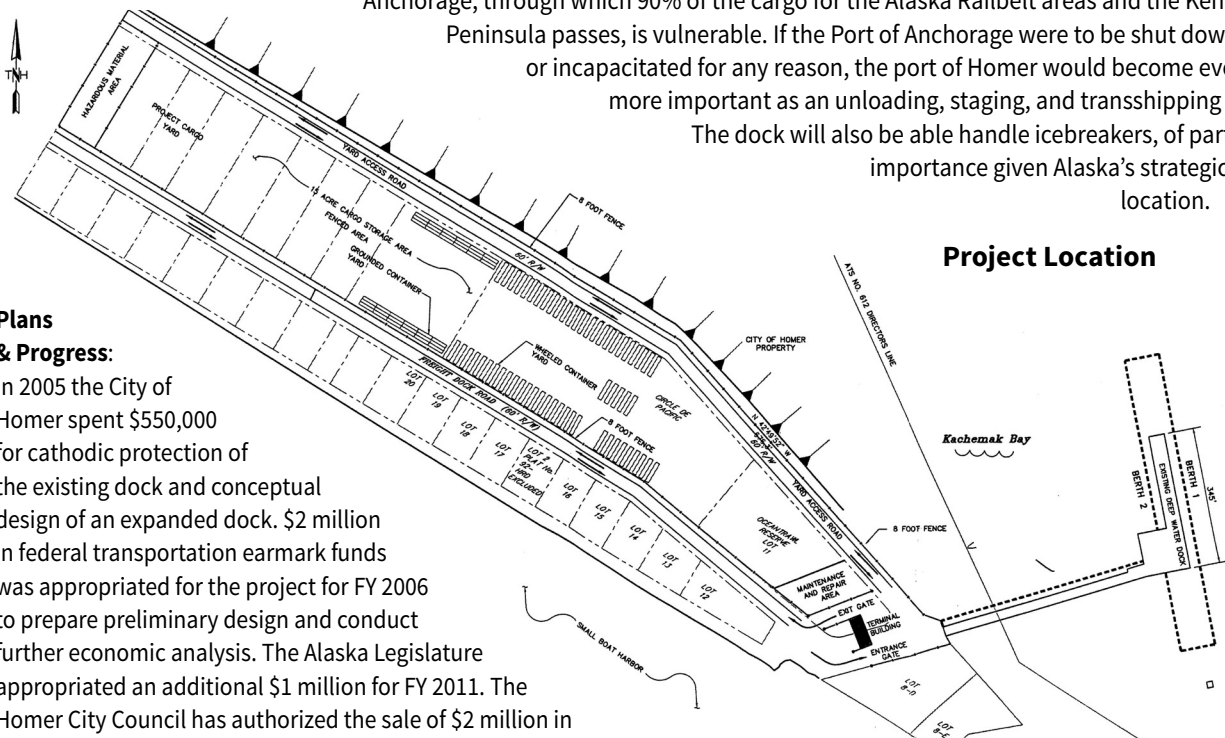
Total Project Cost: \$35,000,000

Feasibility: \$1,250,000 (Completion Spring 2016, currently underway)

Design: \$1,750,000

Construction: \$32,000,000

Priority: 1



Project Location



Barge Mooring Facility

Project Description & Benefit: Constructing a barge mooring facility at Lot TR 1A (east of the Nick Dudiak Fishing Lagoon) will meet the growing freight needs of existing Homer businesses and attract additional large vessel business. Phase 1 of the mooring facility will consist of a row of piles driven perpendicular to the beach that extend down through the tidal area in conjunction with a stern anchoring system and bollards above the high water line. This proposed improvement will provide secure moorings for vessels that cannot currently be accommodated within the harbor's basin due to lack of space. Phase 2 includes uplands support facilities such as a wash down pad and stormwater pollution prevention plan (SWPPP). The project is a response to requests from vessel owners/managers seeking safe moorage and uplands haulout area for large shallow draft vessels.

Plans & Progress: The large vessel Haulout Task Force has worked to develop Best Management Practices, Vessel owner user agreements, and vender user agreements for the city of Homers Larger Vessel Repair facility. Staff have also completed a SWPPP with ADEC for a portion of lot TR-1-A. Staff is also working with Nelson Engineering to complete phase 1 design for barge moorings, haulout ramp and uplands improvements such as a large vessel wash down pad, lighting, electrical pedestals, and drainage/water management. The task force also discovered that focusing their efforts on developing and facilitating moorings, haulout, and repair at lot TR-1-A is more feasible than developing a haulout and repair facility on the old Chip pad and after much discussion decided to focus on something we could do rather than something we wished we could do.

Total Project Cost (2014): \$1,850,000

Phase 1 - Pilings and Bollards

Design/Engineering/Permitting/Geotechnical (2015): \$125,000

Construction - (2016): \$1,125,000

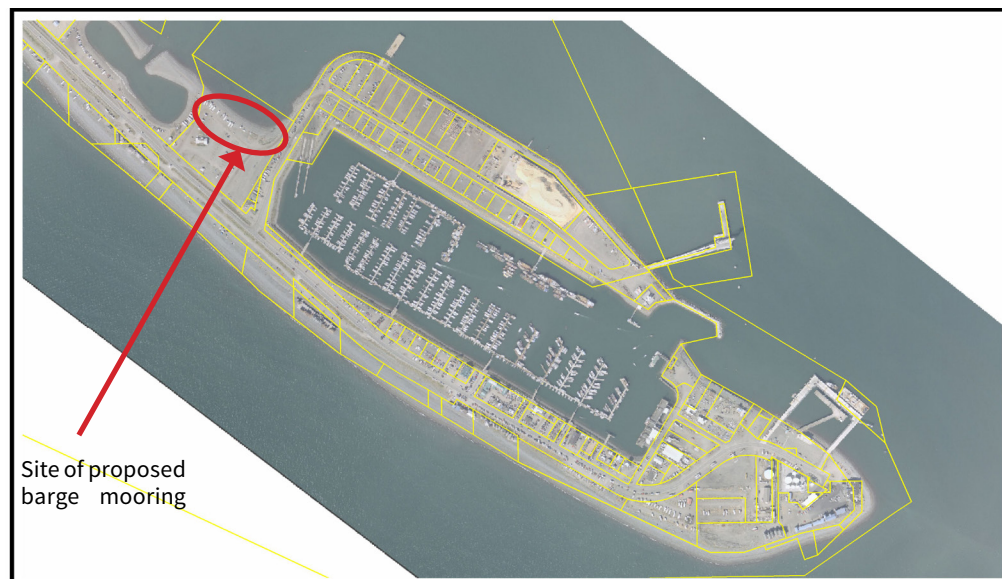
Schedule: Fall 2015

Phase 2 - Uplands Improvements

Design/Engineering/Permitting (2018): \$105,000

Construction -(2019): \$495,000

Priority Level: 2





Homer Spit Dredged Material Beneficial Use Project

Project Description & Benefit: The purpose of this project is to dispose of dredged material from the entrance of the Small Boat Harbor and the Pioneer Dock berth in a beneficial manner. The material will be used to replenish eroded material along the beaches and create additional parking on the Spit. The beach replenishment points would be at Mariner Park (replenishing beaches on the west side of the Spit) and just north of the Fishing Lagoon (replenishing beaches on the east side of the Spit). A new parking pad would be created between the boardwalks across from Ramp 3 and Mariner Park parking lot would be improved. Armor rock will be installed across from Ramp 3 to protect against erosion.

Dredged material will be placed on the beaches as part of the Army Corps of Engineers' dredging/disposal operations. Hauling costs will be supplemented by Harbor Funds when hauling to Mariner Park and the City will spread, cap and place riprap along the beach where fill is placed near or in the tidal zone. A Corps permit will be needed to accomplish this work.

Total Project Cost: \$688,000

Schedule:

2015 (Design and Inspection): \$50,000

2015: \$10,000 (Spread available material in upland parking pad areas)

2016-17: \$628,000

(Compact material: 20,000; Instal riprap: \$350,000; Gravel cap: \$95,000; Paving: \$100,000 Contingency \$63,000)

Priority Level: 2



The Homer Spit has been shaped over the years by nature as well as human intervention. (2008 NOAA photo)



Ice Plant Upgrade

Project Description & Benefit: The ice plant at the Fish Dock is a critical component of the overall Port and Harbor enterprise, providing more than 3,500 tons of flake ice each year to preserve the quality of more than 20 million pounds of salmon, halibut, sablefish, and pacific cod landed at the Port of Homer. Built in 1983, the ice plant is in serious need of an upgrade to increase efficiency and reduce operating costs. This project will replace six of the seven old compressors within the ice plant with two new state-of-the-art high efficiency refrigeration compressors.

Total Project Cost: \$500,000

Schedule: 2015

Priority: 1



Four of the Ice Plant's aging compressors are shown here.



System 4 Vessel Mooring Float System

Project Description & Benefit: System 4 is made up mostly of floats that were relocated from the original harbor construction in 1964. In the 2002 Transfer of Responsibility Agreement (TORA) project, System 4 was completed by moving the old floats into place. Within two years it was filled to maximum capacity. System 4 floats are over 20 years beyond their engineered life expectancy and are showing their age. This project can be done in phases.

Plans & Progress: Phase 1 floats HH, JJ, and headwalk float AA between those floats were replaced in fall of 2014. Power and water was extended from ramp 6 to JJ as part of the same project. A new landing float was installed for Ramp 7 Spring of 2014. Phase 2 floats CC, DD, EE ,GG will be replaced next.

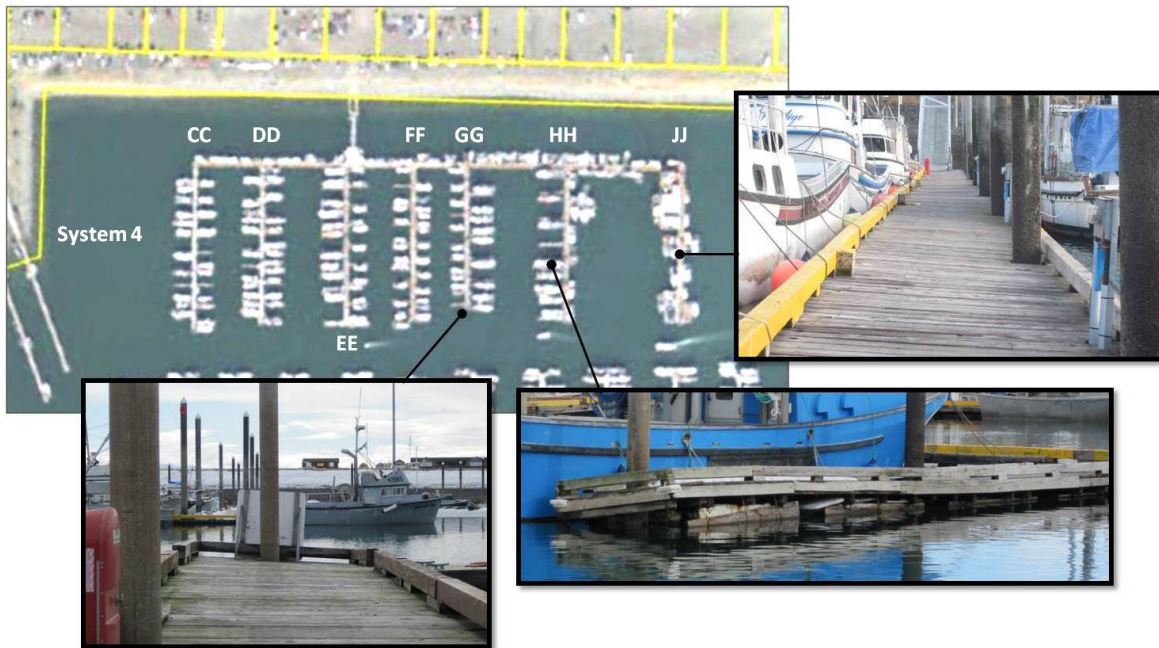
Total Project Cost: \$5,600,000

Schedule:

2015 (Design): \$600,000

2016-2019 (Construction): \$5,000,000

Priority Level: 2





Truck Loading Facility Upgrades at Fish Dock

Project Description & Benefit: Approximately 22 million pounds of fish are landed at the Homer Fish Dock each year and loaded onto trucks. The resulting truck, fork lift, and human traffic creates considerable congestion as fish buyers jockey for space to set up portable loading ramps. Lack of adequate drainage in the area creates further problems as the vehicles must maneuver in soft and often muddy conditions.

This project will construct a loading dock to facilitate the loading of fish onto trucks. In addition, it will provide for paving of Lot 12-B and other improvements to address the drainage problems that impact the area.

Total Project Cost: \$300,000

Schedule: 2017

Priority: 1



Currently at the Fish Dock, fish buyers have to contend with a muddy lot and lack of a loading dock to facilitate the transfer of fish to trucks.



Ramp 8 Restroom

Project Description & Benefit: Ramp 8 serves System 5, the large vessel mooring system. Presently Ramp 8 restroom is an outhouse facility capable of occupying only two people at a time. Vessel crews have come to the Harbormaster's office with complaints of this lack of basic service. Potable water, adequate shore power, and even basic restroom facilities are expected in a modern competitive harbor such as the Homer Small Boat Harbor.

Plans & Progress: Design costs for this project would be minimal as the City has standard public restroom plans engineered that can be easily modified for this location.

Total Project Cost: \$295,000

Schedule: 2015

Priority Level: 3



This outhouse sees heavy use from crews of large vessels moored at Ramp 8.



Seafarers Memorial Parking Expansion

Project Description & Benefit: This project would use materials from dredging the harbor to build up a parking lot between Seafarers Memorial and the east end of the nearby boardwalk complex. The additional parking will be a welcome improvement as it is often hard to find parking during peak summer months on this section of the Spit. The project has the added benefit of replenishing the beaches on the east side of the Spit and protecting infrastructure from erosion. The material will be placed on the beaches as part of the Army Corps of Engineers' dredging/disposal operations. Funding is needed to supplement hauling costs, compact material, cap with gravel and pave the lot. A Corps permit will be needed to accomplish this work.

Plans & Progress: The City has appropriated \$15,000 for the Homer Area Roads and Trails (HART) fund for preliminary engineering and permitting of this project completed in 2015. The dredged materials are scheduled to be placed in the lot by fall of 2016.

Total Project Cost: \$635,000

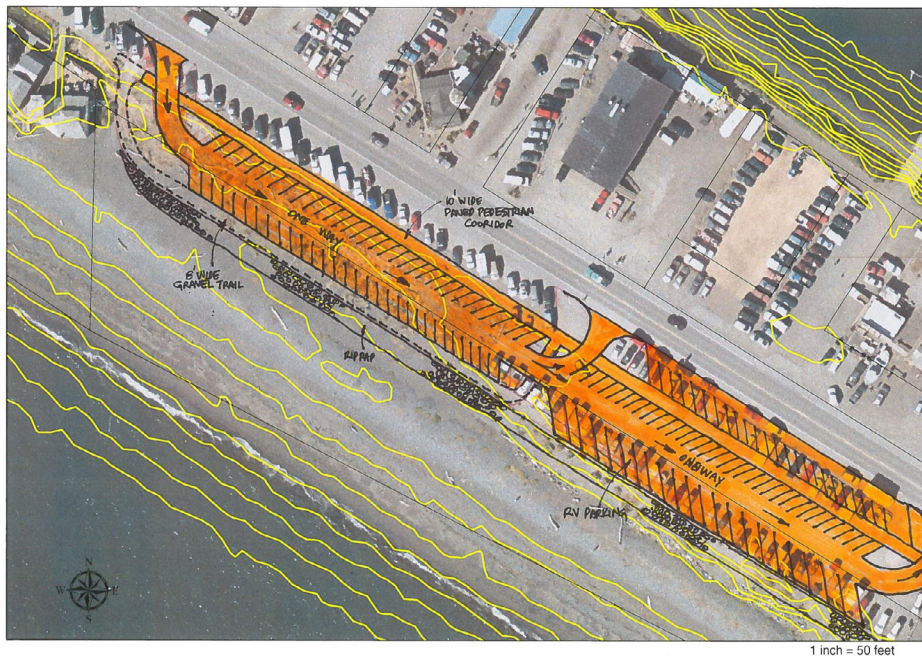
Schedule:

2015 (Design and Permitting): \$8,000

2016 (Dredged Material Placement by Corps): In kind

2017 (Construction): \$627,000

Priority Level: 1



This project would fill in, level and pave the grassy area pictured above between the Seafarer's Memorial and the nearby boardwalk.



Boat House Pavilion and Plaza on the Homer Spit

Project Description & Benefit: The Homer Spit is one of our community's greatest treasures. It serves as an economic hub for maritime and retail activities, provides unsurpassed recreational opportunities, contains important habitat for fish and wildlife, and serves as a gateway to countless visitors. Recent improvements to the Spit, including the expanded trail, new docks, public art, and new restrooms, have added tangibly to the quality of life and of the visitor experience in Homer. Now, the impending removal of the old Harbormaster's Office provides an important opportunity to build off the excitement and momentum of those improvements by redeveloping the old Harbormasters Office site and the surrounding land.

The old Harbormaster's office lies near the tops of Harbor Ramps 1-3, an area of the Spit that teems with pedestrians, vehicles, retail shops, restaurants, commercial fishing activities, charter boat and tour operations, and constant visitors to the public restrooms. This project will redevelop this area to increase pedestrian safety, calm traffic, improve dilapidated restrooms and other facilities (e.g. waste and recycling), and add a new resource to the Spit: a public pavilion—called the "Boat House." The Boat House, a maritime pavilion, would be a community gathering space, destination for visitors, and attractive reference point on the Spit. It would be a resource for boat owners, harbor users, charter boat operations, cruise ship passengers, Spit trail users, and anyone else on the Spit. The Boat House would provide a needed public space to get out of the weather, be a staging area for people and gear, offer a scenic view of the Harbor, and be a striking monument to Homer's rich maritime traditions and ways of life.

This project meets important goals laid out in the 2011 Spit Comprehensive Plan, which addresses the need for a gathering space, "attractive shelter," and "central plaza." In addition, this project addresses the long term goal of over slope development around the Harbor. An attractive pavilion and plaza would help catalyze development of additional retail facilities on the Spit, particularly through over slope development around the busiest area of the Harbor. And by keeping people longer on the Spit, it would boost economic activity. Ongoing costs would be kept at a minimum through careful design, low maintenance landscaping, etc. This project will be carried out in phases:

Phase I: Boat House Pavilion **Phase II:** Pedestrian Plaza, Landscaping, and Remodel of Existing Restrooms **Phase III:** Over slope Development

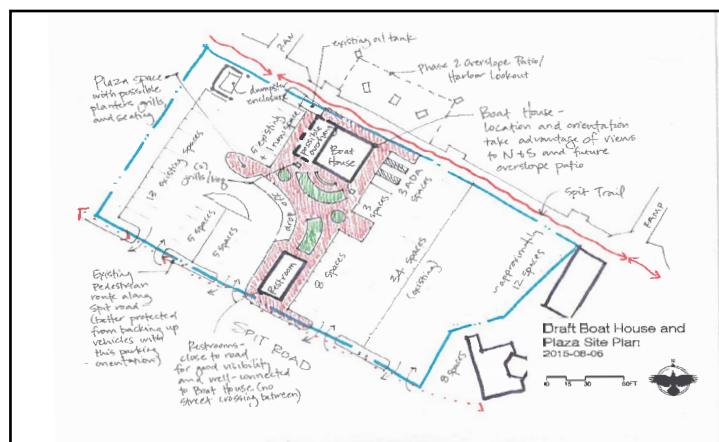
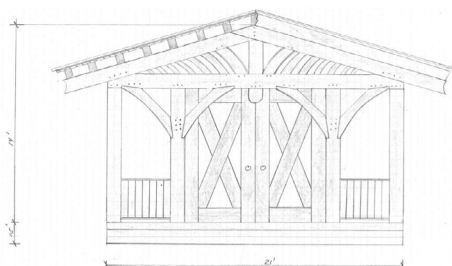
Plans & Progress: The Boat House Committee (BHC), a volunteer group comprised of a maritime business owner, former co-coordinators of the Homer Playground Project, and others, has come together to spearhead design, fundraising, and construction efforts for the Boat House. They have formed the Boat House Crew—preliminary supporters of the idea (see attached flyer for Crew list). The BCH is in conversation with the Homer Foundation to serve as fiscal agent to Phase I of this project, should the City of Homer give the go-ahead.

The BHC recruited Corvus Design to prepare a preliminary Draft Site Plan of the area (see attached). In addition to meeting with City Manager Katie Koester and Assistant City Manager Patrick Lawrence, the BHC has presented the idea to Bryan Hawkins, Homer Harbormaster; Carey Meyer, Director of Public Works; and the Port and Harbor Advisory Commission. The group has encountered general support for the idea.

Phase I Project Cost: \$210,000

Priority Level:

Schedule: 2016





Public Safety

- **South Peninsula Fire Arms Training Facility**



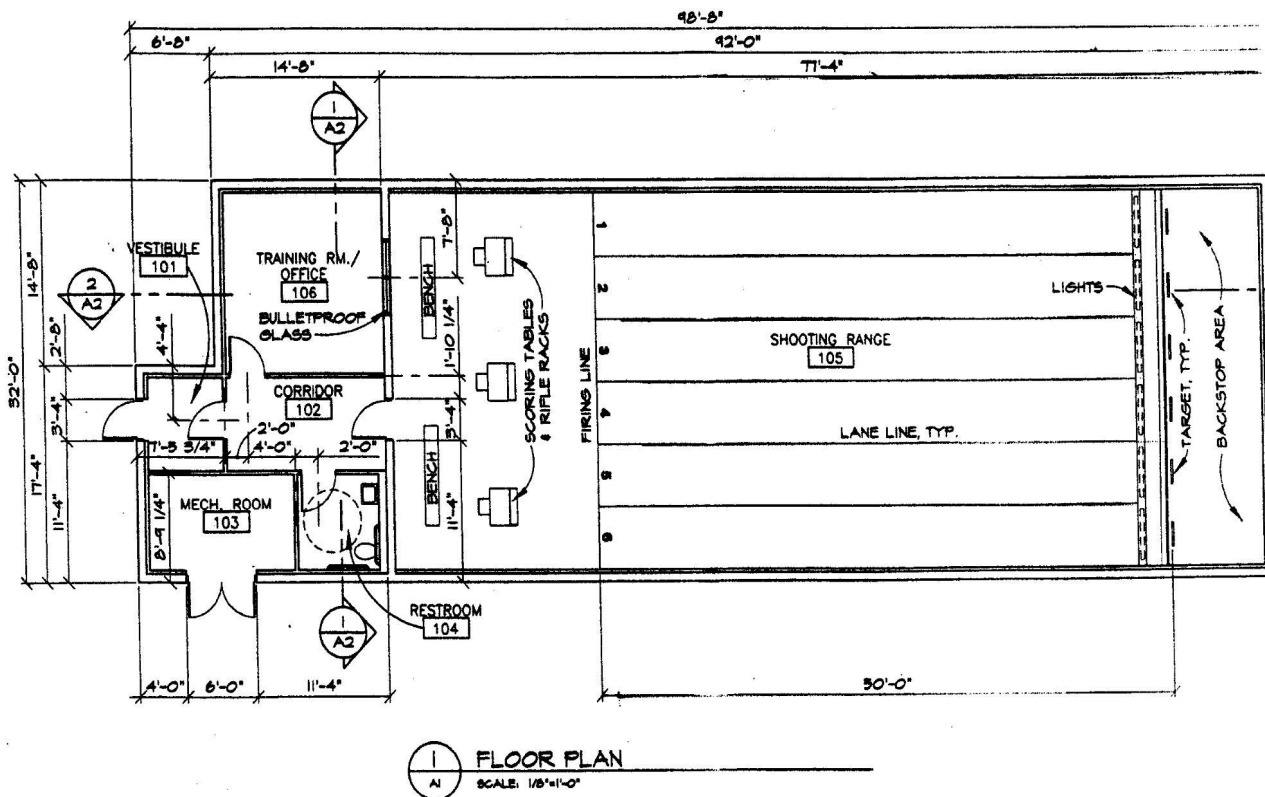
South Peninsula Fire Arms Training Facility

Project Description & Benefit: This project will construct a multi-agency training facility for law enforcement on the lower Kenai Peninsula. Beneficiaries will include the Homer Police Department, local units of the Alaska State Troopers, Alaska State Parks, and various federal law enforcement agencies. Properly managed, the facility could also be used by local gun clubs and sporting groups. The facility, which will include a modern indoor shooting range, will provide a proper and safe environment for firearms training. It will enable local law enforcement personnel to conduct training at any time of day, year-round, regardless of weather.

Total Project Cost: \$1,500,000

Schedule: 2017

Priority Level: 2





Public Projects

- **Water Storage/Distribution Improvements**



Water Storage/Distribution Improvements

Project Description & Benefit: This project will design and construct improvements that will increase water storage capabilities, improve water system distribution, drinking water quality/public health, and treatment plant and water transmission effectiveness.

The overall multi-phased project includes:

- **Phase 1:** Installation of 4,500 linear feet of water main extension on Kachemak Drive, 2,600 linear feet of distribution main connecting isolated sections of town, and a new pressure reducing valve (PRV). (Funded)
- **Phase 2:** Installation of an underground water storage tank and 2,000 linear feet of water main between the new tank and the water system.
- **Phase 3:** Replacement of 3 PRVs on the East Trunk and installation of micro turbines generating power to the grid, abandonment of an existing functionally obsolete steel water tank and replacement of adjacent PRV station, and slip-lining of old cast iron water main on the Homer Spit.

Plans & Progress: The need for this project has been documented in the Homer Water & Sewer Master Plan (2006). The design has been completed through a \$884,000 Special Appropriation Project grant the City received from the Environmental Protection Agency. The Department of Environmental Conservation recommended funding phase 1 through the Municipal Matching Grant program which is reflected in The States FY16 capital budget approved by the Governor.

Total Project Cost: \$9,828,934

2014 (Design, Completed): \$900,000

2016 Phase 1 Construction(Funded):\$2,828,934

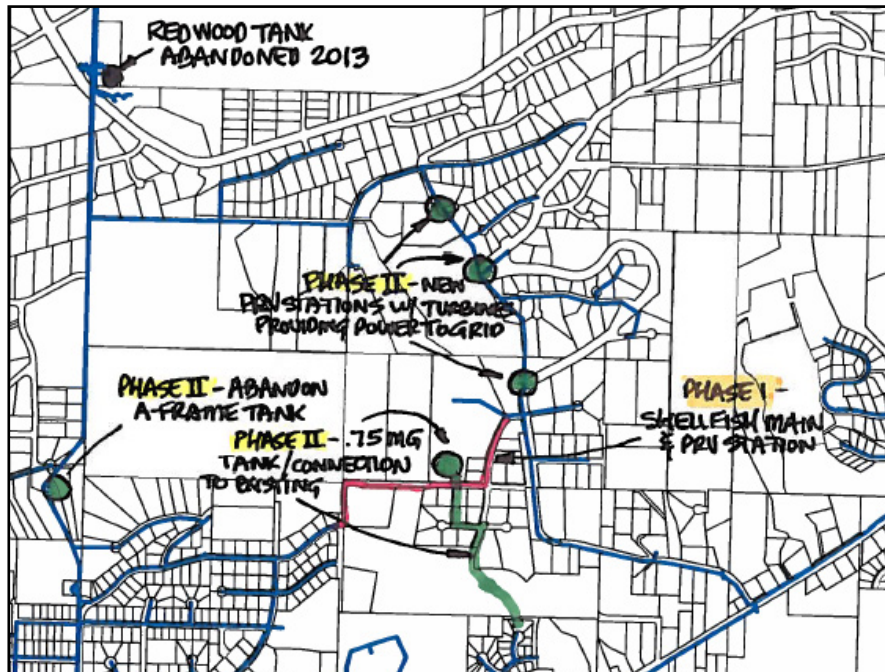
2017 Phase 2 Construction: \$3,900,000

2018 Phase 3 Construction: \$2,200,000

FY2016 State Request for Phase 1: \$1,980,254

(City of Homer 30% Match: \$848,680)

Priority Level: 1





State Projects

The City of Homer supports the following state projects which, if completed, will bring significant benefits to Homer residents

Transportation projects within City limits:

- **Homer Intersection Improvements**
- **Main Street Reconstruction/Intersection**
- **Kachemak Drive Rehabilitation/Pathway**

Transportation projects outside City limits:

- **Sterling Highway Realignment MP 150-157**
- **Sterling Highway Reconstruction, Anchor Point to Baycrest Hill**

Non-transportation projects:

- **Alaska Maritime Academy**



Homer Intersection Improvements

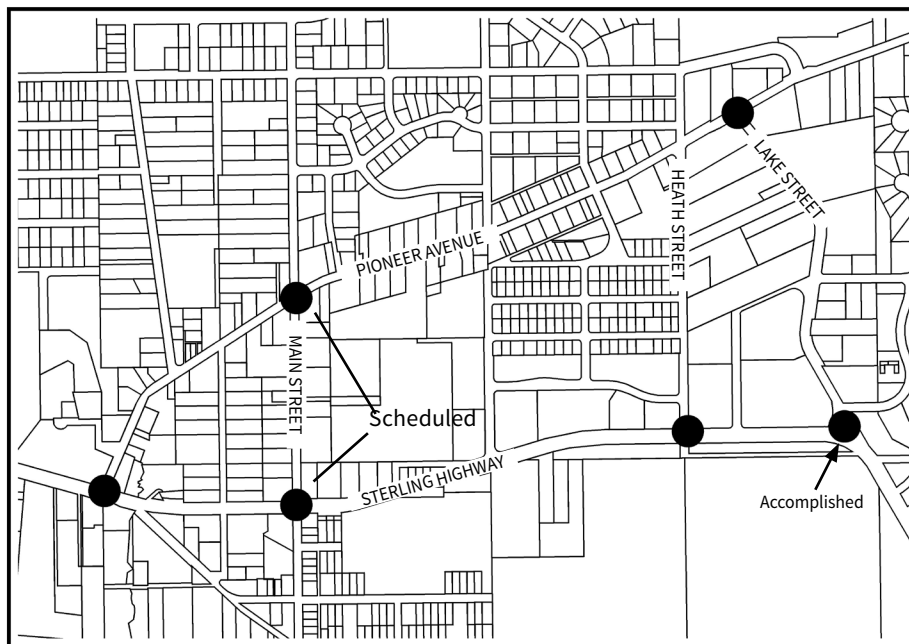
Project Description & Benefit: This project will implement recommendations of the 2005 Homer Intersections Planning Study commissioned by the Alaska Department of Transportation and Public Facilities. The study, which focused on 12 intersections, involved traffic forecasts and analysis of intersection safety, intersection options, and pedestrian needs. The benefit of the project will be to enhance traffic safety and quality of driving and pedestrian experiences for residents and visitors, particularly as the community continues to grow.

The study notes that for the intersections that need roundabouts or traffic signals, either option will function well; however, “the Alaska Department of Transportation and Public Facilities supports the development of modern roundabouts at these locations because of the good operational performance of roundabouts, superior safety performance, and reduced maintenance.”

Problem intersections and recommended improvements noted in the study but are as follows:

- Sterling Highway and Heath Street - Roundabout or traffic signal
- Sterling Highway and Main Street - Roundabout or traffic signal (This project has been funded.)
- Pioneer Ave. and Lake Street/East End Road - Roundabout or traffic signal
- Sterling Highway and Pioneer Ave. - Roundabout or traffic signal
- Pioneer Avenue and Main Street - Roundabout or traffic signal

Plans & Progress: State of Alaska DOT/PF has obtained \$2.8 million to make safety improvements to Main Street Intersection and is moving forward with a preferred alternative that installs a flashing overhead beacon at the Pioneer and Main Street intersection (2014) and a traffic signal at the Sterling Highway and Main Street intersection (2017.)



Alaska DOT/PF has recommended roundabouts or traffic signals at six central Homer intersections, to be accomplished as soon as possible. A traffic signal was installed at the Lake Street/Sterling intersection in 2005 and improvements to the intersections on either side of Main Street are scheduled over the next few years.



Main Street Reconstruction

Project Description & Benefit: This project will provide curb and gutter, sidewalks, storm drainage, and paving for Main Street from Pioneer Avenue to Bunnell Street.

Homer's Main Street is a primary north-south corridor running from Bayview Avenue (near the hospital) to Ohlson Lane (near Bishop's Beach). In the process, it connects Homer's primary downtown street, Pioneer Avenue, with the Sterling Highway and provides the most direct access to the Old Town district. It also provides the western border to Homer's undeveloped Town Center district.

Despite its proximity to the hospital, businesses, and residential neighborhoods, Main Street has no sidewalks, making pedestrian travel unpleasant and hazardous. Sidewalks on this busy street will enhance the quality of life for residents and visitors alike and provide economic benefits to local businesses and the community as a whole.

Plans & Progress: Main Street is a City street from Pioneer Avenue northward, and a State street from Pioneer Avenue south. The Homer Non-Motorized Transportation and Trail Plan, adopted by the City Council in 2004, calls for construction of sidewalks on both sides of Main Street to provide a safe means for pedestrians to travel between Old Town and Pioneer Avenue, and stresses that this should be regarded as a "near term improvement" to be accomplished in the next two years. The Homer City Council passed Resolution 06-70 in June 2006 requesting that Alaska Department of Transportation and Public Facilities (DOT/PF) "rebuild and upgrade Main Street from Pioneer Avenue to Bunnell Avenue as soon as possible in exchange for the City assuming ultimate ownership, maintenance, and operations responsibility."

State of Alaska DOT/PF has obtained \$2.8 million to make safety improvements to Main Street Intersection and is moving forward with a preferred alternative that installs a flashing overhead beacon at the Pioneer and Main Street intersection (2014) and a traffic signal at the Sterling Highway and Main Street intersection (2017.) However, there remains much work to be done to improve and reconstruct of the entire section of Main Street from Pioneer Avenue to Bunnell Street.



A mother pushes a stroller along Main Street between the Sterling Highway and Bunnell Street, while another pedestrian walks on the other side of the road.

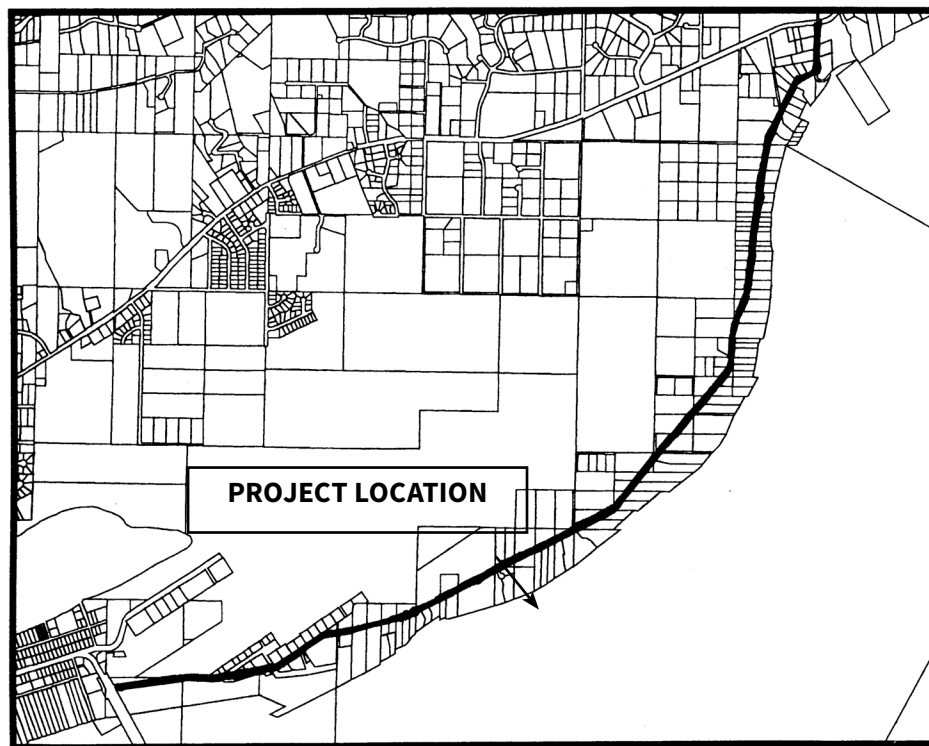


Kachemak Drive Rehabilitation/Pathway

Project Description & Benefit: Kachemak Drive connects Homer Harbor with Homer's industrial boat yards, serves drivers as a connector from the Homer Spit to East End Road, has a residential community, and serves as an alternate route to the airport. Truck, boat trailer, residential and commuter traffic are often heavy, with an approximate daily traffic of 1,500 vehicles. The road needs rehabilitation including raising the embankment, resurfacing, widening the road, and drainage improvements.

Bicyclists, pedestrians and occasional moms with strollers use Kachemak Drive to connect to the Spit, Ocean Drive, and East End Road bike paths. Kachemak Drive has narrow to non-existent shoulders, forcing cyclists to the left of the fog line. Motorists typically slow down behind bicyclists, wait until there is no oncoming traffic, then pass by crossing the center line. This procedure is dangerous to motorists and cyclists, especially on the hill leading up from the base of the Spit to the airport, where visibility is low. Bicycle traffic has increased in the past couple of years due to the advent of wide-tire winter bicycles and Homer's increasing popularity as a bicycle friendly town. Construction of a separated pathway along East End Road will increase recreational and commuter bicycle and pedestrian traffic on Kachemak Drive and will improve driver, bicycle, and pedestrian safety. Because of the significant right-of-way acquisition involved, this project will likely take several years to complete.

Plans & Progress: The Kachemak Drive Path Committee has worked with the City of Homer Advisory Parks and Recreation Commission and Transportation Advisory Committee to explore potential alternatives. The City performed preliminary engineering in 2012 on a portion of the trail and found significant grade and easement challenges to the project.





Sterling Highway Realignment MP 150-157

Project Description & Benefit: The Sterling Highway is a vital transportation corridor serving most of the communities on the Kenai Peninsula, including Homer at the southern terminus, and is the only road connecting these communities to the larger North American road system. The vast majority of people and goods routed in and out of Homer utilize the Sterling Highway as compared to air or water transportation.

This project will protect the Sterling Highway from erosion that is threatening the highway north of Anchor Point. Completion of the project will involve re-routing the highway away from areas that are eroding, utilizing existing road right-of-way as much as possible. The Alaska Department of Transportation has noted that the first effort needed is for reconnaissance study to evaluate alternatives and quantify costs.

Plans & Progress: The project “Sterling Highway Erosion Response MP 150-157” is included in the 2012-2015 Statewide Transportation Improvement Program (STIP).



As seen in this aerial image, the eroding edge of the bluff is only 30 feet away from the Sterling Highway at a section just north of Anchor Point.



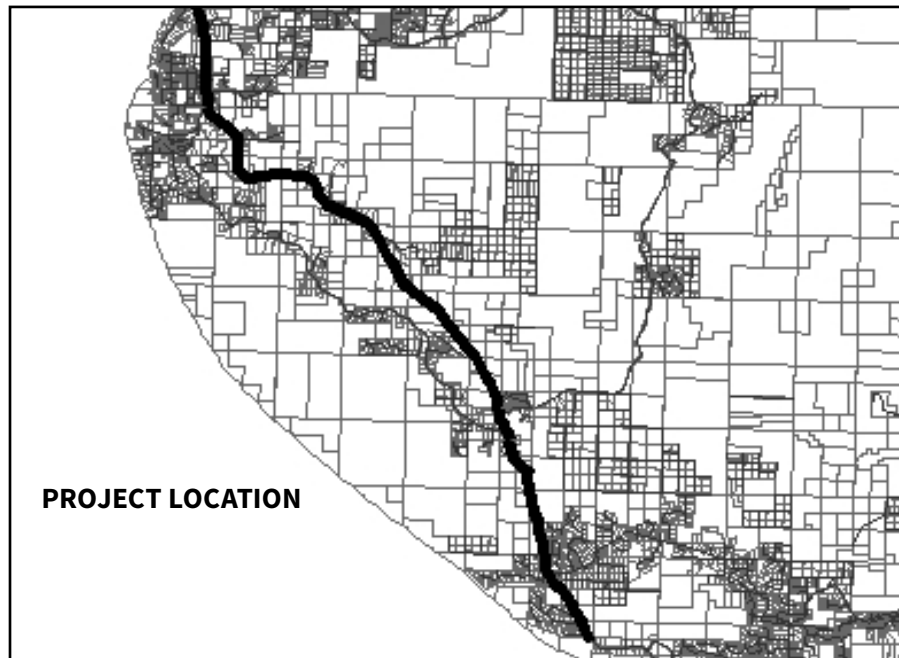
Sterling Highway Reconstruction Anchor Point to Baycrest Hill

Project Description & Benefit: This project will reconstruct 12 miles of the Sterling Highway between Anchor Point (MP 157) and the top of Baycrest Hill in Homer (MP 169) to address severe safety issues resulting from curves, hills, and blind spots on the existing road. The project has been identified as a high priority of the Kenai Peninsula Borough.

Many major side road intersections, gravel hauling operations, and school bus stops contribute to dangerous conditions on the 12-mile section of highway, which has been the scene of several serious accidents, many with fatalities, over the past several years. Continued population growth has led to more subdivisions with intersecting roads and more traffic on the highway, exacerbating the problem. School buses must stop in some locations with blind corners and hills.

The project calls for construction of an improved two-lane highway paralleling the alignment of the existing highway. The reconstructed highway will be designed to allow two additional lanes to be added at a future date.

Plans & Progress: This project (“Sterling Highway: MP 157-169 Rehabilitation - Anchor Point to Baycrest Hill”) is included in the 2012-2015 Alaska Statewide Transportation Improvement Program (STIP). Two and a half million dollars was included in the FY2013 capital budget for design and right of way phases of this project. Total costs are expected to exceed \$36 million; consequently, the project may be constructed in phases.





Alaska Maritime Academy

Project Description & Benefit: This project will establish an accredited maritime academy providing quality post-secondary education primarily focused on marine related programs for developing career-oriented skills relating to engineering, ship operations, marine science, maritime management, and small vessel design and operation. The academy would provide both classroom and hands-on training, taking advantage of Homer's existing marine trades industry cluster and opportunities for time onboard vessels in port and at sea.

The federal Maritime Administration provides training vessels and other support to state maritime academies. Currently there are six academies in the U.S.; none in Alaska. Alaska Statute Sec. 44.99.006 specifies that the governor may enter into an agreement with the Federal Maritime Administration to provide for an Alaska Maritime Academy.

Plans And Progress: The Homer City Council approved Resolution 10-22(A) requesting that Alaska's governor select Homer as the site of an Alaska Maritime Academy and specifying that a citizens task force be established to facilitate the effort to develop a maritime academy here. A maritime academy is also included as a potential economic development opportunity in the City of Homer Comprehensive Economic Development Strategy.



Maritime academies utilize both classroom and hands-on training. The training ship for the Great Lakes Maritime Academy in Traverse City, Michigan is shown in the background of this photo.



Projects Submitted by Other Organizations

The City of Homer supports the following projects for which local non-profit organizations are seeking funding and recognizes them as being of significant value to the Homer community:

- **Pratt Museum: New Facility and Site Redesign**
- **Homer Senior Citizens Inc. Alzheimer's Unit**
- **Homer Senior Citizens: Natural Gas Conversion**
- **South Peninsula Hospital: Site Evaluation and Planning for Hillside Reinforcement**
- **Kachemak Shellfish Growers Association: Kachemak Shellfish Hatchery**
- **Homer Council on the Arts: Re-configuration and Facility Upgrade**
- **Haven House: Safety/Security Improvements**
- **Homer Hockey Association: Kevin Bell Ice Arena Acquisition**



Pratt Museum

New Facility and Site Redesign

Project Description & Benefit: The national award-winning Pratt Museum preserves the stories of the Kachemak Bay region and provides a gathering place for people to learn and to be inspired by this region and its place in the world. The Pratt's exhibits, education programs, and collections seek to foster self-reflection and dialogue among the Museum's community and visitors. Each year, the Pratt serves up to 30,000 visitors, with more than 4,000 young and adult learners participating in its programs. One of only eight accredited museums in Alaska, the Pratt is consistently viewed as one of Alaska's most important cultural institutions and as a leader among small museums across the country. Today the Pratt Museum exists in a structure that does not meet the Museum or the community's needs. The existing 10,500 square foot building is more than 47 years old, and the building's galleries, public meeting, and education spaces do not support the Pratt's goals or embrace current opportunities. The building is not ADA accessible. Urgently needed are expanded collections storage and the ability to meet current collections care requirements for managing temperature and humidity. The Pratt is now working on a project to better serve this community and visitors long into the future, through the construction of a new facility and redesign of the Pratt's 9.8 acres. Benefits of this project will include: 1) improved education programs and exhibits; 2) creation of a community learning space to promote education and community dialogue; 3) an expanded trail system; 4) the ability to serve larger visitor and school groups; 5) greater representation at the Museum of the region's diverse cultural groups; 6) the ability to care for growing collections, including community archives and stories; and 7) full disability accessibility. The Planning Phase spanned the Fall of 2007 to December 2010. The Design Phase started in January 2011 and will be complete in 2015 at which time the project will be shovel-ready. Construction will begin as early as the Fall of 2016, or when the balance of the construction funds are raised, with the building opening a year later. The total budget is \$9.5 million.

Plans & Progress: Nearly a decade of thorough organizational evaluation, professional assessment, and community dialogue led the Pratt Museum Board of Directors and staff to the decision to embark on an ambitious capital project and carry out a comprehensive redesign of the Pratt's property. A fundraising feasibility study was conducted in 2009 in tandem with the development of draft architectural and site concepts. Additionally, the McDowell Group conducted an analysis of the economic impact of the Pratt's operations and construction project on the local community, finding that the Museum generates substantial economic activity in the region. Now in the Design Phase, the Pratt has secured cash and pledges that represent 36% of the project budget and has laid the groundwork for the successful completion of this project through the following critical steps:

- The Pratt has gathered diverse community and stakeholder input through public meetings, surveys, and other means to guide the Planning Phase and will continue to gather input throughout the Design Phase;
- With leadership from the Patrons of the Pratt Society, 9.8 acres of urban green space have been acquired in the heart of Homer, which the Museum now owns debt-free;
- The Pratt participated in the Rasmuson Foundation's prestigious "Pre-Development Program," which provided more than \$70,000 in in-kind planning services, resulting in substantial Planning Phase cost savings;
- The Museum has recruited community leaders for the capital campaign who represent the Pratt's multiple disciplines in the arts, sciences, and humanities;
- The Pratt is working on Phase II community input planning and research for Master Exhibit Plan permanent exhibit renovations to be installed in the new building;
- The Museum has secured \$3.3 million (36% of the project total) in cash, grants, and pledges;
- An additional third of the project budget has been identified from major funders who will contribute when later funding benchmarks have been reached
- An upgrade and expansion of the trail system, the first part of the project, was completed in 2012, and
- Schematic designs are complete, and the balance of the Design Phase will be completed in 2015.

Total Project Cost: \$9,500,000
(FY16 State Request: \$1,650,000)
Preconstruction: \$1,000,000
Construction: \$8,500,000

Schedule:

Planning: 2010
Design/Preconstruction: 2015
Construction: 2017





Homer Senior Citizens Inc. Alzheimer's Unit

Project Description & Benefit: Seniors are the fastest growing population for the State of Alaska. Homer is projected as the second city in the state which will see the most significant growth in this demographic. Homer Senior Citizens operates a 40 bed assisted living facility. We have sent four seniors from our community due to Alzheimer's disease in the past four years. Losing one senior a year is unacceptable as it tears away the fabric of our community. All of the seniors have families remaining in the Homer community.

In order to maintain the health of a senior, a full continuum of care is required. Maintaining physical, mental and social capacity supports the dignity of our most vulnerable adults. HSC Alzheimer's Unit has been a strategic priority for the Board of Directors to keep our seniors home in the community. Work on the Certificate of Need is in progress.

The Alzheimer's Unit will include fifteen beds and 24/7 nursing care. Additionally we will include a memory care unit to maintain the existing cognitive capacity. Specific features for therapy pool and activities room which will be open to all seniors 55 and older. The activities room will be stage 2 of the project and will incorporate low-impact exercise equipment to maintain senior's physical capacity. This also opens up the possibility to contract with South Peninsula Hospital for use of the therapy pool for other age groups benefiting the entire population of Homer.

We will be holding many fundraising events to secure the match for foundation grants. We have identified three foundations which funds for this type of project are acceptable. One of the priorities for scoring of the grants is Capital Improvement Plan designation.

Operating funds will be secured from "fees for service;" room and board; billing for Physical Therapy in both the therapy pool and the exercise program in the activities room (once stage 2 has been completed); and, fees for contracted space for equipment and pool.

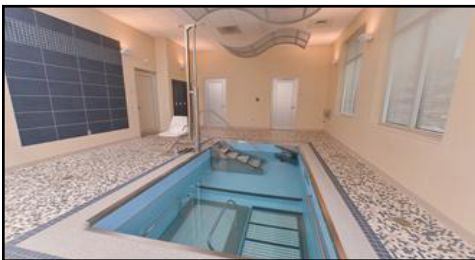
Plans & Progress: HSC has met with Hydro Worx to incorporate the Therapy Pool with the Alzheimer's Unit. Projected 5 year profit will be approximately 1,508,600. This does not include contractual arrangements with third party vendors.

We are in the initial stages of fundraising for the Unit. Fundraising activities include hosting "Backing out of Time" Alzheimer's documentary at the Homer Theatre and will be hosting a Wine/Beer Tasting event at the Beluga Lake Lodge in August, 2015. Staff is completing the State of Alaska Certificate of need at this time

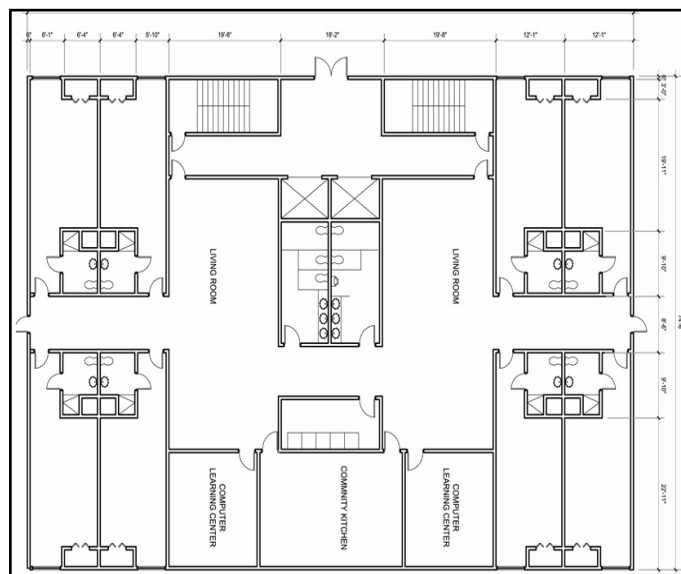
Total Project Cost: \$3,000,000

Priority Level:

Schedule: 2016



HydroWorx Pool Room .





Homer Senior Citizens Natural Gas Conversion

Project Description & Benefit: This project would convert the Homer Senior Center (HSC) facilities to natural gas. The project budget includes City of Homer Special Assessment costs, service line and meter costs from Enstar, converting boilers on six structures, as well as gas ranges and dryers in senior housing units.

HSC has been the sole non-profit senior services provider for Homer for the past 39 years. HSC relies upon grants, private donations and fees for service for funding. With budgets tight and the economy still in recovery, private donations are not at the same level. Expenditures increase annually, while revenue continues to remain at the same level, and in some cases declines.

Converting to natural gas as a supplemental energy source will reduce our cost for heating oil. This will save the Center as well as the 85 seniors who pay for electric heat at this time. Currently HSC expends over \$100,000 in fuel oil. With natural gas HSC will save \$37,000 annually, according to projections. HSC will save approximately \$10,000 annually due to the replaced appliances. The combined savings represents approximately \$35,000 annually, equating to one full-time employee.

Plans & Progress: The Alaska State Legislature awarded Homer Senior Citizens Inc. \$100,000 in FY2015 towards this project. Conversion is in progress and expected to be completed by September, 2015 for the Assisted Living, Senior Center and Adult Day Services. The total amount spent towards this project as of July, 2015 is \$153,461. The conversion of the independent housing continues to be a priority; however, additional fundraising is required to complete this phase of the project.

Total Project Cost: \$504,898

Funding Secured: \$100,000

Schedule:

Preconstruction: 2014

Construction: 2015



Homer Senior Citizen's main building.



South Peninsula Hospital Site Evaluation & Planning for Hillside Reinforcement

Plans and Progress: South Peninsula Hospital sits on a very steep hillside, with all parking lots and outbuildings being terraced down from the main hospital building. Both the lot the hospital sits on and the lot behind it continue with a very steep elevation incline. The buffer is only 12 feet behind the building cut into the hillside before the terrain continues with the steep incline for as far as 300 yards. The remaining hillside has thick vegetation and is not utilized or developed in any way at this time.

The facility has had numerous additions and structural work completed in the last 10 years which may have impacted and affected the stability of the hillside. The hillside runs continuous from the entrance of parking the entire length of the building and beyond. No part of the main hospital building is out of the risk zone for damages from hillside erosion and sloughing.

A site evaluation is necessary to establish the current condition of the hillside, and make any recommendations to secure it from further erosion and sloughing. Such evaluation would include a survey, soils testing, geologic hazard assessment and mitigation report, landslide evaluation, earthquake assessment, and recommendations for options to minimize risk to the facility. The recommended options would include cost estimates.

Plans and Progress: The estimated cost of such a study, evaluation, and report is \$100,000. This could include work by the Army Corps of Engineers, and/or a private engineering firm.

Total Project Cost: \$100,000

Schedule: 2014





Kachemak Shellfish Growers Association

Kachemak Shellfish Hatchery

Project Description and Benefit: For over twenty years Kachemak Shellfish Mariculture Association (KSMA), a 501-c3 organization, has worked to fulfill its primary mission of assisting shellfish growers in Kachemak Bay to establish an economically sustainable oyster industry. Today through its partnership with the Kachemak Shellfish Growers Cooperative (KSGC), a co-op formed to market and distribute mussels and oysters, there are 14 farms in the Bay and a sorting, marketing and shipping facility on the Homer Spit supplying shellfish and mariculture related goods to local restaurants, residents and tourists while shipping oysters all over Alaska and the nation.

Five years ago the industry identified an oyster seed shortage affecting the shellfish industry on the entire Pacific Coast. Local leaders developed a small proof of concept experiential oyster hatchery/setting facility at the KSGC building to address this issue. Over the past three years, on a thin budget, with the assistance of industry professionals, and with the support of the State of Alaska, the co-op raised over 7.5 million oyster seed. KSMA supports this highly technical hatchery and laboratory with two employees who oversee the 24-hour a day, five-month process culturing oysters and propagating algae (oyster food) in conjunction with their other duties. Please note that this should not be understated; others have invested more with lesser success. Some experts gave this experimental nursery only a 10% chance of success. However, thanks to the nutrient rich waters of Kachemak Bay and the dedication and expertise of staff the oysters thrived at the Homer Spit facility and into the upweller (a nursery for the young oysters) in Halibut Cove. With the commitment of KSMA's employees and the Bay's farmers this proof of concept is ready to mature to the next step—a fourth year of production and expanding the hatchery to a financially sustainable operation through the scale of production. By supplying oyster seed to shellfish farmers throughout the state of Alaska, it will reduce cost to farms and the impact of seed shortage.

Over the past three years KSMA produced 7.5 million seed and has purchased or developed much of the expertise and equipment necessary for the hatchery expansion including technician training, the expensive salt water well, and algae production. However a larger lab, and storm damage prevention are needed to mature the proof of concept to a production facility supporting the greater Bay and its residents. The Kachemak Mariculture building on the Spit needs professional engineering, design, and planning to transition its available space from an experimental, small hatchery to the next phase of a permanent hatchery enabling KSMA to commercially produce oyster seed.

The benefit of a thriving oyster farming industry in Homer is huge. Oyster production in Kachemak Bay is currently in its 22nd year. Oysters have become a sparkling year-round addition to the seafood options available to residents and tourists in Homer. Every cooler of oysters delivered to the dock represents approximately \$150 to the grower. By the time the end user receives those oysters, the economic ripple effect becomes approximately \$725. Oysters clearly benefit the community and economy.

A local hatchery and nursery can also provide a great learning lab for high school and university students, who currently have to travel to the hatchery in Seward for their studies. (The Seward hatchery hatches opilio crab; however the waters of Resurrection Bay are less conducive to oyster seed.) A course in mariculture could easily be developed in conjunction with aspects of oyster seed development, culturing and marketing.

Plans and Progress: The design and expansion of the shellfish hatchery is in process. Successful seed will be sold first to growers in Kachemak Bay. Excess seed will be sold to other farmers in the state who are eager for a reliable supplier.

KSMA's Hatchery consultant has many designs from hatcheries where he has assisted. Final design for the Homer Spit Facility would occur in conjunction with permitting.

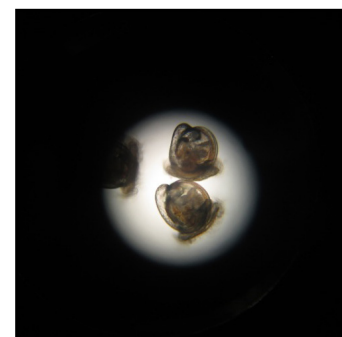
Total Project Cost: \$400,000

Preconstruction: \$75,000

Funding Secured: \$50,000

Construction: \$325,000

Schedule: 2016



Microscopic view of two tiny oysters.



Homer Council on the Arts Re-configuration & Facility Upgrade

Project Description & Benefit: Reconfiguring the building that Homer Council on the Arts presently owns and resides, will provide an ADA accessible, energy efficient venue for HCOA programming. Re-configuration will also provide the public with 1) a larger and more accessible space to use for classes, events, meetings, exhibits and performances 2) a conference room for smaller exhibits, meetings and classes, 3) a larger art room for classes and workshops which will also function as a backstage for the performance space 4) two ADA accessible bathrooms, 5) one business rental space for additional revenue.

HCOA is currently participating in the Foraker Group Pre-Development Program, sponsored by Rasmuson Foundation. The project manager and architect have met with the HCOA Board several times to discuss programmatic needs and how to accommodate these needs with building improvements. They are guiding our process to ensure our project is right-sized and feasible. Specifically, the building remodel will include 1) the replacement of the heating and ventilation systems with natural gas, 2) energy efficient windows and doors, and new rear entry 3) repair of water issues in the basement, 4) ADA approved handicapped accessible bathrooms, 5) re-configuration of the current floor plan to accommodate programming and public use of space.

Plans & Progress: HCOA is moving ahead to convert to natural gas, the first priority in phase one of the renovation plan. We are proceeding with this project by refinancing our existing mortgage. Expected completion date is Fall, 2015. We are currently looking at the energy audit (completed August of 2012), and will be using additional funds from the refinance to make changes/upgrades that will align us with the audit. HCOA and the Pratt Museum have just announced that we are in conversation about the possibilities of collaborating to make use of the existing Pratt museum building as a performance art and activity space. Both organizations will be working diligently over the next several months to further develop this vision of an arts and culture complex. We invite the community's ideas and commitment to join us in creating this important and vital center for our community. Thank you very much for City support with these projects. HCOA looks forward to working with the City of Homer as we all move forward with innovative ideas to better meet the needs of our greater community.

Phase 1: Replace heating and ventilation systems and address water issues in basement.

Phase 2: Reconfigure floor plan including back entrance, and new windows.

Total Project Cost: \$500,000

Schedule:

Preconstruction: 2014

Construction: 2019





Haven House Safety/Security Improvements

Project Description & Benefit: Haven House provides protection through emergency shelter and program services to adults and children who are victims of domestic violence, sexual assault and child abuse. Domestic violence and sexual assault offenders are among the most dangerous type of violent offender and such shelters warrant a high degree of security systems, equipment, and technology. Haven House is requesting \$25,000 to improve the security of the facility through upgrading existing surveillance equipment, adding additional, much-needed surveillance equipment, upgrading existing security system, improving communications between all offices in the building, as well as instant communication to law enforcement, and improving equipment that contributes to security, such as doors, windows, locking systems, and fence. According to feedback collected on surveys from Haven House shelter employees and clients, as well as security challenges we have faced in the past, there is a need to provide improvements to our security systems currently in place. This will protect Haven House clients, staff, and community members and provide a much-needed public safety function for the entire southern Kenai Peninsula communities.

Plans & Progress: In July of 2014 Haven House completed phase 1 of improving the security of the building. Phase 1 consisted of building in an arctic entry with a locked interior door that provides an additional entrance and layer of security to the building. Prior to this addition, there was free access into the Haven House administrative floor without authorization. This is not best practice for domestic violence shelters and was addressed to keep staff, clients, and community members safe. \$25,000 was secured for phase 1, from the Rasmuson Foundation. Phase 2 will be completed with additional funds from the Rasmuson Foundation and the State of Alaska by spring of 2016. Phase 2 consists of installing a new buzz-in system for the 2 entry doors.

Haven House is seeking funding support to move into the next phase of security improvements. Phase 2 entails the addition and updating of security cameras, improving monitoring surveillance systems, replacing a number of existing doors and windows with more secure models, improving communications systems within the building that improve security, and making improvements to the Haven House fence.

Total Project Cost: \$70,000

Funding Already Secured: \$45,000

Schedule: 2014-2015





Homer Hockey Association Kevin Bell Ice Arena Acquisition

Project Description & Benefit: The Kevin Bell Arena was constructed in 2005, with initial funding from grants associated with the Kenai Peninsula hosting the 2006 Arctic Winter Games combined with a loan from English Bay Corporation/Homer Spit Properties. Since opening its doors, the Homer Hockey Association (HHA) has operated the rink within its yearly \$300,000 budget. In September 2015, HHA will have to begin paying the principal on its loan which will double monthly payments and make programs too expensive for people to participate. In order to purchase the building and the land, HHA needs to obtain \$2.74 million dollars.

The Homer Hockey Association (HHA) is a volunteer run, non-profit organization, one of a few in the USA. In 2012, HHA won the Alaska Recreation & Parks Association Outstanding Organization award. Volunteers contributed an estimated 14,000 volunteer hours in the 2013-14 season, representing a huge commitment of time and effort by our community. The Kevin Bell Arena hosts up to 800 users a week during the winter.

The Homer Ice Rink hosts many tournaments and events that bring commerce to the City of Homer, especially important during the winter when tourism is low. In the 2013-14 season, HHA hosted 12 separate events with a combined total of 194 games. These tournaments and jamborees brought over 1377 out of town players to Homer who often brought family and fans and spent money in the form of lodging, dining, food and merchandise purchases.

Plans & Progress: The mission of the Homer Hockey Association/Kevin Bell Arena is to cultivate on-ice recreation of all kinds, for all ages, on the Lower Kenai Peninsula. Homer Hockey Association is accomplishing this mission. Programs have been expanded over the years to include activities for all including: figure skating, hockey for adults and children, broomball, and a new curling program.

Revenue from fundraising, grants, and sponsorships is significant for the organization. Last year, HHA sponsored a seafood dinner, golf tournament, garage sale, and pie auction earning a total of \$13,883. Grants and sponsorships totaled \$68,289 and a raffle, which is mandatory for all of our members, earned \$23,834 for the 2013-14 season. This season, HHA is conducting some of the same fundraisers and pursuing a crowdfunding project to obtain contributions from a wider group, not just Homer residents. Every year since the Kevin Bell Arena opened in 2005, the HHA has operated within its budget.

Because of the dire financial situation and the extensive time commitment of the volunteer board, a financial task force was created to explore avenues to secure the rink's financial future. The grass roots campaign secured resolutions from the City of Homer and the Kenai Peninsula Borough and is presently circulating a petition to solicit support and inform Kenai Peninsula residents as well as ice sports supporters everywhere of our situation. Homer Hockey Association has been in contact with state and federal legislators about the rink's financial situation and are requested help in identifying possible funding sources.

Total Project Cost: \$2,740,000

Schedule: 2014-2015





Capital Improvement Long-Range Projects

The following projects have been identified as long-range capital needs but have not been included in the Capital Improvement Plan because it is not anticipated that they will be undertaken within the six-year period covered by the CIP. As existing CIP projects are funded or as other circumstances change, projects in the long-range list may be moved to the six-year CIP.

Local Roads

Fairview Avenue – Main Street to East End Road: This project provides for the design and construction of Fairview Avenue from Main Street to East End Road. The road is approximately 3,000 linear feet and the project will include paving, water and sewer mains, stub-outs, storm drains, and a sidewalk or trail. The project extends from the intersection of Main Street to the Homer High School, and finally to East End Road, and will provide an alternative to Pioneer Avenue for collector street access east/west across town. This roadway would benefit the entire community by reducing congestion on Pioneer Avenue, the major through-town road, and would provide a second means of access to the high school. It would also allow for development of areas not currently serviced by municipal water and sewer.

This improvement is recommended by the 2005 Homer Area Transportation Plan. Necessary right of way has already been dedicated by the Kenai Peninsula Borough across the High School property.

Cost: \$1.75 million **Priority Level** 3

Fairview Avenue – Main Street to West Hill Road: This project provides for the design and construction of Fairview Avenue from Main Street to West Hill Road. The road is approximately 4,200 linear feet and the project will include paving, water and sewer mains, stub-outs, storm drains, and a sidewalk or trail. In conjunction with the Fairview to East End Road project, this project will benefit the entire community by providing an alternative to Pioneer Avenue for collector street access east/west across town, thereby reducing congestion on Pioneer Avenue and developing alternative access for emergency vehicle response. The need for the road extension has increased markedly with the development of three major residential subdivisions in the area.

This improvement is recommended in the 2005 Homer Area Transportation Plan.

Cost: \$3 million **Priority Level** 3

Parks And Recreation

Beach Access from Main: This project will provide residents and visitors with coastal viewing stations and access to the beach at the southern end of Main Street, utilizing City-owned land. The project will enhance connectivity in Homer's developing trails and park system, providing additional access so that beachgoers can walk onto the beach at one point and off at another, on a loop through Old Town, Town Center, etc. For those not physically able to walk all the way to the beach, platforms near the roads will provide nice views and benches on which to relax. Interpretive signage could provide information on Homer history, beach formation, and other topics.

The Main Street beach access point is envisioned to have a small parking area, a viewing platform with a bench, and stairs with landings.

Cost: \$250,000 **Priority Level** 3



Capital Improvement Long-Range Projects

East Trunk/Beluga Lake Trail System: This project will create two connecting trails:

- The Beluga Lake Trail will partially encircle Beluga Lake with a raised platform trail that includes a wildlife observation site. The trail will connect neighborhoods and business districts on the north and south sides of the lake.
- The East Trunk Trail will provide a wide gravel pathway from Ben Walters Park east along the City sewer easement, along the north side of Beluga Lake (connecting with the Beluga Lake Trail), and eventually reaching East End Road near Kachemak City.

The completed trail system will connect Paul Banks Elementary School, the Meadowood Subdivision, and other subdivisions and residential areas to Ben Walters Park. It will additionally provide hiking, biking, and wildlife viewing opportunities around Beluga Lake. In addition, it will provide an important non-motorized transportation route.

The Beluga Lake Trail, a trail connection to Paul Banks Elementary School and East End Road are included in the 2004 City of Homer Non-Motorized Transportation and Trail Plan.

Cost: Beluga Lake Trail—\$1.5 M East Trunk Trail—\$2 M Priority Level 3

Horizon Loop Trail, Phase 1: The Homer Horizon Loop Trail is proposed as a four to five mile route that would run clockwise from Karen Hornaday Park up around the top of Woodard Creek Canyon, traverse the bluff eastward, and then drop down to Homer High School. The parking lots of Karen Hornaday Park and Homer High School would provide trailhead parking. Those wishing to complete the loop will easily be able to walk from the high school to Karen Hornaday Park or vice versa via Fairview Avenue. A later stage of trail development will connect the Horizon Loop Trail with the Homestead Trail at Bridge Creek Reservoir.

Cost: Staff Time Priority Level 3

Jack Gist Park Improvements, Phases 3: Jack Gist Park has been in development since 1998 on 12.4 acres of land donated to the City of Homer by a private landowner. As originally envisioned by the Jack Gist Recreational Park Association, this parcel was developed primarily for softball fields. The long-term goal is to acquire adjacent properties that will provide space for soccer fields. Phase 3 development will construct a plumbed restroom at the park and develop soccer fields.

Cost: \$400,000 Priority Level 3

Karen Hornaday Park Improvements, Phase 3: Phase 3 park improvements will include building a concession stand, shed, landscaping, signage, and revegetating Woodard Creek.

Cost: \$860,000 Priority Level 2

Mariner Park Improvements: This project will provide significant improvements to Mariner Park as called for in the park's master plan: Construct a bike trail from the "Lighthouse Village" to Mariner Park (\$325,000); Construct a pavilion, additional campsites, and interpretive kiosk (\$150,000); and improve the appearance of the park with landscaping (\$75,000).

Total: \$500,000 Priority Level 3



Capital Improvement Long-Range Projects

Public Restrooms – Homer Spit: With increased activity on the Homer Spit, the need for restroom facilities has also increased. The restroom at Ramp 2 is in poor condition and needs to be replaced.

Cost: \$295,000

Priority Level: 2

PUBLIC PROJECTS

Homer Conference Center: Homer is a popular visitor destination and the visitor industry is a critical component of the local economy. However, millions more dollars might be spent in Homer if a meeting facility large enough to attract conferences with several hundred participants was available. Currently, Homer has no facility capable of providing meeting space for groups of more than 180 people.

Homer's reputation as an arts community will help attract meetings and audiences if a facility exists to accommodate and showcase these events. The conference center, featuring banquet/ballroom space and flexible meeting space, will fill this need. If the facility is located in Homer's developing Town Center, other area businesses would also benefit from the increased number of visitors attending meetings at the conference center.

A conference center will increase Homer's ability to compete with other communities in that important niche of the visitor industry, and will also provide a venue for meetings and cultural events hosted by local organizations, such as the Kachemak Bay Writers Conference and Shorebird Festival events.

In partnership with the Homer Chamber of Commerce, the City of Homer commissioned a conference center feasibility study completed in summer 2005. The study predicts moderate demand from outside groups for a conference center in Homer. The Conference Center Feasibility Study Steering Committee made a formal recommendation that the City support efforts to encourage the construction of a conference center in Homer's Town Center. In August 2005, the Homer City Council passed Resolution 05-86(A) which recommends further consideration and authorizes the City Manager to pursue ideas and discussions that will increase the likelihood of a conference center being built in Homer.

Cost: \$5 million

Priority Level: 3

Public Works Complex: The City of Homer Public Works complex on the Sterling Highway was constructed in phases from 1974-1986 (except for the recently completed large equipment storage shed). In 1980, Homer's population was 2,209. Since that time, the population has grown more than 150%, with a corresponding increase in roads, water/sewer lines, and other construction activity that requires employee and equipment time. The existing facility is no longer adequate to meet these needs and the problem will become more acute with continued growth.

A new Public Works complex will include the following:

- Increased office space to provide adequate room for employee work areas, files, supplies, and equipment storage
- Adequate space for Parks Division and Engineering staff and equipment
- A waiting area for the public, contractors, etc.
- A conference room that doesn't double as the employee break room
- A break room with adequate seating, storage, and locker space
- A laundry room
- A garage for the motor pool large enough to accommodate more than one or two projects at a time
- Improvements in ventilation throughout the facility and wiring for computer technology

Cost: Design—\$500,000

Construction—\$4,500,000

Priority Level: 2



Capital Improvement Long-Range Projects

Homer Greenhouse: Homer's growth in population and area, the importance of tourism to the local economy, and increased community requests for beautification illustrate the need for a new greenhouse capable of producing 100,000 plants annually. In addition to spring planting, the greenhouse can be used to grow hanging baskets for the Central Business District; poinsettias, etc. for the winter holiday season; and shrubs and trees for revegetation and park improvements. The greenhouse could also serve as a community resource for meetings, weddings, winter visits, etc.

Cost: \$400,000

Priority Level 3

Public Market Design and Financing Plan: This project will facilitate implementation of a recommendation in the City's Comprehensive Economic Development Strategy discussed in both the "Agriculture" and "Downtown Vitalization" sections. It is also consistent with the goals of the Homer Town Center Development Plan and the Climate Action Plan. Specifically, the project will provide a permanent, weather-protected venue for the Homer Farmers Market in Town Center. The project will kick off development in the Town Center district, providing immediate benefits to downtown Homer and serving as a catalyst for further development.

Cost: \$60,000

Priority Level 3

UTILITIES

Spit Water Line – Phase 4: The existing Homer Spit water line is 40 years old and is constructed of 10-inch cast iron. In recent years it has experienced an increasing number of leaks due to corrosion. The condition has been aggravated by development on the Spit resulting in increased load from fill material on an already strained system. Phase 4 of this project consists of slip lining approximately 1,500 linear feet of water main to the end of the Spit. Slip lining the Homer Spit waterline, versus replacing, will reduce cost while ensuring an uninterrupted water supply for public health, fire/life safety needs, and expanding economic activities on the Spit. The City received a grant for the EPA for design of the project which was completed in fall of 2014.

Cost: \$400,000

Priority Level 3

Bridge Creek Watershed Acquisition: Currently, the Bridge Creek watershed is the sole source of water for Homer. To protect the watershed from development that could threaten the water supply and to ensure the availability of land for possible future expansion of water treatment operations within the watershed, the City seeks to acquire additional acreage and/or utilize conservation easements to restrict development that is incompatible with clean water.

Cost: \$1,000,000

Priority Level 3

Alternative Water Source: Currently Homer's sole water source is the Bridge Creek Reservoir. Population growth within the city, increased demands for city water from residents outside city limits, increasing numbers of tourists and summer residents, and climate change that has reduced surface water availability are all factors in the need for a new water source to augment the existing reservoir.

Cost: \$16,750,000

Priority Level 3



Capital Improvement Long-Range Projects

West Hill Water Transmission Main and Water Storage Tank: Currently, water from the Skyline treatment plant is delivered to Homer via two transmission mains. One main (12-inch) is located along East Hill Road and delivers water to the east side of town. The other (8-inch) runs directly down to the center of town. A third transmission main is needed to deliver water to the west side of town, provide water to the upper West Hill area, and provide backup support to the two existing transmission mains. A new water storage facility is also needed to meet the demands of a rapidly growing community.

The addition of a third water transmission main has been identified in comprehensive water planning documents for over 20 years.

Cost: Design—\$500,000 Construction—\$4.5 M Priority Level 2

STATE PROJECTS

Ocean Drive Reconstruction with Turn Lane: Ocean Drive, which is a segment of the Sterling Highway (a state road) connecting Lake Street with the Homer Spit Road, sees a great deal of traffic, particularly in the summer, and has become a source of concern for drivers, bicyclists, pedestrians, and tour bus operators. This project will improve traffic flow on Ocean Drive and reduce risks to drivers, bicyclists, and pedestrians by creating a center turn lane, providing well-marked crosswalks, and constructing a separated bike path. The project will also enhance the appearance of the Ocean Drive corridor by moving utilities underground and providing some landscaping and other amenities.

Currently, a bicycle lane runs on the south side of Ocean Drive. However, it is common for cars and trucks to use the bicycle lane to get around vehicles which have stopped in the east-bound traffic lane in order to make a left turn. Some frustrated drivers swing around at fairly high speeds, presenting a significant risk to bicyclists and pedestrians who may be using the bike lane. In recent years, the Homer Farmers Market has become a popular attraction on the south side of Ocean Drive during the summer season, contributing to traffic congestion in the area. In addition, Homer is seeing more cruise ship activity which also translates into more traffic on Ocean Drive. All of these factors have led to increased risk of accidents.



Capital Improvement Appendices

- **CIP Development Schedule**
- **Resolution 14-093**
- **City of Homer Financing Assumptions**



Capital Improvement Appendices

CITY OF HOMER 2016-2021 CAPITAL IMPROVEMENT PLANNING PROCESS FY 2017 LEGISLATIVE REQUEST DEVELOPMENT SCHEDULE

ACTION	TIME FRAME
City Council approval of schedule	May 11, 2015
Solicit new/revised project information from City departments, local agencies and non-profits	May 11
Input for new draft requested by	June 30
Prepare and distribute draft CIP to City advisory groups for review and input. (Administration compilation of draft CIP June 30-July 8)	(Meeting dates): Planning Commission July 15, August 5
	Parks and Recreation Commission August 20
	Port and Harbor Commission July 22, August 26
	Library Advisory Board August 12, September 1
	Economic Development Commission July 14, August 11
	Public Arts Committee August 13
Administrative review and compilation	August 15 - August 20
City Council worksession to review proposed projects	August 24
Introduction of Resolution on CIP/Legislative Request	September 28
Public Hearing on CIP/Legislative request	October 12
Adoption of resolution by City Council	
Administration forwards requests for Governor's Budget	October 2016
Distribution of CIP and State Legislative Request	October 2015 & January 2016
Compilation/distribution of Federal Request	February 2016



Capital Improvement Appendices

**CITY OF HOMER
HOMER, ALASKA**

Mayor/City Council

RESOLUTION 14-093

A RESOLUTION OF THE HOMER CITY COUNCIL ADOPTING THE 2015-2020
CAPITAL IMPROVEMENT PLAN AND ESTABLISHING CAPITAL PROJECT
LEGISLATIVE PRIORITIES FOR FISCAL YEAR 2016.

WHEREAS, A duly published hearing was held on September 8, 2014 in order to obtain
public comments on capital improvement projects and legislative priorities; and

WHEREAS, It is the intent of the City Council to provide the Governor, the State
Legislature, State agencies, the Alaska Congressional Delegation, and other potential funding
sources with adequate information regarding the City's capital project funding needs.

NOW, THEREFORE BE IT RESOLVED by the City Council of Homer, Alaska, that the "City of
Homer Capital Improvement Plan 2015-2020" is hereby adopted as the official 6-year capital
improvement plan for the City of Homer.

BE IT FURTHER RESOLVED that the following capital improvement projects are identified
as priorities for the FY 2016 State Legislative Request:

1. Water Storage/Distribution Improvements
2. Public Safety Building
3. Harbor Sheet Pile Loading Dock
4. Fire Department Fleet Management Plan
5. East to West Transportation Corridor

BE IT FURTHER RESOLVED that projects for the FY 2016 Federal Legislative Request will
be:

1. Deep Water/ Cruise Ship Dock Expansion, Phase 1
2. East Boat Harbor

BE IT FINALLY RESOLVED that the City Manager is hereby instructed to advise appropriate
State and Federal representatives and personnel of the City's FY 2016 capital project priorities
and take appropriate steps to provide necessary background information.

PASSED AND ADOPTED by the Homer City Council for the City of Homer on this 13th day of
October, 2014.



Capital Improvement Appendices

Page 2 of 2
RESOLUTION 14-093
CITY OF HOMER

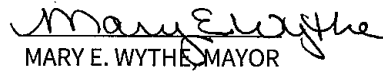
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ATTEST:


JO JOHNSON, MMC, CITY CLERK

Fiscal Note: N/A

CITY OF HOMER


MARY E. WYTHE, MAYOR



Capital Improvement Appendices

City of Homer Financing Assumptions: Capital Improvement Program

Implementation of the City of Homer Capital Improvement Plan requires utilization of various financing mechanisms. Financing mechanisms available to the City of Homer include:

- Federal grants or loans
- State grants or loans
- General obligation bonds
- Limited obligation bonds
- Revenue bonds
- Special assessment bonds
- Bank loans
- Pay as you go
- Private sector development agreements
- Property owner contributions
- Lease or lease–purchase agreements

The use of any of the financing mechanisms listed above must be based upon the financial capability of the City as well as the specific capital improvement project. In this regard, financing the CIP should take into consideration the following assumptions:

1. The six-mill property tax limitation precludes utilizing General Fund operating revenue to fund major capital improvements. Available revenue should be utilized to fund operation and maintenance activities.
2. The operating revenue of enterprise funds (Port & Harbor, Water & Sewer) will be limited and as such, currently only fund operation and maintenance activities.
3. The utilization of Federal and State grants will continue to be significant funding mechanisms. Grants will be pursued whenever possible.
4. The 1½ percent sales tax approved by voters of Homer for debt service and CIP projects is dedicated at ¾ percent to sewer treatment plant debt retirement, with the remaining balance to be used in water and sewer system improvement projects, and ¾ percent to the Homer Accelerated Roads and Trails (HART) Program.
5. The HART Program will require property owner contributions of \$30 per front foot for road reconstruction, with an additional \$17 per front foot for paving.
6. The Accelerated Water and Sewer Program will require substantial property owner contributions through improvement districts/assessment funding, set currently at 75 percent.
7. The private sector will be encouraged to finance, construct, and operate certain nonessential capital improvements (e.g., overslope development).
8. The utilization of bonds will be determined on a project-by-project basis.
9. The lease and/or lease–purchase of capital improvements will be determined on a project-by-project basis.

ORDINANCE(S)

ORDINANCE REFERENCE SHEET
2015 ORDINANCE
ORDINANCE 15-37

An Ordinance of the Homer City Council Amending HCC 9.16.010 to Provide for an Increase in the Rate of the City Sales Tax From 4.5% to 5.5% From April 1st Through September 30th, With the Increase to be Used for General Government Purposes, and Authorizing the City To Submit the Question of Such Sales Tax Increase to the Qualified Voters of The City at a Special Election to Be Held in the City on _____.

Sponsor: Lewis

1. City Council Regular Meeting October 12, 2015 Introduction

CITY OF HOMER
HOMER, ALASKA

Lewis

ORDINANCE 15-37

AN ORDINANCE OF THE HOMER CITY COUNCIL AMENDING HCC 9.16.010 TO PROVIDE FOR AN INCREASE IN THE RATE OF THE CITY SALES TAX FROM 4.5% TO 5.5% FROM APRIL 1ST THROUGH SEPTEMBER 30TH, WITH THE INCREASE TO BE USED FOR GENERAL GOVERNMENT PURPOSES, AND AUTHORIZING THE CITY TO SUBMIT THE QUESTION OF SUCH SALES TAX INCREASE TO THE QUALIFIED VOTERS OF THE CITY AT A SPECIAL ELECTION TO BE HELD IN THE CITY ON _____.

THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code 9.16.010 is amended to read as follows:

9.16.010 Levied.

a. A consumer's sales tax **is levied by the City in the amount of four percent on all sales, rents and services within the City from April 1st through September 30th, and** in the amount of three percent ~~is levied by the City~~ on all sales, rents and services within the City **from October 1st through March 31st,** except as the same may be otherwise exempted by law.

b. An additional consumer's sales tax in the amount of three-quarters percent is hereby levied by the City of Homer on all sales, rents and services within the City except as the same may be otherwise exempted by law, for the purpose of funding debt retirement of the sewer treatment plant improvements, and to the extent revenues from such tax exceed such debt retirement obligations, for the purpose of funding water and sewer systems.

c. An additional consumer's sales tax in the amount of three-quarters percent is hereby levied by the City of Homer on all sales, rents and services within the City except as the same may be otherwise exempted by law, for the purpose of funding of street reconstruction improvements and related utilities, construction of new local roads, and construction of new local trails.

Section 2. A special election in and for the City is called for _____, 2015, at which the City shall submit the following proposition to the qualified voters of the City. The proposition must receive an affirmative vote from a majority of the qualified voters voting on the question to be approved.

PROPOSITION NO. ____
INCREASE IN RATE OF CITY SALES TAX FROM 4.5% TO 5.5%
FROM APRIL 1ST THROUGH SEPTEMBER 30TH

Shall the rate of City sales tax increase from 4.5% to 5.5% from April 1st through September 30th with the increase to be used for general government purposes?

Section 3. The proposition shall be printed on paper ballots and machine ballots, and the following words shall be added as appropriate next to an oval provided for marking the ballot for voting by hand or machine:

PROPOSITION NO. ____

☐ Yes
☐ No

Section 4. Section 1 of this ordinance shall become effective on _____, 2016, but only if the proposition described in Section 2 is approved by a majority of the qualified voters voting on the proposition at the special election to be held in the City on _____, 2015. The remaining sections of this ordinance shall become effective upon adoption.

Section 5. Section 1 of this ordinance is of a permanent and general character and shall be included in the city code upon its effective date. The remaining sections of this ordinance are not permanent in nature, and shall not be codified.

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

CITY OF HOMER

MARY E. WYTHE, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

82 AYES:

83 NOES:

84 ABSTAIN:

85 ABSENT:

86

87

88 First Reading:

89 Public Reading:

90 Second Reading:

91 Effective Date:

92

93

94 Reviewed and approved as to form:

95

96

97

98 _____
Mary K. Koester, City Manager

99

100 Date: _____

Thomas F. Klinkner, City Attorney

Date: _____

ORDINANCE REFERENCE SHEET
2015 ORDINANCE
ORDINANCE 15-39

An Ordinance of the City Council of Homer, Alaska, Appropriating Funds in the Amount of \$_____ From the General Fund Balance for Public Information on the Ballot Propositions to Suspend the Dedication of City Sales Tax to the H.A.R.T. Program, and/or to Increase the Rate of the City Sales Tax From 4.5% to 5.5% From April 1st Through September 30th, Including Without Limitation Information That May Influence the Outcome of the Election on the Proposition.

Sponsor: Mayor

1. City Council Regular Meeting October 12, 2015 Introduction

**CITY OF HOMER
HOMER, ALASKA**

Mayor

ORDINANCE 15-39

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, APPROPRIATING FUNDS IN THE AMOUNT OF \$_____ FROM THE GENERAL FUND BALANCE FOR PUBLIC INFORMATION ON THE BALLOT PROPOSITIONS TO SUSPEND THE DEDICATION OF CITY SALES TAX TO THE H.A.R.T. PROGRAM, AND/OR TO INCREASE THE RATE OF THE CITY SALES TAX FROM 4.5% TO 5.5% FROM APRIL 1ST THROUGH SEPTEMBER 30TH, INCLUDING WITHOUT LIMITATION INFORMATION THAT MAY INFLUENCE THE OUTCOME OF THE ELECTION ON THE PROPOSITIONS.

WHEREAS, Due to a decline in revenues, particularly from the State of Alaska, the City faces a budget deficit in the present and future fiscal years; and

WHEREAS, Suspending the dedication of 0.75% of the City sales tax to the Homer Accelerated Roads and Trails (H.A.R.T.) Program would increase revenues for general government purposes and resolve the budget deficit during the period of the suspension, without increasing the overall level of City taxation; and

WHEREAS, Increasing the rate of the City sales tax from 4.5% to 5.5% from April 1st through September 30th would increase revenues for general government purposes and resolve the budget deficit; and

WHEREAS, The dedication of 0.75% of the City sales tax to the H.A.R.T. Program was authorized by the voters, and should not be suspended until ratified by a majority of the voters at an election, and the Council has authorized the submission of a ballot proposition to the voters for this purpose; and

WHEREAS, AS 29.45.700 and 29.45.670 provide that an increase in the rate of levy of the City sales tax does not take effect until ratified by a majority of the voters at an election, and the Council has authorized the submission of a ballot proposition to the voters for this purpose; and

WHEREAS, It is the Council's duty and desire to ensure that all City voters are aware of the impact that suspending the dedication of City sales tax to the H.A.R.T. Program and/or increasing the rate of the City sales tax from 4.5% to 5.5% from April 1st through September 30th would have on revenues for general government purposes and resolving the budget deficit; and

WHEREAS, AS 15.13.145(c)(2) permits the City to provide the public with nonpartisan information about a ballot proposition, but AS 15.13.145(b) prohibits the City from using funds to influence the outcome of an election concerning a ballot proposition unless the City specifically appropriates the funds for that purpose by ordinance; and

WHEREAS, the Alaska Public Offices Commission ("APOC"), which enforces AS 15.13.145, has interpreted nonpartisan information permitted under AS 15.13.145(c)(2) very narrowly, so that the City cannot inform the public fully about the effects of the ballot propositions to suspend the dedication of City sales tax to the H.A.R.T. Program and/or increase the rate of the City sales tax from 4.5% to 5.5% from April 1st through September 30th without including information that APOC likely would categorize as influencing the outcome of the election on the ballot propositions.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The City Council hereby appropriates funds from the General Fund Balance to provide public information on the ballot propositions to suspend the dedication of City sales tax to the H.A.R.T. Program and/or increase the rate of the City sales tax from 4.5% to 5.5% from April 1st through September 30th, including without limitation information that may influence the outcome of the election on the propositions, as follows:

Expenditure:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
_____	Public Information on Ballot Proposition	\$_____

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

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

CITY OF HOMER

MARY E. WYTHE, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

85 AYES:

86 NOES:

87 ABSTAIN:

88 ABSENT:

89

90

91 First Reading:

92 Public Reading:

93 Second Reading:

94 Effective Date:

95

96

97 Reviewed and approved as to form:

98

99

100 _____

101 Mary K. Koester, City Manager

102

103 Date: _____

Thomas F. Klinkner, City Attorney

Date: _____

CITY MANAGER'S REPORT



City of Homer

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Office of the City Manager

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City Manager's Report

TO: Honorable Mayor Wythe and Homer City Council

FROM: Katie Koester, City Manager

DATE: October 12, 2015

SUBJECT: City Manager's Report

A short City Manager's report this meeting reflects the amount of time and effort budget preparations have consumed. Staff has been swamped with preparing budget, leaving little time for other pursuits and City business.

Accolades for Homer Public Library Staff

Children's Librarian Claudia Haines has been asked to co-author a book about media mentorship. It will follow up the recent publication of the Association of Library Service to Children white paper "Media Mentorship in Libraries Serving Youth" (which she co-authored) and give librarians solid examples of what media mentorship can look like and ideas for ways to take on the role of media mentor in their communities. The book will be published by ALA Editions (American Library Association) in 2016.

Claudia has also been invited to speak at an event, "Supporting Diverse Families With Media," at Stanford University on October 30. Though she is using personal time to participate, the City is proud that Claudia's contributions to childhood literacy extend far beyond Homer.

Natural Gas Payments

At the last Council meeting we discussed extending the grace period for payment of the Natural Gas HSAD to October 6. This over 30-day grace period would allow people to pay after they received their Permanent Fund Dividend. The Finance Department sent out delinquency notices to almost 600 lot owners who had not made a payment. About half of those lot owners made a payment: we are left with 308 lots that have not paid, received a deferral or exemption. Without interest, this represents over \$1 million dollars (total value of assessments). Per Resolution 15-081(S) and 15-017, a 10% fine (\$326.58) will be added to their amount due and the interest rate will increase from 4% to 10.5%. There are a few parcels that we are still working though issues with. For example, AKDOT&PF has refused to pay on 8 of their lots and I am asking them for either payment for benefited parcels or to bring an official request for exemption to the Council.

ENC:

Homer Foundation quarterly report

HOMER FOUNDATION
Quarterly Report to Fund Holders
April - June 2015

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

Fund Type: Field of Interest
Fund Code: 1305

PORTFOLIO SHARE (Corpus)

Beginning Balance	212,584.70
Contributions*	5,000.00
* Note: \$14,000 of the City's \$19,000 allocation went to grants, \$5,000 to the corpus of the fund.	
Withdrawals	-
Portfolio Market Change	(710.38)
Ending Balance	216,874.32

AVAILABLE FOR DISTRIBUTION (Earnings)

Beginning Balance	21,107.07
Earnings Allocation	626.44
Grants Awarded:	
none from this fund	-
	-
	-
Grants Total	-
Transfers to Restricted Fund	(16,134.00)
Ending Balance	5,599.51

CITY ATTORNEY REPORT



Birch Horton Bittner & Cherot

a professional corporation

MEMORANDUM

**TO: MAYOR AND CITY COUNCIL MEMBERS
CITY OF HOMER**

FROM: THOMAS F. KLINKNER

RE: CITY ATTORNEY REPORT FOR SEPTEMBER 2015

FILE NO.: 506,742.23

DATE: OCTOBER 6, 2015

The following summarizes our activities as City Attorney during the month of September 2015.

City Council. I attended the September 14 Council meeting.

City Manager. We researched and prepared a memorandum regarding the effect on City sales taxation of the pending Kenai Peninsula Borough referendum on the ordinance permitting cities to tax sales of nonprepared foods. We drafted ordinances proposing sales tax increases, and suspension of the H.A.R.T. sales tax dedication, and a resolution calling a special election on these questions.

Natural Gas Assessments. We drafted a resolution confirming the assessment roll for condominium units, and advised the City Manager and City Clerk regarding the procedure for confirming the assessment roll. We drafted amendments to the documents for the loan from the Kenai Peninsula Borough to change the schedule for loan payments.

Marijuana Regulation. We continued to advise and work with the Cannabis Committee and other City officials on issues related to the regulation of marijuana in the City.

Personnel Matters. We defended a retaliation claim against the City that a former employee had filed with the federal Equal Employment Opportunity Commission.

City Clerk. We advised the City Clerk on runoff election procedure and the effect of a pending runoff election on the terms of incumbent Council members. We drafted ordinances authorizing the expenditure of public funds for public information on sales

tax ballot propositions. We advised the City Clerk regarding a public records request for Police Department records.

Planning Department. We researched the authority of the City to apply its zoning regulations to property in the Homer Airport.

Griswold v. City of Homer (Appeal of CUP 14-05). Katie Davies continued briefing the City's opposition to Mr. Griswold's appeal from the Board of Adjustment decision that he did not have standing to appeal the approval of Conditional Use Permit 14-05.

Castner v. City of Homer. I negotiated a stipulation for court approval of the assessments levied on condominium units in the Homer Natural Gas Distribution Special Assessment District, and a settlement of Mr. Castner's claim for sanctions for the City's contempt of the court's order.

I will be available to answer questions regarding these matters at the October 12, 2015, Council meeting.

cc: Katie Koester
Jo Johnson

TFK/

COMMITTEE REPORTS

PENDING BUSINESS

CITY OF HOMER
HOMER, ALASKA

Mayor

RESOLUTION 15-086(A)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOMER, ALASKA, CALLING FOR A SPECIAL ELECTION TO BE HELD IN THE CITY ON _____, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY A PROPOSITION TO SUSPEND THE DEDICATION OF 0.75% OF THE CITY SALES TAX TO THE HOMER ACCELERATED ROADS AND TRAILS (H.A.R.T.) PROGRAM FOR A PERIOD OF FIVE **UP TO THREE** YEARS.

WHEREAS, Due to a decline in revenues, particularly from the State of Alaska, the City faces a budget deficit in the present and future fiscal years; and

WHEREAS, Suspending the dedication of 0.75% of the City sales tax to the Homer Accelerated Roads and Trails (H.A.R.T.) Program for a period of ~~five~~ **up to five** years would increase revenues for general government purposes and resolve the budget deficit during that period, without increasing the overall level of City taxation; and

WHEREAS, The dedication of 0.75% of the City sales tax to the Homer Accelerated Roads and Trails (H.A.R.T.) Program was authorized by the voters, and should not be suspended until ratified by a majority of the voters at an election; and

WHEREAS, It is necessary to call a special election to seek voter approval of the suspension of the dedication of 0.75% of the City sales tax to the Homer Accelerated Roads and Trails (H.A.R.T.) Program in time to implement the suspension, if approved, no later than the beginning of the first quarter of 2016.

NOW, THEREFORE, BE IT RESOLVED that a special election in and for the City is called for _____, at which there shall be submitted to the qualified voters of the City a proposition for suspension of the dedication of 0.75% of the City sales tax to the Homer Accelerated Roads and Trails (H.A.R.T.) Program for a period of ~~five~~ **up to three** years.

BE IT FURTHER RESOLVED that the City Clerk is authorized and directed to prepare for and conduct the special election in accordance with the City Code.

PASSED AND ADOPTED by the Homer City Council on this ____ day of October, 2015.

CITY OF HOMER

MARY E. WYTHE, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

Fiscal Note: Revenues to be determined.



City of Homer

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(f) 907-235-3143

Memorandum 15-163

TO: MAYOR WYTHER AND HOMER CITY COUNCIL

FROM: JO JOHNSON, MMC, CITY CLERK
KATIE KOESTER, CITY MANAGER

DATE: SEPTEMBER 28, 2015

SUBJECT: SPECIAL ELECTION DATES

In the event a special election is scheduled, here are possible dates:

Tuesday, November 3

Absentee voting open October 20 – November 3

This date will coincide with a run-off election if needed, incorporating the expense of a Special Election for the ballot measure(s) and a run-off.

Tuesday, November 10

Absentee voting open October 26 – November 10

Tuesday, November 17

Absentee voting open November 2 – November 17

Tuesday, December 1

Absentee voting open November 16 – December 1

Each year we budget for two elections in case there is a run-off or special election. An election costs about \$6,000 and there are funds available in 2015 for another election.

Another option is an election by mail, anticipated costs are \$9,000. All 4,510 voters are mailed a ballot with instructions. Ballots must be mailed 22 days in advance of an election and are due in our office on the day of the election. An election by mail will require 60 days advance notice as we will need to purchase special envelopes and allow for shipping time.

The timing is very tight for a November 3rd election. The only option that could be put on the ballot for November 3rd is Ordinance 15-36 suspending HART because it has been introduced at tonight's Council meeting. If the Council wants to consider other potential revenue options to put before the voters, a later date would need to be selected to give the Ordinance two readings. Councilmember Lewis plans on introducing a seasonal sales tax increase at the next meeting. We will know by the next meeting whether or not a run-off election is necessary. It would be costly and difficult to ask the voters to come to the polls in close proximity. Whether or not there is a run-off election may influence the Council's decision on when to hold a special election.

RECOMMENDATION:

Postpone Resolution 15-086 to October 12 when Council will know if a run-off election is necessary on November 3.

NEW BUSINESS



City of Homer

www.cityofhomer-ak.gov

Office of the City Clerk

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Memorandum 15-166

TO: MAYOR WYTHER AND HOMER CITY COUNCIL

FROM: JO JOHNSON, MMC, CITY CLERK

DATE: OCTOBER 5, 2015

SUBJECT: TRAVEL AUTHORIZATION FOR MAYOR WYTHER, COUNCILMEMBERS, AND NEWLY ELECTED COUNCILMEMBERS TO ATTEND THE ALASKA MUNICIPAL LEAGUE 65TH ANNUAL LOCAL GOVERNMENT CONFERENCE IN ANCHORAGE, ALASKA, NOVEMBER 16 -20, 2015.

Mayor Wythe, Councilmembers, and Newly Elected Councilmembers would like to attend the Alaska Municipal League (AML) 65th Annual Local Government Conference in Anchorage, Alaska, November 16 – 20, 2015.

The AML is a voluntary, nonprofit, nonpartisan, statewide organization of 140 cities, boroughs, and unified municipalities, representing over 97 percent of Alaska's residents. Originally organized in 1950, the League of Alaska Cities became the Alaska Municipal League in 1962 when boroughs joined the League.

Meetings include Alaska Conference of Mayors, board committees and meeting with Legislators.

Cost estimates for travel include round trip airfare from Homer to Anchorage at \$280.00 and room rates at \$100.00 per night. Per diem is \$58.00 per day, for three meals.

For FY 2015 Council budgeted \$4,500 for transportation and \$2,500 for subsistence. To date \$1,880.78 has been expended from Transportation Acct. No. 100.0100.5236, leaving a balance of \$2,619.22; and \$1,650.85 has been expended from Subsistence Acct. No. 100.0100.5237, with a balance of \$849.15 remaining.

RECOMMENDATION:

Discuss the travel and if approved allocate funds for transportation.

Fiscal Note: Mayor and Council 2015 Budget: 100.0100.5236 - Transportation: \$4,500.00 and 100.0100.5237 - Subsistence: \$2,500.00.

RESOLUTIONS

**CITY OF HOMER
HOMER, ALASKA**

City Clerk/
Canvass Board

RESOLUTION 15-087

A RESOLUTION OF THE CITY COUNCIL CERTIFYING THE RESULTS
OF THE CITY OF HOMER REGULAR CITY ELECTION HELD
OCTOBER 6, 2015 TO ELECT TWO COUNCIL MEMBERS.

WHEREAS, In compliance with the Homer City Code 4.35, the Canvass Board of the City of Homer has opened, counted and tallied the votes on absentee ballots, including special needs ballots, found to be valid and made determination on questioned ballots, and has opened, counted and tallied those questioned ballots found to be valid, cast in the Regular City Election held on October 6, 2015; and

WHEREAS, The total number of voters voting in the City Election was _____ and reflects the number of voters, not the number of votes cast or ballots counted; and

WHEREAS, In accordance with Homer City Code 4.35, the Canvass Board of the City of Homer has opened and inspected the precinct reports, Election Central Logs and entered the results of the absent and questioned ballots on the Certification of Election along with the results of the precinct counts; and

WHEREAS, The results of the Regular City Election held October 6, 2015, attached as Exhibit A, is presented in the Canvass Board's Certificate of Election in accordance with the Homer City Code.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby certifies the results of the Regular City Election held October 6, 2015, as presented in the Canvass Board's Certificate of Election, attached as Exhibit A, in accordance with the Homer City Code.

BE IT FURTHER RESOLVED that the following candidates are declared elected to Office of Councilmember, one having received a number of votes greater than 40% of the total number of votes cast for all candidates divided by the number of seats to be filled for a three-year term of office:

COUNCILMEMBERS (TWO THREE-YEAR TERMS)

BE IT FURTHER RESOLVED that the Canvass Board's Certificate of Election (Exhibit A) be attached permanently as part of this Resolution.

PASSED AND ADOPTED by the Homer City Council this 12th day of October, 2015.

CITY OF HOMER

MARY E. WYTHE, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

Fiscal Note: N/A

**CITY OF HOMER
HOMER, ALASKA**

Mayor/Lewis/Reynolds/
Zak/Burgess

RESOLUTION 15-090

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
APPROVING THE HOMER MARINE REPAIR FACILITY AND ITS
POLICIES AND BEST MANAGEMENT PRACTICES.

WHEREAS, The Vessel Haul-Out Task Force was established to review and make
recommendations on a large vessel haul-out and repair facility at the port; and

WHEREAS, A large vessel haul-out questionnaire was sent out to 209 harbor users who
would potentially benefit from a facility due to vessel length, beam, weight, and/or the need
for a local facility and 45 responded; and

WHEREAS, A majority of the responders expressed support of the facility being
managed by the Port and Harbor; and

WHEREAS, The Vessel Haul-Out Task Force and the Port and Harbor Advisory
Commission reviewed and recommend approval of the City of Homer Marine Repair Facility
Policies and Best Management Practices document; and

WHEREAS, The Vessel Haul-Out Task Force established a Homer Marine Repair Facility
fee schedule to be included in the Port of Homer Terminal Tariff No. 600 that was approved
unanimously by the Port and Harbor Advisory Commission.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of Homer, Alaska, approves
the Homer Marine Repair Facility and its Policies and Best Management Practices.

PASSED AND ADOPTED by the Homer City Council this __ day of _____, 2015.

CITY OF HOMER

MARY E. WYTHE, MAYOR

43 ATTEST:

44

45

46

47 _____
JO JOHNSON, MMC, CITY CLERK

48

49 Fiscal Impact: Revenues to be determined.



City of Homer
Marine Repair Facility

Policies & Best Management Practices

*Revised
October 7, 2015*

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FACILITY INTRODUCTION

The mission of the Port and Harbor Department is to provide safe port and harbor facilities for our commercial clients, recreational users, and the general public, to manage and maintain these facilities cost effectively, and to administer our Tariff and procedures fairly and equitably for all users.

The policies and best management practices detailed in this document are the backbone of Homer's Marine Repair Facility, and apply to vessel owners, service providers, and vendors. We understand the value in being able to haul-out a vessel, and want to ensure it is done as efficient and productive as possible, while preventing/eliminating air, water and soil contamination. Please read this document carefully, since you will sign a document that states you will comply.

Operational Structure: The Homer Marine Repair Facility is being managed as an "Open Yard" facility, meaning that the vessel owner is responsible for the actual work being performed on their vessel. The City is simply facilitating the opportunity for haul-out and uplands use, and are not responsible for the finished product. This management structure gives the vessel owner the opportunity to manage their project from start-to-finish, contracting with vendors from the Approved Vendor List (provided by the City), or by using their own crew to make the repairs necessary for vessel maintenance.

Vessel owners are responsible for:

- **All work** on their vessels, including haul-out, block, and launch activities
- **Hiring** only vendors that are on the City's list of "approved vendors"
- **Cleanliness** and safety of the immediate area surrounding their vessel
- **Security** of their vessel
- **Safety** of crew and vendors at their vessel's work site
- **Complying** with City policy contained herein including compliance of their vendors and crew

Hours of Operation: Vessel haul-outs shall be scheduled with the Harbor Office during normal business hours, Monday through Friday 7:00am – 5:00pm, unless extenuating circumstances dictate otherwise. During normal business hours, City staff can be reached at the Homer Harbor Office and make regular inspections of the facility. During non-business hours, City staff will not be present except for random patrols of the boatyard.

As an "open yard", the Marine Repair Facility does not close; vessel owners are responsible for setting the working hours for their crews and contracted vendors. For safety purposes, the Harbormaster advises users of the facility to consider: A) the lack of daylight during winter months, B) providing adequate lighting, and C) that vendors are in agreement with the vessel owner on what hours are suitable. Timing of haul-out activities will be determined by the vessel owner, the haul-out service provider they choose, and tidal restrictions.

Security: Because the yard is an "open facility", vessel owners and vendors are responsible for their own security. When not actively working on a vessel, all tools, paints, and other materials must be secured to prevent theft, vandalism, and accidents. Harbor Officers will periodically patrol the yard during non-business hours and report obvious conditions that require owner attention.

Concerns/Issues: Homer Port and Harbor Staff encourage all questions, comments, and concerns pertaining to the Marine Repair Facility. Please contact the Harbormaster with these issues and we shall work with you.

LEGAL NOTICES

The City Agrees: to provide dry dockage space to vessel owners under a User Agreement for the purpose of vessel repairs, maintenance, and inspections per a Harbormaster-approved work plan. Further, the City agrees to provide contractors, service providers, and vendors the opportunity to work in the Marine Repair Facility under a Vendor Agreement, of which will place vendors on the Approved Vendor List. The list shall be available on the City of Homer's website and given to all vessel owners utilizing the facility.

Responsibility: The City does not accept the vessel, its tackle, fixtures, equipment, gear, or furnishings for storage or safekeeping belonging to either the owner or vendor. Nor does the City accept any responsibility for vendor supplies, their laborers/employees, equipment, and personnel that the vessel owner may organize or contract. The City shall not be responsible for lost fishing time, or any other lost time to the vessel, while it is hauled out or on the City-owned tidelands/beaches.

Liability: The City shall not be liable for death or injury to persons, or damage to property, upon the vessel, yard facilities or premises adjacent thereto arising from any cause other than the willful misconduct of the City. Vessel owners and vendors shall indemnify and hold the City and its officers and employees harmless from all claims for death or injury to persons, or damage to property, arising from their acts or omissions, their agents, service providers/vendors, crew, employees, or invitees.

Policy Compliance: Vessel owners, their agents, crew, service providers, and vendors agree to comply with the City's Marine Repair Facility Policies and Best Management Practices, detailed in this document.

Every user's full cooperation will help the City maintain the facility with a minimal impact to the environment. The goal is to meet all regulatory requirements, prevent pollution, and provide a safe work environment for owner, crew, vendors, and City staff. Any user who observes another individual in violation is encouraged to report it to the Harbor Office as soon as possible. The identity of anyone reporting a violation will be kept confidential.

Owners, crewmen, and contractors performing work on boats shall comply with all applicable OSHA, Federal, State, and City regulations, policies, and procedures.

Default in Compliance; City's Remedies: Failure to adhere to the City's policies and best management practices can result in unsafe actions and environmentally harmful activities. When violations are observed by City staff, intentional or otherwise, work will be stopped until corrective measures are taken. If vessel owners or vendors fail to properly follow and adhere to these practices/policies and/or their agreement with the City, or fail to pay fees or charges for more than thirty (30) days after the due date, the City may exercise any available remedy, including without limitation one or more of the following:

- a) Terminate the User/Vendor Agreement.
- b) Begin impoundment procedures per HCC 10.04.120 to have the vessel removed until the violation has been cured, or disposed of.
- c) Place a lien on the vessel per HCC 10.04.139 for towing, storage, costs of sale, attorney fees, any other charges incurred in connection with the impoundment, and charges for harbor services.

Refusal of Service: The City reserves the right to refuse service to vessels that: 1) do not have a current (within 3 years) marine survey, 2) have an inadequate work plan, 3) lack sufficient property and liability insurance, 4) fail to comply with the City's Marine Repair Facility Policies and Best Management Practices, 5) are in poor condition, 6) are unsafe to haul-out, or 7) may be damaged by being hauled out. Such vessels may

be hauled out if the vessel owner signs a waiver and provides a performance bond in an amount equal to the dry docking fees plus the estimated cost to dispose of the vessel should removal become necessary.

Refusal of Vendor Access: The City reserves the right to refuse access to Vendors that: (a) do not have a current Alaska Business License, (b) fail to register for, collect, and remit sales tax, (c) lack sufficient insurance, (d) fail to comply with the City's Marine Repair Facility Policies and Best Management Practices, or (e) fail to comply with safety practices.

Disputes: Disputes will be referred to a certified marine surveyor for a professional opinion of the vessel's fitness for hauling out. The vessel owner shall pay the cost of the surveyor. For all other disputes such as billing charges, stopping work orders, or missing work plan information, the Harbormaster reserves the right to make the final decision.

Notices: Billings and notices will be mailed to the address given under the User or Vendor Agreement. Vessel owners and vendors shall notify the City in writing of an address change.

Insurance: Vessel owners must have a current marine insurance policy of a "named perils" or "all risks" type that fully insures the value of the vessel, plus accident and environmental liability. Vendors and service providers must have current insurance to cover all of the services to be provided, including proof of long-shore and harbor workers compensation insurance, or proof that such coverage is waived.

A Certificate of Insurance must be provided to the Homer Harbor Office before any work may begin. The City of Homer must be included as additional insured and show coverage not less than the minimum required outlined below:

Minimum coverage	Vendors	Vessels
General Liability, Marine Artisan Liability, P & I	\$1,000,000	n/a
General Aggregate Limit	\$ 2,000,000	\$1,000,000
Products Hazard or Operations Hazard Aggregate Limit	\$ 1,000,000	n/a
Personal Injury	\$ 1,000,000	\$1,000,000
Damage to Premises	\$250,000	\$250,000
Medical Expense Limit	\$5,000	n/a
Pollution Liability	n/a	\$1,000,000
Hull and Machinery	n/a	*

* Hull and machinery coverage shall be sufficient to dispose of the vessel if abandoned, burned, or otherwise left to the City.

APPROVED VENDOR LIST REQUIREMENTS

1. GENERAL

Persons available for hire or contract labor is considered a “vendor”, and must be on the City’s Approved Vendor List before being allowed to work on any vessel in the Homer Marine Repair Facility. This list is then given to vessel owners who wish to hire contractors/vendors to complete their vessel work.

Contracting for all services to the vessel while it is in the boatyard, and payment for those services, is the sole responsibility of the vessel owner.

2. REQUIRED DOCUMENTS

To become an approved vendor, the service provider is required to complete a Homer Marine Repair Facility Vendor Agreement, include all necessary documents, and submit them to the Homer Harbor Office along with the appropriate fee. The following documents are required before any work may proceed:

- Vendor Agreement
- Alaska Business License
- Borough Sales Tax Registration
- Proof of Insurance – Includes City as Additional Insured and Worker’s Comp
- Certification, if applicable

3. ANNUAL FEE

To remain on the list, every year vendors must complete the Vendor Agreement with the City and pay an annual fee before providing services. Rates are published in the City’s Terminal Tariff. See “Appendix C” for a Fee Schedule.

4. ONE-TIME VENDOR FEE

In the circumstance that a vendor is being hired to provide services during a one-time job, but is not on the Approved Vendor List (such as an out-of-town business traveling to Homer for a specific vessel project), the vendor is still required to complete the Vendor Agreement, provide the required documents, and pay the vendor fee. Rates are published in the City’s Terminal Tariff. See “Appendix C” for a Fee Schedule.

PLANNING A HAUL-OUT

1. SCHEDULING

Initial Planning Meeting: A vessel haul-out begins with a meeting between the vessel owner, the selected haul-out service provider, and the Harbormaster. This meeting allows the vessel owner to provide the Harbormaster the primary logistics in regards to hauling out, work to be performed, service providers/vendors involved, and the timeframe/schedule. An estimation of all City boatyard and beach landing fees will be calculated (see “Appendix E” for a Haul-Out & Launch Estimate Worksheet).

Timeline: Vessel owners must plan to be in and out of the boatyard as scheduled, and vendors must plan to work within the vessel-owner’s scheduled boatyard time. The City will not be responsible for lost time to the vessel, for any reason while it is in the boatyard. Every work plan should include a timeline of the work to be performed. This written plan will enable staff to understand your needs and schedule boatyard time appropriately. Advance planning is necessary to ensure sufficient time for your needed projects.

Required Documents: The vessel owner is required to complete a Homer Marine Repair Facility User Agreement, include all necessary documents, and submit them to the Homer Harbor Office. The following documents are required before hauling out may proceed:

- User Agreement
- Vessel Owner Registration – i.e. USCG documentation
- Proof of Insurance – Includes City as Additional Insured
- Work Plan – See #2 below for details of Work Plan
- Current Vessel Survey
- Bond and Waivers, if applicable

Security Deposit & Cancellation: A deposit of 50% of the estimated costs shall be made when the vessel owner makes arrangements with the Harbormaster to use boatyard facilities. The City may require the estimated payment in full at time of scheduling (dependent on account history). After the vessel has been launched, the deposit will be credited toward beach landing and dry dock fees. The deposit will be forfeited if: a) the vessel fails to adhere to the scheduled haul-out time, or b) the vessel owner fails to leave the facility clean after launching (see below #4 “Final Clean-up of Work Area”). A cancellation or schedule change must be communicated to the Harbormaster at least 24 hours in advance to avoid deposit forfeiture. Vessels missing their scheduled haul-out date will be accommodated on a “space available” basis.

2. WORK PLAN

Every haul-out must have a work plan, which includes a description of the work to be performed, materials required, timeline, etc. Once the City approves the work plan, along with the agreement and other required documents, a deposit will be accepted and the vessel placed on the schedule. Vendors contracted to do any of the proposed work must be from the Approved Vendor List, which is provided by the City. Content of the plan must include:

- A description of work to be performed: Be detailed in what you intend to do as it allows staff to schedule enough time for your haul-out; for instance:

- Hull Maintenance – sandblasting, painting, zincs, etc.
- Mechanical – props, shafts, engines, etc.
- Fabrication – fiberglass, welding, etc.
- Inspection Purposes – USCG, insurance, etc.
- A list of who will be completing the work: Specify the persons that will be working on the vessel, including the vessel owner, crewmembers, or contracted vendors/service providers. Any crewmembers that are proposed to complete work on the vessel must have a crewman contract with the vessel; contracts should be available as proof for inspection by the Harbormaster. Vendors selected must be from the Approved Vendor List. Major structural modifications should be designed by a certified marine architect.
- Information regarding the haul-out and launch: Commonly a vendor will be contracted to perform the haul-out and launch, but the owner may be able to provide their own haul-out equipment; details on who will be moving the vessel and the method/equipment used is required. Drawings/photos of the vessel's hull and the blocking plan should be included.
- Plans for containment and disposal of waste: Unless a routine inspection is the only purpose for hauling out, vessel owners must be able to contain anything that may cause air, water or soil contamination. Include plans for:
 - Hazardous waste disposal
 - Containment structures and/or dustless systems for sanding, grinding, spray painting and scraping.
 - Ground cover tarps, which will be placed under the vessel prior to blocking and cover the ground under the entire vessel plus a 10 foot parameter; and welding mats to protect the ground cover tarps if any welding will be conducted.
 - Dumpsters provided by the vessel owner; use of City dumpsters is not permitted.
- A timeline and proposed launching date: Breaking down the project into time increments allows staff to plan and coordinate your vessel haul-out into the schedule. It is imperative to the efficiency of the facility that all users adhere to the schedule; accurate timelines of projects/repairs are necessary as well as being finished when it is time to launch the vessel.
- Additional information pertaining to the haul-out: Other details, such as Porta-Potties for workers, needed equipment, lighting, temporary structures, or storage requests should be included before the Harbormaster is able to approve a work plan. If it is applicable to your haul-out, include it.

A work plan example is provided in “Appendix D”.

Changes to the Work Plan: Significant changes that alter the amount of time the vessel is hauled out, due to an emergency or vessel owner's preference, can potentially disrupt other scheduled haul-outs. Requests to change the work plan after the vessel has been hauled out must be approved by the Harbormaster before the work is conducted, and should be submitted to the Harbor Office with a revised work plan. Each request will be reviewed upon a case-by-case scenario by the Harbormaster, who reserves the right to make the final decision.

If upon inspection City staff finds that vessel work is being done outside the parameters of the approved work plan, the Harbormaster may take action as outlined under “Default in Compliance” (See Legal Notices).

3. MATERIALS, STRUCTURES & EQUIPMENT

Necessary materials should be on hand before each haul-out. For example: ground tarps, scaffolding and plastic for enclosures, welding mats, blasting medium, lights, coatings, zincs, etc. Arrangements for storage of materials must be coordinated with the Harbormaster.

Vessel owners and vendors may bring in vehicles, trailers, or set up temporary structures that fit within the dry storage site of their vessel. Unless otherwise approved, the structures must be removed after the vessel is launched. Mobile homes, travel trailers, or RVs will not be allowed without approval.

If the project requires more space for project lay-down, space will be provided as available and charges will reflect actual square foot usage.

4. HAULING OUT & LAUNCHING

Schedule: The projected dates of hauling out and launching shall be scheduled at the time of the initial haul-out meeting, and is determined by the vessel owner's timeline, work plan, and the facility's schedule. Vessel haul-out/launch activities will be determined on the vessel owner, the haul-out service provider they choose, and tidal restrictions. Weather conditions must be considered as well since high winds, ice, or swell at the haul-out site pose hazards.

Launching Walk-Thru Meeting: Before the proposed launching date, a meeting between the vessel owner, their primary haul-out service provider, and the Harbormaster shall take place. This meeting will allow the Harbormaster to confirm that the vessel's dry dock location is clean of all debris (i.e. paint chips, metal, discarded equipment, engine blocks/part, refrigerators, stoves, lines, scaffolding, etc.), and that launching logistics are in order before the vessel is authorized to move.

Responsibility: The vessel owner and their primary haul-out service provider are responsible, and in charge, during the haul-out and launch; all haul-out/launching logistics must comply with the Marine Repair Facility Policies and Best Management Practices. The City accepts no responsibility for the vessel, crew, contractor or the contracted labor during these operations. However, the city does reserve the right to stop all work if the harbormaster of their designee determines that there are unsafe conditions occurring at any time while the vessel is on city property. Work will cease until the safety issue is resolved to the harbormasters satisfaction.

Final Clean-up of Work Area: After the vessel has been launched, the vessel owner is required to clear all materials, structures, and equipment from the area. Any remaining items that require Harbor Staff time to clean up will be subject to fees and/or deposit forfeiture. When cleaning up, be sure everything has been removed from the premises, including:

- Blocking
- Tarps
- Scaffolding
- Temporary Structures
- Dumpsters
- Equipment/Vehicles
- Vendor's Materials/Equipment
- Debris Not Cleared Before Launch

5. COSTS, FEES, & BILLING

Dry Dockage: Due to limited space, the Homer Marine Repair Facility will not be used as a long-term vessel storage site. Charges for dry dockage are payable from the time the vessel is hauled out until the vessel is removed from the boatyard. Payment of charges for dry dockage grants the vessel owner a

revocable license to use the dry dockage area that is designated for the vessel. Vendors are to work within the vessel's designated dry moorage area. Additional space may be rented from the City if available.

Security Deposit: A deposit of 50% of the estimated costs shall be made when the vessel owner makes arrangements with the Harbormaster to use boatyard facilities. The City may require the estimated payment in full at time of scheduling (dependent on account history). After the vessel has been launched, and the final work-area inspection by the Harbormaster has been completed and approved, the deposit will be credited toward beach landing and dry dock fees. The deposit will be forfeited if: a) the vessel fails to adhere to the scheduled haul-out time, or b) the vessel owner fails to leave the facility clean after launching.

Charges: Rates are published in the City's Terminal Tariff (see "Appendix C" for the fee schedule). All charges are billed out on a monthly basis and payable to the Homer Harbor Office. See the Harbor Office for questions regarding bill payment options. See "Appendix E" for a Haul-Out & Launch Estimate Worksheet.

- **Dry Dockage.** Charges are calculated as square feet, and are based on the overall length and beam of the vessel, plus a ten foot (10') perimeter on all sides, including all appendages and additional space requested.
- **Beach Landing.** Prices for the use of the City's beach for landing are based on the overall length of the vessel. Time spent on the beach prior to and after a haul-out is charged per day and will be included in the overall cost of the haul-out.

HULL CLEANING, BLOCKING, & VERTICAL ACCESS

1. HULL CLEANING

The Homer Marine Repair Facility's Stormwater Pollution Prevention Plan (SWPPP) does not allow pressure washing.

Vessel owners who wish to remove marine growth from their vessel's hull must utilize alternative methods, such as manual removal by scraping. Ground covers must be used to collect debris and then shoveled into dumpsters, which the vessel owner provides.

2. GROUND COVERS/TARPS

Ground cover tarps must be placed under every vessel prior to blocking, and cover the ground under the entire vessel plus a 10 foot parameter. They must remain in place and shall be kept clean (daily) of all hazmat, paint chips, etc. Ground cover tarps will be protected during welding by placing protective welding mats in the affected areas. Good housekeeping practices will be implemented at all times while working in the City's facility.

3. BLOCKING

Vessel blocking is the responsibility of the vessel owner and their primary haul-out service provider. The City has the right to inspect vessel blocking and will, if, necessary, require additional blocking if it is determined to be inadequate for the job. The City will not supply, store, or furnish ships blocking, nor supply the labor needed for blocking installation/removal.

4. SCAFFOLDING & LADDERS

Vessel owners and/or contracted Vendors will provide their own ladders and scaffolding. The vessel owner assumes all risk, including for their agents/crew members working on the vessel, when utilizing ladders and scaffolding. The City assumes no risk for persons utilizing such equipment in or on City facilities.

SANDBLASTING, GRINDING, SPRAY PAINTING & SANDING

1. GENERAL

Open air sanding, grinding and scraping are prohibited unless dustless systems are employed or the vessel is tented and properly vented/filtered. These precautions are to prevent escapement of airborne particulates from the vessel and soil contamination.

City staff will inspect enclosures, spray painting, and sanding practices. When violations occur, intentional or otherwise, work will be stopped until corrective measures are taken.

Owners, crewmen and contractors performing work on boats shall comply with all applicable OSHA, Federal, State, and City regulations, policies, and procedures. Personal protective clothing and respirators shall be used as appropriate.

2. SANDING & GRINDING

When practical, vessel owners are required to utilize vacuum grinding and vacuum sanding (dustless systems). When not practical, a temporary structure must be constructed to fully enclose the area being worked on, including proper ventilation and filters.

3. SPRAY PAINTING

Spray painting is permitted only when the vessel, or portion to be painted, is fully enclosed with proper ventilation and filters. Every possible effort must be made to prevent overspray from leaving the enclosure.

HOUSEKEEPING & CLEANLINESS

1. AREA AROUND EACH VESSEL

The immediate area surrounding each vessel must be kept neat and clean at all times. No open containers of paint, oil, hazardous or other pollution-creating material shall be stored exposed. All containers must be closed and stored under covers.

2. INSPECTIONS

During normal business hours, the Harbormaster will make regular inspections of the facility. Harbor Officers will periodically patrol the yard during non-business hours and report obvious conditions that require owner attention.

Violations must be immediately cured to the satisfaction of the Harbormaster. The pre-launching walk-thru meeting will allow the Harbormaster to confirm that the vessel's dry storage location is clean of all debris before the vessel is authorized to move. Storage of any materials on site must be approved in advance by the Harbormaster.

3. DRUM STORAGE

All drums will be labeled with vessel name, date, and contents. Drums will be stored palletized and covered. Storage of any materials on site must be approved in advance by the Harbormaster. Space will be provided as available and charges will reflect actual square foot usage.

4. MACHINERY

Before removing machinery (i.e. engines, hydraulic motors and other equipment), all open fittings shall be sealed to prevent leakage of lubricating and cooling fluids. Through-hull fittings shall similarly be sealed to prevent leakage of contaminated bilge water.

5. DISPOSAL METHODS & RESTRICTIONS

General: Everything must be properly and promptly disposed of at the time materials/waste is generated. Nothing should be left lying about. Ask if you need guidance or assistance. Abandoned waste will be disposed of and billed to the vessel owner with applicable service fees. Empty cans, scraps of lumber, paper, or other debris must be placed in waste containers and the area cleaned on a daily basis and prior to departure.

For LARGE amounts of waste oil, oily rags, used oil filters, antifreeze, and batteries: Contact National Response Corporation (NRC) Kenai Office for disposal logistics at 907-258-1558 or infoalaska@nrcc.com.

Liquid & Petroleum Waste: Hazardous and non-hazardous wastes must be properly separated and properly stored and/or disposed. No liquid wastes may be drained onto the ground or into the harbor. Violations could result in substantial fines and the removal of such violators from working in the boatyard. No open containers of any liquids are to be left in the open where they could be filled with rain or tipped

over causing potential runoff into the ground and water. Common sense should dictate proper activities. Abandoning wastes without proper disposal is prohibited.

Flammable materials like paint thinners and gasoline must be segregated and properly disposed of at the Homer Landfill Bailing Facility. Please contact the Kenai Peninsula Borough regarding their Hazardous Waste Disposal Program. The use of liquid dispersants, like Joy soap, or mechanical means to dissipate slicks caused by fuel spills, is prohibited. Spills must be reported to staff.

Solid Waste: Dumpsters are to be provided by the vessel owner; use of City dumpsters is not permitted. Dumping of solid waste materials must be free of all liquids and the products must be inert. Heavy metal (engines, refers, etc. and/or large volumes of insulation, cardboard, etc.) trash and recyclable products should be hauled directly to the Homer Landfill Bailing Facility. Covers on dumpsters shall remain closed except during the process of actual trash disposal in order to minimize rainwater entry. No solid wastes may be disposed onto the ground. Any such violations will result in substantial fines and the removal of such violators from working in the boatyard. Abandoning wastes without proper disposal is prohibited.

Contaminated Bilge Water: Bilge water, contaminated with oil, antifreeze, solvents or similar materials shall not be pumped or emptied onto the ground of the boatyard or in harbor waters. Contact National Response Corporation (NRC) Kenai Office for disposal logistics at 907-258-1558 or infoalaska@nrcc.com.

Sewage: Direct discharge of sewage from vessel toilet facilities is prohibited. All applicable systems shall be tagged and locked out to prevent accidental discharge while in the yard. Overboard through hull ports may be plugged to prevent discharge. Vessel owners are responsible to make arrangements for Porta-Potties for their workers/vendors.

Paint: Paint waste, including anti-foulant, must be disposed of at the Homer Landfill Bailing Facility. Please contact the Kenai Peninsula Borough regarding their Hazardous Waste Disposal Program. Hazardous waste includes liquid paint, thinners, solvents and similar materials. All containers must have lids that are capable of being sealed to prevent spillage during transport, and must be properly labeled with vessel's name, its contents, and date. Accidental spillage should be reported to staff for assistance and guidance for clean-up. Paints and solvents shall be stored in properly sealed containers. Drip pans, tarps or other devices shall be used during the transferring of solvents or paints and during paint mixing.

Hazmat Storage: Storage of oily rags, open paints, open solvents, open thinners, gasoline, or other flammable or explosive material is prohibited on or within the boatyard facility, except for gasoline stored aboard a vessel in U.L. or Coast Guard approved containers.

SAFETY

1. **Vessel Owner Responsibility:** Owners are responsible for the safety of their crew and workers.
2. **Vendor Responsibility:** Vendors are responsible for the safety of their employees and shall follow OSHA approved standards.
3. **Welding/Hotworks:** Vendors contracted to weld must be certified, licensed, and insured. All persons, including vessel owners, crewmembers, and vendors must follow all standard welding practices per OSHA regulations. Fire guards and protective measures must be in place during all welding and cutting activities. There will be no open flames (other than welding or cutting torches) and no open burning. For every welder working, each must have a person on fire watch with fire extinguisher near them. Atmospheric testing for enclosed areas shall be done when appropriate. Arc shields shall be used as appropriate and required.
4. **PPE:** Owner and vendors shall insure that personal protective equipment and clothing will be provided and worn as appropriate to each task.
5. **Ladders/Scaffolding:** Vessel owners and vendors assume all risk when utilizing ladders and scaffolding.
6. **Storm Events:** Vessel owners and vendors are solely responsible to take emergency measures to secure the vessel, or anything that may become airborne during a windstorm event to prevent damage/injuries caused by airborne debris from their vessel and/or dry storage location.
7. **Alcohol/Drug-Use in Facility:** No alcohol or drugs shall be consumed/allowed in the boatyard or aboard vessels in the boatyard.
8. **Fires:** No open fires are permitted aboard vessels or in the boatyard.
9. **Children:** Children, under the age of 12, must be accompanied by an adult at all times.
10. **Pets:** All animals must be leashed and cleaned up after per Homer City Code.
11. **Live-a-boards:** No one will live aboard a vessel in dry moorage without consent of the Harbormaster.

SPILL PREVENTION

1. OIL OR HAZARDOUS MATERIAL SPILLS

Owners, crewmen and contractors performing work on boats must immediately report any spills to the Harbor Office, NRC, DEC, and USCG MSD. Failure to report can result in fines. The vessel owner and vendor are responsible for the cleanliness of their dry moorage area. Fees will be assessed if City staff labor is utilized to clean a vessel's area.

- Harbor Office: 907-235-3160
- Harbor Officer On-Duty Cellphone: 907-399-1649
- EPA's National Response Center: 800-424-8802
- Alaska Dept. of Environmental Conservation: 800-478-9300
- U.S. Coast Guard Marine Safety Detachment: 907-690-2098

2. IN CASE OF A SPILL USERS SHALL:

1. Immediately stop the source of the spill.
2. Shut of all ignition sources in the area.
3. Immediately cease all smoking or welding in the area.
4. Contain the spill by using absorbent pads and booms.
5. Recover the spill as quickly as possible.
6. Notify the Harbor Office, NRC, DEC, and U.S. Coast Guard MSD.

APPENDIX A

User Agreement



City of Homer

www.cityofhomer-ak.gov

Port and Harbor

4311 Freight Dock Road

Homer, AK 99603

port@cityofhomer-ak.gov

(p) 907-235-3160

(f) 907-235-3152

HOMER MARINE REPAIR FACILITY USER AGREEMENT

Acct # _____

Owner Info

Owner: _____ Phone: Home: _____

Cell Phone: _____ E-Mail Address: _____

Billing Address: _____ City: _____ State: _____ Zip: _____

Haul-out Manager (if other than owner): _____ Phone: _____

Vessel Info

Vessel Name: _____ Registration Number: _____

Length Overall: _____ Beam: _____ Draft: _____ Displacement Tonnage: _____

House is: ☐ Forward ☐ Aft Height from Keel to Uppermost: Forward (ft): _____ Aft (ft): _____

Hull Type: _____ Hull Material: _____

Haul-out Info

First-time Haul-out User? ☐ Yes ☐ No Haul-out Date: _____ Launch Date: _____

Damage below Waterline? ☐ Yes ☐ No If yes, explain: _____

Nature of Work: ☐ Inspection Only ☐ Paint ☐ Zincs ☐ Propeller ☐ Shaft ☐ Rudder

☐ Other: _____

Vendors & Service Providers Contracted to Perform Work: _____

Documents

Documents (*Required)	Date	Staff Initials	Comments
<input type="checkbox"/> Owner Registration*	_____	_____	_____
<input type="checkbox"/> Proof of Insurance*	_____	_____	_____
<input type="checkbox"/> City as Additional Insured*	_____	_____	_____
<input type="checkbox"/> BMP Provided to User*	_____	_____	_____
<input type="checkbox"/> Vendor Compliance*	_____	_____	_____
<input type="checkbox"/> Bond Discussed*	_____	_____	_____
<input type="checkbox"/> Waivers, when Required	_____	_____	_____
<input type="checkbox"/> Harbormaster's Approval*	_____	_____	_____

HOMER MARINE REPAIR FACILITY USER TERMS & CONDITIONS

1. **The City agrees** to provide dry dockage space to vessel owners under a User Agreement for the purpose of vessel repairs, maintenance, and inspections per a Harbormaster-approved work plan during the dates specified in this agreement.
2. **Responsibility.** The City does not accept the vessel, its tackle, fixtures, equipment, gear, or furnishings for storage or safekeeping belonging to either the owner or vendor. Nor does the City accept any responsibility for vendor supplies, their laborers/employees, equipment, and personnel that the vessel owner may organize or contract. The City shall not be responsible for lost fishing time, or any other lost time to the vessel, while it is hauled out or on the City-owned tidelands/beaches.
3. **Policy Compliance.** Vessel owners, their agents, crew, service providers/vendors (all referred herein as Users) agree to comply with the City of Homer's (referred herein as City) Marine Repair Facility policies and Best Management Practices (BMPs). A copy shall be provided when services are scheduled.
4. **Operational Structure.** The Homer Marine Repair Facility is being managed as an "Open Yard" facility, meaning that the User is responsible for the actual work being performed on their vessel. The City is simply facilitating the opportunity for haul-out and uplands use, and are not responsible for the finished product. This management structure gives the User the opportunity to manage their project from start-to-finish, contracting with vendors from the Approved Vendor List (provided by the City), or by using their own crew to make the repairs necessary for vessel maintenance.
5. **Vendors & Service Providers.** Contracting for all services to the vessel while it is in the boatyard, and payment for those services, is the sole responsibility of the User. Persons providing services to a vessel in the boatyard ("Vendors") must be on the City's approved vendor list. To qualify for the list, the following documents must be on file along with payment of fees: Certificate of Insurance, Alaska business license, registration for city sales tax, and professional certifications for the named trades. Vendors must abide by OSHA safety rules and regulations pertaining to their trade.
6. **Security.** Users are responsible for the security of their vessel, tools, and equipment. Other than random patrols of the boatyard, City staff will not be present during non-business hours.
7. **Insurance.** Users other than Vendors agree to have a current marine insurance policy of a "named perils" or "all risks" type that fully insures the value of the vessel, plus accident and environmental liability. A Certificate of Insurance shall be provided to the City showing coverage not less than the minimum required in the boatyard policy document. Hull and machinery coverage shall be sufficient to dispose of the vessel if abandoned, burned or otherwise left to the City.
8. **Dry Dockage.** The Harbormaster shall designate a dry storage area within the boatyard for the vessel. Charges for dry dockage are payable from the time the vessel is hauled out until the vessel is removed from the boatyard. Payment of charges for dry dockage grants a User a revocable license to use the dry dockage area that is designated for the vessel.
9. **Scheduling, Deposits, & Cancellations.** Users must plan to be in and out of the boatyard as scheduled. A deposit of 50% of the estimated costs shall be made when the User makes arrangements with the Harbormaster to use boatyard facilities. The City may require the estimated payment in full at time of scheduling. After the vessel has been launched, the deposit will be credited toward beach landing and dry dock fees. The deposit will be forfeited if: a) the vessel fails to adhere to the scheduled haul-out time, or b) the vessel owner fails to leave the facility clean after launching. A cancellation or schedule change must be communicated to the Harbormaster at least 24 hours in advance to avoid deposit forfeiture. Vessels missing their scheduled haul-out date will be accommodated on a "space available" basis.
10. **Charges:** Rates are published in the City's Terminal Tariff. All charges are billed out on a monthly basis and payable to the Homer Harbor Office. Boatyard Moorage: Charges are calculated as square feet, and are based on the overall length and beam of the vessel, plus a ten foot (10') perimeter on all sides, including all appendages. Beach Landing: Prices for the use of the City's beach for landing are based on the overall length of the vessel. Time spent on the beach prior to and after a haul-out is charged per day and will be included in the overall cost of the haul-out.
11. **Blocking.** Vessel blocking is the responsibility of the User and/or their contractors. The City has the right to inspect vessel blocking and will, if necessary, require additional blocking if it is determined to be inadequate for the job. The City will not supply, store, or furnish ships blocking, nor supply the labor needed for blocking installation/removal.
12. **Tarps.** Ground cover tarps must be placed under every vessel prior to blocking, and cover the ground under the entire vessel plus a 10 foot parameter. They must remain in place and shall be kept clean (daily) of all hazmat, paint chips, etc. Ground cover tarps will be protected during welding by placing protective welding mats in the affected areas.
13. **Ladders/Scaffolding.** User and/or Vendors will provide their own ladders and scaffolding. User assumes all risk when utilizing ladders and scaffolding.
14. **PPE:** User shall insure that personal protective equipment and clothing will be provided and worn as appropriate to each task.
15. **Sanding, Grinding, & Scraping.** Open air sanding, grinding and scraping are prohibited unless dustless systems are employed or the vessel is tented and properly vented/filtered. These precautions are to prevent escapement of airborne particulates from the vessel and soil contamination.
16. **Pressure Washing:** The Homer Marine Repair Facility does not allow pressure washing. Users who wish to remove marine growth from their vessel's hull must utilize alternative methods, such as manual removal by scraping. Ground covers must be used to collect debris and then shoveled into dumpsters, which the vessel owner provides.

- I accept full responsibility for my activities in the boatyard, and for the actions of my crew, workers, vendors and contractors.
- I agree to have insurance covering the vessel, crew and persons working for me, as may be required by the terms and by the law.
- I understand that there may be a security bond required in the amount estimated to dispose of the vessel should project failure or abandonment occur.
- I accept and acknowledge that I have read and agree to the terms hereinabove and will abide by the Homer Marine Repair Facility Policies and Best Management Practices (BMP). I shall take precautions to prevent pollution to the air, ground and water. Should there be fees, fines, or cleanup required, I agree to pay such costs.

APPENDIX B

Vendor Agreement



City of Homer

www.cityofhomer-ak.gov

Port and Harbor

4311 Freight Dock Road

Homer, AK 99603

port@cityofhomer-ak.gov

(p) 907-235-3160

(f) 907-235-3152

HOMER MARINE REPAIR FACILITY VENDOR AGREEMENT

Business Info

Name of Business: _____ Work Phone: _____

Billing Address: _____

City: _____ State: _____ Zip: _____

Owner's Name: _____ Cell Phone: _____

E-Mail Address: _____

Manager's Name: _____ Cell Phone: _____

General Nature of Services to be Provided: _____

Documents

Documents (*Required)	Date	Staff Initials	Comments
<input type="checkbox"/> Alaska Business License*	_____	_____	_____
<input type="checkbox"/> Borough Sales Tax Certificate*	_____	_____	_____
<input type="checkbox"/> Proof of Insurance*	_____	_____	_____
<input type="checkbox"/> City as Additional Insured*	_____	_____	_____
<input type="checkbox"/> Proof of Worker's Comp*	_____	_____	_____
<input type="checkbox"/> Certification (if required)	_____	_____	_____
<input type="checkbox"/> Certification (if required)	_____	_____	_____
<input type="checkbox"/> BMP Provided to Vendor*	_____	_____	_____
<input type="checkbox"/> Harbormaster's Approval*	_____	_____	_____

Acknowledgement & Approval

I accept and acknowledge that I have read and agree to the terms on page 2 and 3, and will abide by the Homer Marine Repair Facility Policies and Best Management Practices (BMP). I shall take precautions to prevent pollution to the air, ground and water. Should there be fees, fines, or cleanup required, I agree to pay such costs.

- ✓ I will abide by OSHA safety rules and regulations pertaining to my trade(s).
- ✓ I accept full responsibility for my activities in the boatyard and for the actions of my workers.
- ✓ I agree to have insurance covering my workmanship employees, as may be required by the terms and by the law.
- ✓ I understand that the name of my business will be available to boatyard users.

Vendor: _____ Date: _____
(Signature) (Print)

Harbormaster Approval: _____ Date: _____

HOMER MARINE REPAIR FACILITY VENDOR TERMS & CONDITIONS

1. **The City agrees** to provide contractors, service providers, and vendors the opportunity to work in the Marine Repair Facility under a Vendor Agreement, of which will place vendors on the Approved Vendor List. The list shall be available on the City of Homer's website and given to all vessel owners utilizing the facility.
2. **Responsibility.** The City does not accept the vessel, its tackle, fixtures, equipment, gear, or furnishings for storage or safekeeping belonging to either the owner or vendor. Nor does the City accept any responsibility for vendor supplies, their laborers/employees, equipment, and personnel that the vessel owner may organize or contract. The City shall not be responsible for lost fishing time, or any other lost time to the vessel, while it is hauled out or on the City-owned tidelands/beaches.
3. **Policy Compliance:** Vendors agree to comply with the City of Homer's (referred herein as City) Marine Repair Facility policies and Best Management Practices (BMPs). A copy shall be provided when services are scheduled.
4. **Operational Structure.** The Homer Marine Repair Facility is being managed as an "Open Yard" facility, meaning that the vessel owner is responsible for the actual work being performed on their vessel. The City is simply facilitating the opportunity for haul-out and uplands use, and are not responsible for the finished product. This management structure gives the vessel owner the opportunity to manage their project from start-to-finish, contracting with vendors from the Approved Vendor List (provided by the City), or by using their own crew to make the repairs necessary for vessel maintenance.
5. **Vendors & Service Providers.** Contracting for all services to the vessel while it is in the boatyard, and payment for those services, is the sole responsibility of the vessel owner. Persons providing services to a vessel in the boatyard ("Vendors") must be on the City's approved vendor list. To qualify for the list, the following documents must be on file along with payment of fees: Certificate of Insurance, Alaska business license, registration for city sales tax, and professional certifications for the named trades. Vendors must abide by OSHA safety rules and regulations pertaining to their trade.
6. **Security:** Vendors and vessel owners are responsible for the security of their property. Other than random patrols of the boatyard, harbor staff will not be present during non-business hours.
7. **Insurance:** Vendors must have on-file with the City a current certificate of insurance to cover all of the services to be provided. All vendors must carry a minimum of \$1,000,000 per incident and \$2,000,000 in aggregate liability insurance and the City must be included as additional insured. Copies of the insurance policy must be on file with the Harbor Office before work may begin. Vendors must provide proof of longshore and harbor worker, workman's compensation insurance, or proof that such coverage is waived.
8. **Scheduling:** Vendors must plan to work within the vessel-owner's scheduled boatyard time.
9. **Dry Dockage:** The City shall designate a dry moorage area within the boatyard for each vessel. Vendors may work within the vessel's designated dry moorage area. Additional space may be rented from the City if available. Rates are published in the City's Terminal Tariff.
10. **Charges:** To remain on the list, every year vendors must complete the Vendor Agreement with the City and pay an annual fee before providing services. In the circumstance that a vendor is being hired to provide services during a one-time job, but is not on the Approved Vendor List, the vendor must complete the Vendor Agreement, provide the required documents, and opt to pay the "one-time" vendor fee instead of the annual fee. Rates are published in the City's Terminal Tariff. All charges are payable to the Homer Harbor Office.
11. **Tarps.** Ground cover tarps must be placed under every vessel prior to blocking, and cover the ground under the entire vessel plus a 10 foot parameter. They must remain in place and shall be kept clean (daily) of all hazmat, paint chips, etc. Ground cover tarps will be protected during welding by placing protective welding mats in the affected areas.
12. **Ladders/Scaffolding.** Vendors will provide their own ladders and scaffolding. Vendor and/or vessel owner assumes all risk when utilizing ladders and scaffolding.
13. **PPE:** Vendor and/or vessel owner shall insure that personal protective equipment and clothing will be provided and worn as appropriate to each task.
14. **Sanding, Grinding, & Scraping.** Open air sanding, grinding and scraping are prohibited unless dustless systems are employed or the vessel is tented and properly vented/filtered. These precautions are to prevent escapement of airborne particulates from the vessel and soil contamination.
15. **Pressure Washing:** The Homer Marine Repair Facility does not allow pressure washing.
16. **Disposal of Waste & Hazmat.** See the City's Marine Repair Facility policies and Best Management Practices (BMPs), and/or ask staff for details for proper disposal methods and locations.
17. **Spills & Cleanup.** The Vendor/vessel owner must immediately report any spills to the Harbor Office, NRC, DEC, and U.S. Coast Guard MSD. Failure to report can result in fines.
18. **Welding/Hotworks:** Vendors contracted to weld must be certified, licensed, and insured. All persons, including the vessel owner, crewmembers, and vendors must follow all standard welding practices per OSHA regulations. Fire guards and protective measures must be in place during all welding and cutting activities. There will be no open flames (other than welding or cutting torches) and no open burning. For every welder working, each must have a person on fire watch with fire extinguisher near them. Atmospheric testing for enclosed areas shall be done when appropriate. Arc shields shall be used as appropriate and required.

19. **Storm Events:** The Vendor/vessel owner are solely responsible to take emergency measures to secure the vessel, or anything that may become airborne during a windstorm event to prevent damage/injuries caused by airborne debris from their vessel and/or dry storage location.
20. **Materials, Structures & Equipment.** Necessary materials should be on hand before each haul-out. Arrangements for storage of materials must be coordinated with the Harbormaster. Users and vendors may bring in vehicles, trailers, or set up temporary structures that fit within the dry storage site of their vessel. Unless otherwise approved, the structures must be removed after the vessel is launched. Mobile homes, travel trailers, or RVs will not be allowed without approval. If the project requires more space for project lay-down, space will be provided as available and charges will reflect actual square foot usage.
21. **Alcohol/Drug-Use in Facility:** No alcohol or drugs shall be consumed/allowed in the boatyard or aboard vessels in the boatyard.
22. **Fires:** No open fires are permitted aboard vessels or in the boatyard.
23. **Children:** Children, under the age of 12, must be accompanied by an adult at all times.
24. **Pets:** All animals must be leashed and cleaned up after per Homer City Code.
25. **Live-a-boards:** No one will live aboard a vessel in dry moorage without consent of the Harbormaster.
26. **Liability:** The City shall not be liable for death or injury to persons, or damage to property, upon the vessel, yard facilities or premises adjacent thereto arising from any cause other than the willful misconduct of the City. Vendors shall indemnify and hold the City and its officers and employees harmless from all claims for death or injury to persons, or damage to property, arising from their acts or omissions, their agents, service providers/vendors, crew, employees, or invitees.
27. **Refusal of Service/Access:** The City reserves the right to refuse access to Vendors that: (a) do not have a current Alaska Business License, (b) fail to register for, collect, and remit sales tax, (c) lack sufficient insurance, (d) fail to comply with the City's Marine Repair Facility policies and Best Management Practices (BMPs), or (e) fail to comply with safety practices.
28. **Default in Compliance; City's Remedies:** Failure to adhere to the City's policies and best management practices can result in unsafe actions and environmentally harmful activities. When violations are observed by City staff, intentional or otherwise, work will be stopped until corrective measures are taken. If Vendor fails to properly follow and adhere to these practices/policies and/or their agreement with the City, or fail to pay fees or charges for more than thirty (30) days after the due date, the City may exercise any available remedy, including without limitation to terminate their Vendor Agreement.
29. **No Waiver:** The failure of the City to insist upon strict performance of any provision of this agreement, or to exercise any right or remedy available on a breach thereof, or the acceptance by the City of full or partial payments during the continuance of any breach, shall not constitute a waiver of any provision of this agreement, and all provisions hereof shall continue in full force and effect. Nothing in this agreement shall constitute a waiver by the City of its right to arrest any vessel to enforce a maritime lien, or any other right or remedy.
30. **Notices.** Billings and notices will be mailed to User's address as set forth herein. User shall notify the City in writing of an address change.
31. **Interpretations; Amendment:** Alaska Law shall govern this agreement. The invalidity of any provision of this agreement shall not affect the validity of any other provision. This document, in concert with the Homer Marine Repair and Facility Best Management Practices and Policies constitutes the entire agreement of the parties. No amendment of this Agreement shall be valid unless in writing and signed by both parties.

I accept and acknowledge that I have read and agree to the terms on page 2 and 3 and will abide by the Homer Marine Repair Facility Policies and Best Management Practices (BMP). I shall take precautions to prevent pollution to the air, ground and water. Should there be fees, fines, or cleanup required, I agree to pay such costs.

- I will abide by OSHA safety rules and regulations pertaining to my trade(s).
- I accept full responsibility for my activities in the boatyard and for the actions of my workers.
- I agree to have insurance covering my workmanship employees, as may be required by the terms and by the law.
- I understand that the name of my business will be available to boatyard users.

Vendor Initials: _____ Date: _____

APPENDIX C

Fee Schedule



City of Homer

www.cityofhomer-ak.gov

Port and Harbor

4311 Freight Dock Road

Homer, AK 99603

port@cityofhomer-ak.gov

(p) 907-235-3160

(f) 907-235-3152

HOMER MARINE REPAIR FACILITY FEE SCHEDULE

Please add 7.5% sales tax to fees *unless* otherwise noted

Fees Effective 10/26/2015

- Upland Dry Dockage: \$0.17/square foot per month for vessels paying annual harbor moorage
\$0.20/square foot per month for vessels paying transient daily, monthly, semi-annual harbor moorage
- Beach Landing: \$1.50 per linear foot per calendar day
- Vendor Fee: \$150.00 per calendar year
- Harbor Labor: \$102.00 per hour/\$51.00 minimum
- Administration Fee: \$50.00 per month of Dry Dockage Use

A full list of fees can be found in the Port and Harbor Homer Terminal Tariff No. 600. Hard copies are available upon request or at <http://www.cityofhomer-ak.gov/port/port-harbor-terminal-tariff-no-600>

APPENDIX D

Work Plan Sample

Lucky Louie
F/V Sleepless Nights
1234 Main Street
Homer, AK 99603

Haul-out plan for the F/V Sleepless Nights:

Overview:

We plan to use the 19.3' at 4:21pm tide on October 15, 2015 to put the boat on the beach. Rawhide Boat Rollers will have their airbags on the beach and we will let the boat go dry on the bags. Rawhide will begin inflating the bags as soon as the tide recedes and begin moving the Sleepless Nights up the beach into the boat yard. We estimate that it may take two tides to roll the boat off the beach into the yard.

Once in the uplands, we will proceed to the location indicated by the Harbormaster and position the boat overtop of the ground cover that extends out from all sides of the vessel by 10'. Once in place, our crews will block the vessel and then the airbags will be deflated and removed.

Description of work to be performed:

At this time, we plan to repair the damage caused by grounding, pull the rudders, props and shafts, sandblast and paint, and then put it all back together with the last step being welding on Zincs. However, once we get the boat on blocks and are able to perform a thorough inspection, we may find other unanticipated damage. If more damage is found we may need to adjust our estimated timeline, but as it stands now we believe that our crew and contractors will be able to do this work within the two months that we have scheduled.

Haul maintenance:

Besides repairing the hull damage from the grounding, we plan to sandblast and paint the hull.

Mechanical:

We will be pulling the rudders, props, and shafts in this project. We will have the shafts turned at Strait Shooters Machine Shop and the propellers will be trued up by fairly honest Harry's Prop Shop.

Fabrication:

We intend to have the steel fabrication work done by Sparks A Lot Welding fabricators for hire.

Inspection:

Coast Guard MSD will inspect the fabrication work at various stages of completion and I, the vessel owner, will inspect the sandblasting and paint applications.

Work crew:

The work crew will be made up of a combination of my boat crew for the (unskilled labor) and the contractors that are hired from the city of Homer marine repair yard approved vender list to help with the skilled labor portions of the project.

At this time the contractors that I have made agreements with are welding Sparks A Lot Welding machining Strait Shooters Sandblasting/painting will be performed by Looking Good painters

Haul-out contractor and equipment:

We intend to hire Rawhides Boat Rollers to move the Sleepless Nights from the beach into the repair yard and then put us back into the water once the work is completed.

Containment plans and waste disposal:

- Welding mats will be laid down over the ground covering to protect it from welding and cutting damage.

- Work areas will be cleaned up daily by my boat crew to ensure that the work site is clean and that debris doesn't blow out onto the unprotected ground.
- After the fabrication work is complete, we intend to build a temporary shelter around the Sleepless Nights that will contain the dust caused by sandblasting. This area will be kept clean during the whole process. Exhaust air from the enclosure will be filtered to keep so that blasting dust does not escape into the environment.
- We plan to spray on the paint coatings with an airless spray rig once the hull is prepared. This will be done undercover as well so as to ensure there are no overspray issues and for coatings quality. We will rent a job site furnace to control the temp inside the covered work area.
- We will contract with Dumpy's Refuse Disposal for a dumpster to be located on site.
- We have contacted KPB landfill to discuss the proper disposal of the hazardous waste that will be generated from the project (paint slops and thinner).
- All waste generated from this project will be disposed of properly in dumpsters provided by me for the project. None of our project waste will be disposed of in the harbor dumpsters or waste disposal locations at the harbor.
- We will also have a Port-A-Potty on site for the work crews to use during this project.

Launch date:

At this time it is our intention to complete our work and launch the Sleepless Nights on December 13, 2015 at 3:16pm on the 20.0' tide.

Additional information:

- As the owner of the Sleepless Nights, I will be the project manager for this project. I intend to be on site every day for the duration of this project to ensure quality and cost control. However, if I am called away for some unforeseen reason, my relief Captain, Wrong Side Sam (new nickname since the grounding) will take over the project in my place.
- I will post contact information on the project site and will follow the rules listed in and agreed to in the Homer Marine Repair Facility user agreement.
- I also plan to stage a 20' conex van next to the project for secure equipment storage, and we may need to have a small travel trailer on site to use as a warm-up shack depending on the weather.
- Materials and supplies we'll be purchased from local merchants.
- I have rented a vacation rental for crew housing for the duration of the project. No one will be living on board the Sleepless Nights while it's in the repair yard.

APPENDIX E

Haul-Out & Launch Estimate Worksheet



HOMER MARINE REPAIR FACILITY HAUL-OUT & LAUNCH ESTIMATE WORKSHEET

To better aid users of the haul-out facility, this estimate worksheet will help determine how a general cost of hauling a vessel out in the Homer uplands. The required 50% Security Deposit is based on the estimated costs, which is determined by the user's haul-out work plan and the Marine Repair Facility's fee schedule.

All charges are billed out on a monthly basis and payable to the Homer Harbor Office. Upland Dry Dock charges are calculated as square feet, and are based on the overall length and beam of the vessel, plus a ten foot (10') perimeter on all sides, including all appendages and additional space requested. Prices for the use of the City's beach for landing are based on the overall length of the vessel. Time spent on the beach prior to and after a haul-out is charged per day and will be included in the overall cost of the haul-out.

Example of Estimating Costs

The F/V Sleepless Nights is a 120' landing craft with a 40' beam, which pays Transient Annual moorage in the Homer Harbor. They plan on being hauled out for two months with the possibility of staying longer, and also need additional space for a 20' Conex.

It lands on the City's beach the day before their scheduled haul-out and spend a total of two calendar days on the beach. Beach Landing charges will be:

Beach Landing: $\$1.50 \times 120' = \$180 \times 2 \text{ days} = \$360.00 + \text{tax } (\$27.00) = \387.00

After being hauled out, the Sleepless Nights is charged per square foot, plus a ten foot perimeter on all sides. They also require additional space for a 20' Conex. Dry Dockage charges are billed out on a per month basis and will be:

$120' + 20' \text{ (10' on each side)} = 160' \text{ overall length}$

$40' + 20' \text{ (10' on each side)} = 60' \text{ overall width}$

$160' \times 60' = 9,600 \text{ sq ft} + 20' \times 10' = 200 \text{ sq ft} = 9,800 \text{ overall square feet}$

First Month: $9,800 \times \$0.17 = \$1,666 + \$50 \text{ Admin Fee} = \$1,716 + \text{tax } (\$128.70) = \$1,844.70$

Second Month: $9,800 \times \$0.17 = \$1,666 + \$50 \text{ Admin Fee} = \$1,716 + \text{tax } (\$128.70) = \$1,844.70$

Halfway through the scheduled haul-out, unforeseen circumstances require an additional two weeks of work. The owner of the Sleepless Nights contacts the Harbormaster to confirm the delay will work with the haul-out schedule and to get the work plan changes approved. Further Dry Dockage charges will be:

Third Month: $9,800 \times \$0.17 = \$1,666 + \$50 \text{ Admin Fee} = \$1,716 + \text{tax } (\$128.70) = \$1,844.70$

The launching date arrives and the Sleepless Nights is rolled out of the uplands onto the beach. The boat stays there for one calendar day as it waits for the next tide. An inspection by the Harbormaster of the uplands shows that the area was cleared properly by the vessel owner; no additional fees for cleanup will be charged. The second Beach Landing charges will be:

Beach Landing: $\$1.50 \times 120' = \$180 \times 1 \text{ day} = \$180.00 + \text{tax } (\$13.50) = \193.50

Total estimated costs for the Sleepless Nights hauling out are \$6,114.60. The 50% Security Deposit, paid at the time of scheduling, will be \$3,057.30. There being no defaults, this security deposit will be applied to the vessel's account.

APPENDIX F

Facility Overview



**CITY OF HOMER
HOMER, ALASKA**

Mayor/Lewis/Reynolds/
Zak/Burgess

RESOLUTION 15-091

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
AMENDING THE CITY OF HOMER FEE SCHEDULE TO INCLUDE
HOMER REPAIR FACILITY FEES.

WHEREAS, The Vessel Haul-Out Task Force established fees for the Homer Marine Repair facility; and

WHEREAS, The Port and Harbor Advisory Commission discussed and unanimously supported the fees recommended by the Vessel Haul-Out Task Force.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby amends the City of Homer Fee Schedule to include Homer Repair Facility Fees as follows:

RULE: 34.33 – Homer Marine Facility Fees

EFF:

User fees and vendor fees to be collected for use of the Homer Marine Repair Facility are as follows:

(a) Homer Marine Repair Facility Fees

RULE: 34.33 – Homer Marine Facility Fees

EFF:

User fees and vendor fees to be collected for use of the Homer Marine Repair Facility are as follows:

(a) Homer Marine Repair Facility Fees

- (1) Upland Dry Dockage use Fee per Month: \$ 0.17 per square foot/ for vessels paying annual moorage in Homer harbor 0.20 per square foot for transient daily, monthly, semiannual moorage vessels
- (2) Administration Fee per month of Dry Dockage uplands usage: \$50.00
- (3) Beach Landing Fee per calendar day: \$1.50 per foot
- (4) Vendor Fee per calendar year: \$150.00
- (5) Harbor Labor Fee: \$102.00 per hour/\$51.00 minimum

PASSED AND ADOPTED by the Homer City Council this ____ day of _____, 2015.

CITY OF HOMER

MARY E. WYTHE, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

Fiscal Impact: To be determined.

**CITY OF HOMER
HOMER, ALASKA**

Mayor/Lewis/Reynolds/
Zak/Burgess

RESOLUTION 15-092

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
AMENDING THE PORT OF HOMER TERMINAL TARIFF NO. 600 TO
INCLUDE HOMER REPAIR FACILITY FEES.

WHEREAS, The Vessel Haul-Out Task Force established fees for the Homer Marine Repair facility to be included in the Port of Homer Terminal Tariff No. 600; and

WHEREAS, The Port and Harbor Advisory Commission discussed and unanimously supported the fees recommended by the Vessel Haul-Out Task Force.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby amends the Port of Homer Terminal Tariff No. 600 to include Homer Repair Facility Fees as follows:

RULE: 34.33 – Homer Marine Facility Fees

EFF:

User fees and vendor fees to be collected for use of the Homer Marine Repair Facility are as follows:

(a) Homer Marine Repair Facility Fees

- (1) Upland Dry Dockage use Fee per Month: \$ 0.17 per square foot/ for vessels paying annual moorage in Homer harbor 0.20 per square foot for transient daily, monthly, semiannual moorage vessels
- (2) Administration Fee per month of Dry Dockage uplands usage: \$50.00
- (3) Beach Landing Fee per calendar day: \$1.50 per foot
- (4) Vendor Fee per calendar year: \$150.00
- (5) Harbor Labor Fee: \$102.00 per hour/\$51.00 minimum

PASSED AND ADOPTED by the Homer City Council this ____ day of _____, 2015.

CITY OF HOMER

MARY E. WYTHER, MAYOR

45 ATTEST:

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49 _____
JO JOHNSON, MMC, CITY CLERK

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51 Fiscal Impact: To be determined.

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**CITY OF HOMER
HOMER, ALASKA**

City Clerk

RESOLUTION 15-093

A RESOLUTION OF THE HOMER CITY COUNCIL EXCLUDING
CERTAIN PROPERTIES FROM THE HOMER NATURAL GAS SPECIAL
ASSESSMENT DISTRICT.

WHEREAS, Council adopted Ordinance 15-27 on August 10, 2015 establishing a
procedure for certain properties to be excluded from the Homer Natural Gas Special
Assessment District; and

WHEREAS, The criteria for exclusion is specific to a property owner or a council
member who may apply to have the property excluded from the District under either of the
following grounds:

1. The property does not benefit from the improvement under the criteria in
Resolution 12-076; or
2. ENSTAR has informed the owner of the property that under the terms of the
ENSTAR Tariff a main extension will be required to provide natural gas service
to the property.

WHEREAS, Upon review of the Gas Assessment Exclusion Applications filed through
September 9, 2015, the following parcels are excluded from the Homer Natural Gas Special
Assessment District:

KPB Parcel
KPB Parcel
KPB Parcel

WHEREAS, The City shall refund all payments made for the property on its assessment
in the District [without interest] to the record owner of the property as of the effective date of
this resolution; and

WHEREAS, The City Clerk shall record this resolution with the District Recorder.

NOW, THEREFORE, BE IT RESOLVED that the Homer City Council hereby excludes certain properties from the Homer Natural Gas Special Assessment District.

PASSED AND ADOPTED by the Homer City Council this 12th day of October, 2015.

CITY OF HOMER

MARY E. WYTHE, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

Fiscal Note: \$_____ reduction from Homer Natural Gas Special Assessment District Account No. 175-0375.

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**CITY OF HOMER
HOMER, ALASKA**

Burgess

ORDINANCE 15-27

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
PROVIDING A PROCEDURE FOR THE COUNCIL TO CONSIDER
WHETHER TO EXCLUDE CERTAIN PROPERTIES FROM THE
HOMER NATURAL GAS DISTRIBUTION SPECIAL ASSESSMENT
DISTRICT.

WHEREAS, By Ordinance 13-02, adopted February 11, 2013, the City created the Homer
Natural Gas Distribution Special Assessment District ("District"); and

WHEREAS, By Resolution 12-076, adopted August 27, 2012, the City previously had
adopted criteria for excluding from the District properties that would not receive any benefit
from the improvement in the District; and

WHEREAS, By Resolution 13-090, adopted September 9, 2013, Resolution 14-092(A),
adopted September 8, 2014, Resolution 15-005, adopted January 12, 2015, Resolution 15-012,
adopted March 9, 2015, and Resolution 15-016, adopted March 16, 2015, the City amended
the preliminary assessment roll for the District to exclude certain properties from the District
under the criteria in Resolution 12-076; and

WHEREAS, By Resolution 15-017, adopted March 23, 2015, the City confirmed the
assessment roll for the District, and from the date of the adoption of Resolution 15-017, a
property owner that objected to an assessment had 30 days to appeal the assessment to the
Superior Court under HCC 17.04.130; and

WHEREAS, Notwithstanding the expiration of the appeal period under HCC 17.04.130,
the Council finds that it would be equitable to allow an additional time period in which
properties may be excluded from the District under the criteria and the procedure in this
ordinance.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. Procedure for exclusion from District.

A. Either a person who owns property in the District or a Council member may apply
to the City to have the property excluded from the District under either of the following
grounds:

1. The property does not benefit from the improvement under the criteria in
Resolution 12-076; or

2. ENSTAR has informed the owner of the property owner that under the terms of the ENSTAR Tariff a main extension will be required to provide natural gas service to the property.

The Council will not consider applications to exclude property from the District on any grounds other than those stated above. Grounds for exclusion that the Council will not consider include without limitation that the assessment imposes economic hardship on the property owner, that the property owner has no present plan to develop the property, and that the property owner has no present plan to obtain natural gas service to the property.

B. To obtain an exclusion of property from the District, the property owner or Council member must submit a written application for the exclusion of the property to the City Clerk no later than the date specified in Section 3 of this ordinance. The application must state the name, address and telephone number of the property owner, identify the property by legal description, street address and Kenai Peninsula Borough tax parcel number, and include a statement of the specific facts that the applicant believes would support exclusion of the property from the District under either of the grounds for exclusion in subsection A of this section.

C. The City Clerk will return an incomplete application under subsection B of this section to the applicant, with a description of the missing information. If the City Clerk finds that an application has all of the information required by that subsection, the City Clerk will schedule a public hearing on the application before the Council on a first come, first served basis. The hearing shall be at a regular Council meeting on a date that will allow the City Clerk to give at least 15 days' written notice of the hearing by mail to the applicant, and the property owner if the property owner is not the applicant. At the hearing, the applicant will have the burden of proving that the property satisfies either of the grounds for exclusion from the District in subsection A of this section.

D. In addition to the property satisfying one of the grounds for exclusion in subsection A of this section, approval of an exclusion of property from the District is subject to the Council's determination that after the exclusion there will be sufficient funds available from the assessment of properties in the District and other sources to satisfy the City's obligations to the Kenai Peninsula Borough ("Borough") under the Loan Agreement between the City and the Borough for the financing of the cost of the improvement in the District.

E. At the conclusion of the hearing, the Council will take one of the following actions, in its sole discretion:

1. Adopt or reject a resolution excluding the property from the District; or
2. Continue the hearing to allow the applicant time to provide additional information in support of the application.

F. The decision of the Council on an application is final and non-appealable.

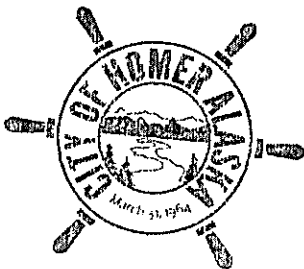
Section 2. Assessment payments must be current; refund. The City Clerk will not accept an application, and the Council will not consider or act on an application, unless the property that is the subject of the application is, and remains, current in the payments on its assessment in the District. If the Council adopts a resolution excluding a property from the

District, the City shall refund all payments made for the property on its assessment in the District [without interest] to the record owner of the property as of the effective date of the resolution.

Section 3. Limitation on time to apply for exclusion. The City Clerk will not accept an application, and the Council will not consider or act on an application, to exclude property from the District unless the application is complete and submitted to the City Clerk on or before the date that is 18 months after the effective date of this ordinance.

Section 4. This ordinance is not permanent in nature, and shall not be codified.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 10th day of August, 2015.



CITY OF HOMER

Francie Roberts

FRANCIE ROBERTS,
MAYOR PRO TEMPORE

ATTEST:

Jo Johnson

JO JOHNSON, MMC, CITY CLERK

YES: *6*

NO: *0*

ABSTAIN: *0*

ABSENT: *0*

First Reading: *7/27/15*

Public Hearing: *8/10/15*

Second Reading: *8/10/15*

Effective Date: *8/11/15*

127 Reviewed and approved as to form.

128

129 Mary K. Koester

130 Mary K. Koester, City Manager

131

132 Date: 8.12.15

133

134 Fiscal Note: Unknown at this time.

Thomas Klinkner, City Attorney

Date: _____

which parcels within the City limits will not be directly served by gas distribution mains constructed under the special assessment improvement plan.

BE IT FURTHER RESOLVED that the Council hereby adopts the following set of exclusion criteria:

- Undeveloped rural areas, parcels, or subdivisions which have no developed road access, no homes or businesses, and no city utilities.
- Parcels where a run of more than ½ mile is necessary in order to serve one or just a few customers. (With the possible exception of the Spit)
- Lots that have severe constraints for development such as steep slope, tideland, or other physical reasons.
- Lots that do not border a dedicated public right of way.
- Lots with legal restrictions on their development, such as conservation easements or designated park lands.

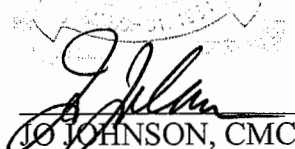
BE IT FURTHER RESOLVED that a preliminary map showing the proposed location of parcels which would be excluded from direct service and gas main extension under these criteria and the assessment district improvement plan was presented with this resolution and is incorporated herein.

PASSED AND ADOPTED by the Homer City Council this 27th day of August, 2012.

CITY OF HOMER


JAMES C. HORNADAY, MAYOR

ATTEST:


JO JOHNSON, CMC, CITY CLERK

Fiscal Note: N/A



City of Homer

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Office of the City Clerk

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(f) 907-235-3143

Memorandum 15-167

TO: HOMER CITY COUNCIL
FROM: JO JOHNSON, CITY CLERK
DATE: OCTOBER 6, 2015
SUBJECT: EXCLUDING CERTAIN PROPERTIES FROM THE HOMER NATURAL GAS SPECIAL ASSESSMENT DISTRICT.

The Council will hear three requests for exclusion from the Homer Natural Gas Special Assessment District:

1. HomePlate LLC - KPB Parcel 17316009
2. Daniel and Brenda Farren – KPB Parcel 17324145
3. Phoebe Estill – KPB Parcel 17928022

Resolution 15-093 requires you to include the parcel numbers that are excluded and the fiscal note (\$3,262.77 per parcel).

RECOMMENDATION:

Amend Resolution 15-093 to add the parcels for exclusion from the Homer Natural Gas Special Assessment District and the fiscal note.

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

