

**ACTION AGENDA
Worksession
Committee of the Whole
Regular Meeting
March 26, 2019**

WORKSESSION

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

Mayor Castner called the meeting to order at 4:00 p.m.

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

APPROVED without discussion

3. LAND ALLOCATION PLAN (*Per HCC 18.02.020*)(15 minutes)

4. PERS (*Requested by Stroozas*)

5. COMMENTS OF THE AUDIENCE

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

Next Regular Meeting is Monday, April 8, 2019 at 6:00 p.m., Committee of the Whole at 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.

Mayor Castner adjourned the meeting at 4:42 p.m.

COMMITTEE OF THE WHOLE AGENDA

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

Mayor Castner called the meeting to order at 5:00 p.m.

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

APPROVED without discussion

3. Ordinance 19-14, An Ordinance of the City Council of Homer, Alaska Approving a Noncompetitive Lease with Northern Enterprises Boat Yard, Inc. and Authorizing the City Manager to Execute the Appropriate Documents for a New Twenty Year Lease with

Options for Two Consecutive Five Year Renewals for an Identified Sixty Square Foot Portion of City Tidelands ATS 612 at an Initial Annual Rate of \$3.65. City Manager.

Memorandum 19-039 from Port Director/Harbormaster as backup

4. CONSENT AGENDA

5. REGULAR MEETING AGENDA

6. COMMENTS OF THE AUDIENCE

There were two who commented.

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

Next Regular Meeting is Monday, April 8, 2019 at 6:00 p.m., Committee of the Whole at 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.

Mayor Castner adjourned the meeting at 5:40 p.m.

REGULAR MEETING AGENDA

Session 19-09 a Regular Meeting of the Homer City Council was called to order on March 26, 2019 by Mayor Ken Castner at 6:00 p.m. at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska, and opened with the Pledge of Allegiance.

PRESENT: COUNCILMEMBERS: ADERHOLD, ERICKSON, LORD, SMITH, STROOZAS, VENUTI

STAFF: CITY MANAGER KOESTER
CITY CLERK JACOBSEN

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 2.08.040.)

The following changes were made: **RESOLUTIONS Resolution 19-021(S)**, A Resolution of the City Council of Homer, Alaska, Awarding the Contract for Ambulance Billing Services to the Firm of Systems Designs West, LLC of Poulsbo, Washington in the Amount of \$25.00 per

Transport (All Inclusive) and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk. RFP and proposal receipt log as backup

APPROVED as amended without discussion.

3. MAYORAL PROCLAMATIONS AND RECOGNITIONS

- A. Recognition of Tanya McGee for 25 Years of Service at the Homer Food Bank

4. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

There were two who commented.

5. RECONSIDERATION

6. CONSENT AGENDA

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

- A. Homer City Council unapproved Special and Regular Meeting Minutes of March 11, 2019. City Clerk. Recommend adoption.
- B. **Memorandum 19-036** from Mayor Castner Re: Reappointment of Kate Finn, Marcia Kuszmaul, and Emilie Springer; and appointment of Robert “Gordy” Vernon to the Library Advisory Board. Recommend approval.
- D. **Memorandum 19-037** from Mayor Castner Re: Reappointment of Robert Archibald as the City’s Representative on the Prince William Sound Regional Citizens Advisory Council. Recommend approval.
- E. **Memorandum 19-038** from City Clerk Re: New Marijuana Product Manufacturing Facility License # 19728 for Cosmic SeaWeed, LLC. Recommend approval.
- F. **Ordinance 19-13**, An Ordinance of the City Council of Homer, Alaska Amending the FY 2019 Operating Budget to Fund a Coastal Engineer’s Analysis of the Seawall by Appropriating \$8,369.78 from the Ocean Drive Loop Special Service District Account and \$1,837.27 from the City Seawall Reserve Account. City Manager. Recommended dates Introduction March 26, 2019, Public Hearing and Second Reading April 8, 2019

- B. **Ordinance 19-14**, An Ordinance of the City Council of Homer, Alaska Approving a Noncompetitive Lease with Northern Enterprises Boat Yard, Inc. and Authorizing the City Manager to Execute the Appropriate Documents for a New Twenty Year Lease with Options for Two Consecutive Five Year Renewals for an Identified Sixty Square Foot Portion of City Tidelands ATS 612 at an Initial Annual Rate of \$3.65. City Manager. Recommended dates Introduction March 26, 2019, Public Hearing and Second Reading April 8, 2019

Memorandum 19-039 from Port Director/Harbormaster as backup

APPROVED without discussion.

7. VISITORS

**8. ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/
COMMISSION/COMMITTEE REPORTS**

- A. Committee of the Whole Report

Councilmember Smith reported Council reviewed Ordinance 19-14 and discussed regular agenda items particularly amendments to the Council's Operating Manual.

- B. Worksession Report

- March 19, 2019 Legislative Worksession

Councilmember Lord reported Senator Stevens provided an update from his perspective of working with the legislature, primarily the conversation revolved around the budget and he felt although the House and Senate are working well together, he pointed out differences in the ways the two bodies are approaching the budget. He expressed confidence in more education funding than what was originally proposed. A lot of his comments were similar to what he expressed during the Town Hall meeting he held the week prior. They also discussed the House Bill recommending doing away with daylight savings time and the City impact.

- March 26, 2019 Worksession

Councilmember Aderhold reported Council had their annual review of the Land Allocation Plan and there was discussion on questions regarding overslope development in the Harbor and adding the HERC to the plan as leased property. They also discussed the State retirement system PERS that municipalities are a part of, including the history, what the state and municipalities pay, and what may be coming in the future regarding the municipal portion.

C. Borough Report

Borough Assembly Member Kelly Cooper, commented about a random act of kindness and thanked the person who stacked the cord wood she had delivered to her pole barn, whoever it was. The School District requested an additional \$2,423,955 for their FY19 budget, which is the difference between the cap and what's actually funded, and an ordinance is being prepared to provide the funding. These funds may prevent some of the non-tenured teachers from being laid off. They'll be finalizing properties available for sealed bids and over the counter land sales next week, and the information will be available on her Borough web page and on the Borough's Land Management page. She identified potential impacts of the proposed State Budget to the Borough's general fund based on the Governor's proposed budget which include elimination of the school bond debt reimbursement of \$2.6 million and the fish landing tax of approximately \$727,000, the loss of the Petroleum Property Tax of almost \$15 million, and the senior tax exemption. For the Borough to remain status quo for 2020, the general fund mil rate would have to be increased from 4.7 to 6.29 mil. Services area mil rates would be impacted as well, for example Nikiski Emergency Services would increase from 2.7 to 6.9, on top of the general fund mil rate. Anchor Point would go from 2.75 to 4.35 mils. The road service area would see theirs go from 1.4 to 1.87 mils. The reduction to education funding is a proposed \$22.4 million. She wants people to understand when they say the budget can be balanced at the State level without raising taxes, it's actually a cost shift and there may be taxes associated with that.

E. Commissions/Board/Committee Reports (5 minute limit per report)

1. Library Advisory Board

Mark Massion, Library Advisory Boardmember, reported the Board hasn't met since the last Council meeting. He commented regarding a meet and greet with a Library Director Candidate, the hiring process is coming along, and there will be a report at the next meeting on National Library Week.

2. Homer Advisory Planning Commission

Tom Bos, Planning Commissioner, reported the Commission has been having ongoing discussion on the permitting process, building locations, and lack of a verification procedure for building locations, CUP triggers in various zoning districts, and climate action as it relates to the Comprehensive Plan. They approved a CUP for 5 single family residences in rural residential district, and heard a presentation from Fire Chief Purcell on building heights, fire department capabilities, and safety factors. He announced there is a vacancy on the Planning Commission, and he commended the City and Chamber on an incredible fishing tournament this weekend.

3. Economic Development Advisory Commission

Councilmember Smith commented the EDC had an interesting and well run meeting on the 12th and will let a Commissioner report at another meeting.

4. Parks Art Recreation and Culture Advisory Commission
5. Port and Harbor Advisory Commission
6. Americans with Disabilities Act Compliance Committee

Councilmember Aderhold reported at their last meeting the Committee went over the current draft of the Transition Plan and hope to finalize it at their next meeting, then will bring it to Council.

9. PUBLIC HEARING(S)

- A. **Ordinance 19-11**, An Ordinance of the City Council of Homer, Alaska, Amending the 2019 Operating Budget to Appropriate Matching Funds in the Amount of \$40,097 from the HART Fund for Low-Impact Development Planning through the use of Green Infrastructure. City Manager/Public Works Director. Recommended Dates Introduction March 11, 2019, Public Hearing and Second Reading March 26, 2019.

There were no public comments.

ADOPTED without discussion.

- B. **Ordinance 19-12**, An Ordinance of the City Council of Homer, Alaska, Amending the 2019 Operating Budget to Appropriate Funds in the Amount of \$42,646 from the Harbor Reserve Account for the Final Design of the Harbor Barge Mooring Facility. City Manager/Port Director. Recommended Dates Introduction March 11, 2019, Public Hearing and Second Reading March 26, 2019.

Memorandum 19-029 from Public Works Director as backup

There were no public comments.

ADOPTED without discussion.

10. ORDINANCE(S)

11. CITY MANAGER'S REPORT

- A. City Manager's Report

City Manager Koester reminded listeners about Tsunami Awareness Week and to go to the City's website to learn about what's going on. Tomorrow at 10:30 a.m. there will be a test of the warning system, followed by a notice that it was a test, and your phones should show an alert if you're signed up to receive them. Saturday at 10 am there will be a fun run/walk on the Blue Line, which is the inundation zone. She said there are questions of why we evacuate below Pioneer and she clarified that in the event of an emergency, we want a very clear landmark that even a tourist may be able to identify. The reality is the inundation zone varies, its 50 feet, and the fun run will bring awareness to that.

She also highlighted information in her written report about moving the City of Homer to a two year budget. She explained the budget process is a lot of complicated work but it doesn't change much from year to year. The Mayor is look at putting us on a two year cycle and having more accountability measures built into it. She wants to talk to Council and the public before launching in to it.

B. Bid Report (Informational Only)

There was brief discussion clarifying this report is informational only to advise the Council and public about Invitations to Bid and Request for Proposals that are open and available at the City.

12. PENDING BUSINESS

- A. **Ordinance 19-09(S)**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a \$100,000 Service Extension Fees and Authorizing the Extension of City of Homer Water Services to Lot 2B, Puffin Acres Milepost 3, East End Road in Kachemak City. Mayor/Smith. Introduction February 11, 2019, Public Hearing February 25, 2019, Postponed to March 11 and March 26, 2019.

ADOPTED with discussion.

- B. **Resolution 19-012**, A Resolution of the City Council of Homer, Alaska, Amending the Council's Operating Manual Regarding Telephonic Participation, Re-Organizing Sections, Clarifying Language, and Adding Appendices for Homer City Code Excerpts. City Clerk.

Memorandum 19-033 from City Clerk as backup

Resolution 19-012(S), A Resolution of the City Council of Homer, Alaska, Amending the Council's Operating Manual Regarding Telephonic Participation, Re-Organizing Sections, Clarifying Language, and Adding Appendices for Homer City Code Excerpts, **and amending policy directives under council conduct statement of mayor and**

council and public comment/testimony time limits. City Clerk/**Mayor.**

ADOPTED as amended with discussion.

Amend Attachment A: line 819 to change “at 11:00 a.m.” to “before 11:00 a.m.” and add new paragraph after line 869 that reads The Committee of the Whole is the Mayor and Council’s opportunity to ask questions of City Department Heads and Division Directors regarding department issues on the regular agenda.

13. NEW BUSINESS

14. RESOLUTIONS

- A. **Resolution 19-020**, A Resolution of the City Council of Homer, Alaska, Supporting State of Alaska House Bill 43 to Exempt the State from Daylight Savings Time and Change the Time Zone for the State. Erickson.

ADOPTED with discussion.

- B. **Resolution 19-021**, A Resolution of the City Council of Homer, Alaska Awarding the Contract for Ambulance Billing Services to a Firm to be Disclosed in an Amount to be Determined. City Clerk.

Resolution 19-021(S), A Resolution of the City Council of Homer, Alaska, Awarding the Contract for Ambulance Billing Services to the Firm of Systems Designs West, LLC of Poulsbo, Washington in the Amount of \$25.00 per Transport (All Inclusive) and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk.

ADOPTED Substitute with discussion.

15. COMMENTS OF THE AUDIENCE

There was one who commented.

16. COMMENTS OF THE CITY ATTORNEY

17. COMMENTS OF THE CITY CLERK

City Clerk Jacobsen commented that she’ll be preparing the next Council Packet using the agenda management program that Council approved in the last mid-year budget amendment.

She explained here will be a slightly different look to the agenda and packet and she looks forward to any questions or feedback.

18. COMMENTS OF THE CITY MANAGER

City Manager Koester had no comment.

19. COMMENTS OF THE MAYOR

Mayor Castner followed up on Mr. Slone's comments because at the end of the last meeting he chided Mr. Slone for what he thought was a comment he didn't want to see delivered in the Chambers. He was reminded the right of the public to speak their mind is just that, and he apologized to Mr. Slone the next day. As a teaching moment he said when words like that come, people stop listening, so if you want to come up and say "You guys are a bunch of idiots", you should wait until the last six seconds to do it.

Commented about right of public to speak mind.

20. COMMENTS OF THE CITY COUNCIL

Councilmember Lord had no comment.

Councilmember Smith commented First Friday is next week and John Fenske's work will be on display at the college. He shared that his family purchased a piece of John's artwork that his dad loved and gave it to him. He passed along a podcast to a Library Board member called The Room of Requirement that's about libraries, and he encourages others to listen to it. He's going to Las Vegas to attend his daughter's wedding.

Councilmember Venuti expressed her disappointment because she didn't know the Mayor was going to vote, she thought that was one of his campaign promises, but maybe she misunderstood. If she'd known he was going to vote she probably would have encouraged the people who called her to call him as well as a voting member, because she received so many calls about the water. She doesn't understand because he sat through the public testimony, and she's a little fearful because Kachemak City wasn't willing to write a letter of support and that raises a red flag. She accepts the vote, but is disappointed that she didn't send her calls the Mayor's way to hear their thoughts and feelings also. She commented about looking at Ocean Drive as a first time visitor, there seem to be some areas that are becoming junky and its building up quickly, and she encouraged people to contact Planning if they have concerns. Just because it's an industrial site doesn't mean it should be accumulated with unlicensed cars and motor homes with broken windows. There is a podcast, www.homeralaskapodcast.com where a gentleman is doing a wonderful job interviewing our local residents. It's been very interesting to listen and learn about the people in our community. Lastly she commented

tomorrow is the 27th and they'll be testing the tsunami warning sirens. She asked that the community take a moment to remember those who lost their lives in the 1964 earthquake.

Councilmember Erickson said this is her favorite time of year because the Mayday trees are starting to bud and you can see little tiny green leaves. It's fun and makes her happy. She encourage people to start cleaning up when they're out and about, as the snow is disappearing. She thanked the Chamber for their work at the Winter King Derby. She wished everyone a great couple of weeks and enjoy the sunshine.

Councilmember Aderhold commented that the Mayday tree is pretty but it's an invasive weed. There was an expression of racism that happened in our community last week and it upset her a lot. She found it very appalling and hurtful. She knows there's racism in the community and she think it's something we need to address. She appreciates those who have reached to those affected and hopefully we'll continue to do that in an open and public way. It's also an opportunity for each of us to reflect on our own biases. She gave a brief update on the KPB Election Stakeholders Group. There have been presentations on the election process by the Borough, the State Division of Elections, and the Anchorage vote by mail effort that have all been very valuable and she's glad to be part of the group. In things that are heard about voting, the ability of people to vote, voter fraud and so forth in the national news, she's been really impressed in the processes she's hearing about at the local and state levels to try to make sure that ensure everyone who is a registered voter can vote, those who aren't registered to vote can't, and that people only vote once. She's been really impressed by the integrity of our system here in Alaska and locally.

Councilmember Stroozas said it's good be home after travelling and visiting family. He shared some of the challenges of participating telephonically. He reported that the Chamber Winter King tournament had 1402 anglers, 450 boats, and a young lady from Eagle River won and she was the first woman to win the tournament. There were record proceeds and a record pay out. He heard Ravn ferried full planes of people coming to fish. The tournament has a lot of legs under it, our community was well showcased, and we should all be proud of the display Homer puts on, for events like that.

21. ADJOURNMENT

Next Regular Meeting is Monday, April 8, 2019 at 6:00 p.m., Committee of the Whole at 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.

Mayor Castner adjourned the meeting at 7:25 p.m.