

Session 20-26 a Regular Meeting of the Homer City Council was called to order on August 24, 2020 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, EVENSEN, HANSEN-CAVASOS, LORD, SMITH, VENUTI

STAFF: INTERIM CITY MANAGER ABBOUD
CITY CLERK JACOBSEN
FINANCE DIRECTOR WALTON
PUBLIC WORKS DIRECTOR KEISER
PERSONNEL DIRECTOR BROWNING
CITY ATTORNEY GATTI

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: **VISITORS** Unified Command Report **CONSENT AGENDA** Ordinance 20-54, An Ordinance of the City Council of Homer, Alaska Amending the 2020 Capital Budget by Appropriating \$45,000 from the HART Trails Fund for Completion of the Poopdeck Trail. Venuti. Memorandum 20-130 from Parks Art Recreation and Culture Advisory Commission as backup; Resolution 20-074, A Resolution of the City Council of Homer, Alaska Approving Application for Coronavirus Relief Funds in the Amount of \$1,203,124.94 from the Kenai Peninsula Borough for Costs that are Necessary Expenditures Incurred due to the Coronavirus Disease 2019 (COVID-19) Public Health Emergency, and Authorizing the City Manager to Execute the Grant Agreement. City Manager. Memorandum 20-131 from City Planner as backup; **ANNOUNCEMENTS / PRESENTATIONS / REPORTS** Planning Commission written Report **CITY MANAGER'S REPORT** City Manager's written report, July General Fund Comparison Report, and Second Quarter Sales Tax Report; **NEW BUSINESS** Oath of Office for Robert Dumouchel, to be administered following agenda approval;; and Memorandum 20-129 from City Clerk re: Approval to Submit Letter to Senator Sullivan related to the CARES Act. Letter to Senator Sullivan, and **RESOLUTIONS** Resolution 20-077, A Resolution of the City Council of Homer, Alaska Adopting a Reserve Fund Policy for the Collection and Use of Water and Sewer Depreciation Reserve Funds. Lord/Aderhold. Memorandum 20-132 from Councilmembers Aderhold and Lord as backup

Mayor – May I have a motion adopt the agenda as amended?

I move to approve the agenda as amended. Lord /venuti UC

LORD/VENUTI MOVED TO APPROVE THE AGENDA AS AMENDED.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

City Clerk Jacobsen administered the Oath of Office to City Manager Dumouchel.

MAYORAL PROCLAMATIONS AND RECOGNITIONS

PUBLIC COMMENT ON MATTERS ALREADY ON THE AGENDA

RECONSIDERATION

CONSENT AGENDA (Items listed below will be enacted by one motion. If a 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. City Council Unapproved Regular Meeting Minutes of August 10, 2020. City Clerk. Recommend adoption.
- b. Memorandum 20-118 from Mayor Castner re: Appointment of Student Representative to the Library Advisory Board. Recommend approval.
- c. Ordinance 20-51, An Ordinance of the City Council of Homer, Alaska Amending the 2020 Capital Budget by Appropriating Funds in the Amount of \$7,049 from the Police CARMA Fund for Traffic Calming Improvements on Kachemak Drive. City Manager/Police Chief. Recommended dates: Introduction August 24, 2020 Public Hearing and Second Reading September 14, 2020

Memorandum 20-120 from Police Chief as backup

- d. Ordinance 20-52, An Ordinance of the City Council of Homer, Amending the 2020 Capital Budget and Authorizing Expenditure of \$25,000 from the HART Road Fund for and On-Call Services Contract with the Homer Soil and Water Conservation District. City Manager/Public Works Director. Recommended dates Introduction August 24, 2020 Public Hearing and Second Reading

Memorandum 20-125 from Public Works Director as backup

- e. Ordinance 20-53, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code 21.05.030 Measuring Heights to Exclude Elevator Shafts when Measuring the Height of a Building. Planning Commission. Recommended dates Introduction August 24, 2020 Public Hearing and Second Reading September 14, 2020.

Memorandum 20-123 from City Planner as backup

Item e. moved to Ordinances item e. Evensen.

- f. Ordinance 20-54, An Ordinance of the City Council of Homer, Alaska Amending the 2020 Capital Budget by Appropriating \$45,000 from the HART Trails Fund for Completion of the Poopdeck Trail. Venuti. Recommended dates Introduction August 24, 2020 Public Hearing September 14, 2020

Memorandum 20-121 from Deputy City Planner as backup

- g. Resolution 20-073, A Resolution of the City Council of Homer, Alaska Designating Signatories of City Accounts and Superseding any Previous Resolutions so Designating. City Manager. Recommend adoption.
- h. Resolution 20-074, A Resolution of the City Council of Homer, Alaska Approving Application for Coronavirus Relief Funds in the Amount of \$1,203,124.94 from the Kenai Peninsula Borough for Costs that are Necessary Expenditures Incurred due to the Coronavirus Disease 2019 (COVID-19) Public Health Emergency, and Authorizing the City Manager to Execute the Grant Agreement. City Manager. Recommend adoption.

Item h. moved to Resolutions item e. Evensen

City Clerk Jacobsen read the consent agenda and its recommendations.

LORD/VENUTI MOVED TO ADOPT THE CONSENT AGENDA AS READ.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

VISITORS

Derotha Ferraro South Peninsula Hospital (SPH) Public Information Officer, reported to Council. Ms. Ferraro reviewed case counts including the statewide total 4810 cases and 114 in the Southern Peninsula. SPH has done 7473 tests, 7243 negative, 113 positive, and 117 pending. Case numbers can be found on the SPH website. With only one positive in the last 7 days our positivity rate is under ½ percent, and the state remains in the lead for testing nationwide, and also lowest positivity rate. She reported Bonita Banks, nurse and community health educator, has taken a new position at Homer Medical Center as the Medication Assisted Treatment Program Nurse for substance used disorders. She shared a reminder to those returning from summer travel or summer work that COVID testing is available at the hospital seven days a week from 10:00 a.m. to 8:00 p.m. Call ahead to the COVID nurse at 235-0235 for screening and preregistration.

Question was raised as to the number of cases that would trigger going into the red zone and schools closed. Ms. Ferraro said she'd find that information and let Council know.

Jenny Carroll City of Homer Public Information Officer, reported the Emergency Operations Center (EOC) has been quiet lately. At the EOC levels around the state the focus has been on schools opening, both K-12 and colleges and many opened today. She recognized the Kenai Peninsula School District (KPBSD) and local school personnel who have dedicate a lot of planning effort to provide educational options for our families, figuring out and when to safely open and close facilities, and their communication with families so they provide the best education they can while protecting the health and safety of students, staff, and community. She reviewed criteria used to determine whether area schools will open for in class learning, including test count positive case criteria and consultation with State and local agencies. The KPBSD website for a COVID-19 risk map that shows low, medium, and high risk areas in the borough, broken down into central, eastern, and southern region. We in the southern region are in a low incident category. She encouraged that the community continue implementing and maintaining preventative measures and testing for anyone showing any COVID-19 symptom or symptoms. Testing leads to quick identification of cases, quick treatment, immediate isolation to prevent spread, and early testing helps with contact tracing and minimizing spread.

Ms. Ferraro commented regarding the earlier question regarding the threshold that would cause schools to move into the red zone and close. She explained the Southern Peninsula would have to reach a 1.4 average daily incidence, based on 14 day normalized per 100,000 population. As long as we remain under 1.4 daily incidence we'd remain in yellow. We're below .7, currently .5, so we're in the green

ANNOUNCEMENTS / PRESENTATIONS / REPORTS (5 Minute limit per report)

a. Worksession Report

Councilmember Lord reported Council discussion focused on the water and sewer fund, different components of rates, depreciation reserve fund, and HASWP, included with Resolutions 20-077 and 20-078. It was good discussion with further requests for staff to provide information and they'll continue working on this.

b. Committee of the Whole Report

Councilmember Lord reported Council discussed Ordinance 20-53 and the exceptions for elevator shafts for building height restrictions, 20-54 for an appropriation of funds to complete some work on the Poopdeck Trail, and continued discussion on the water sewer utility funds.

c. Mayor's Report

Mayor Castner reported on the 2nd quarter sales tax report provided in the supplemental packet. There has been concerns about the impacts of lost revenue due to the pandemic, the 2nd quarter is one of the larger ones for sales tax revenue and has grown over the last few years

and an 18% decrease here in COVID times. It's not as bad as what some may have been anticipating, it's a manageable amount of lost total income.

- d. Borough Report
- e. Library Advisory Board
- f. Planning Commission
- g. Economic Development Advisory Commission

John Mink, Economic Development Advisory Commissioner, reported the Commission reviewed the Commission's bylaws for changes that streamline their purpose. They held their annual Capital Improvement Plan review and recommended the Port of Homer Large Vessel Harbor and Barge Mooring and Large Vessel Haul Out Repair Facility as their top two. He added the Commission still needs a Councilmember to work with them on revising City Code to amend the Commission's purpose.

Councilmember Evensen shared concern about ordinances that have come from the Planning Commission that are about negative economic consequences for our community and wanted to float the idea of potential analysis and the Economic Development Advisory Commission may want to weigh in on those items that come to Council. Commissioner Mink responded if the Council wants them to do that, they would be willing to do so, but his understanding is that it would have to be direction from Council.

- h. Parks Art Recreation and Culture Advisory Commission

Ingrid Harrald, Parks Art Recreation and Culture Advisory Commissioner, reported Public Works Director Keiser, Parks Maintenance Coordinator Steffy, and Recreation Manager Illg put together a great packet of information. The parks are the place to be right now, and she appreciates all their work. She noted the improvements at Ben Walters Park, the campgrounds have been overcrowded and exceeding capacity, Hornaday Park has continued to offer special use economic displaced campsites and staff is looking at what happens when that area closes in October, there's been a lot of turnover in the parks staff, skate park improvements are being done, use of parks for non-profits meetings and events, and making use of the HERC for Community Recreation activities while the schools and SPARC are unavailable. They reviewed the Capital Improvement Plan and support Karen Hornaday Park and Main Street Sidewalk Improvements as their top two priorities. Under new business they reviewed a Bunnell Street Art project for Bishops Beach that will be coming to Council, addressed issues with public bathrooms, supported the Poopdeck Trail improvements, and discussed a potential lot purchase on Bishop's Beach, and Baycrest Overlook signage.

- i. Port and Harbor Advisory Commission
- j. Americans with Disabilities Act Compliance Committee

Councilmember Aderhold reported the Committee will meet on Thursday to review the Capital Improvement Plan.

k. AML Summer Conference Report

Councilmember Venuti reported most of the conference topic revolved around COVID issues. The conference was held by Zoom and there was digital divide for the smaller villages that have limited internet and were trying hard to use their phone. They also talked about defense communities and the importance of keeping the Coast Guard presence and overall it was a good conference.

Councilmember Aderhold shared that she listened in to some of the sessions and there was a lot of really good information. One thing she found very interesting was the model that allowed attendees to go in and balance the State budget, provided by the Fairbanks North Star Borough. It was very interesting to play around with the model and see what moves the needle and what doesn't with revenues and expenses.

Councilmember Lord also participated and found the budget model very interesting and informative. AML will work to compile some of the responses from the model to share. The model was very interesting for open budgeting community work, and they could track all the clicks, versus what was submitted, that provided a lot of interesting information.

l. City Attorney's Report

City Attorney Gatti reported on the firm's work related to legal analysis of City powers related to health powers. They've researched the Alaska Constitution, Alaska Statutes (AS), and City ordinances. It was suggested in a conversation with the Mayor and Attorney General's Office that the City somehow has health powers based on an ordinance in Title 2 of City Code. Under the Constitution and Statutes we have liberal powers but they aren't unlimited and there are restrictions. There are communities like Anchorage that are Home Rule and have a Health Department to engage in health activities, but most municipalities don't have that authority. In AS Title 29 there are implied or inferred powers, but the firm believes there needs to be some power to imply or infer the extension of those powers. He cited two cases that represent the limitations on those powers. When reviewing Homer Code there are a couple of ordinances that seem to incorporate State law, one in title 1 regarding enforcement or violations of State law offences, but that doesn't provide health powers. The other in title 2 that designates the City Manager as the Health Officer and addresses coordinating with the State, but they don't believe that provision creates health powers to enable issue mask mandates, quarantines, or tests. Title 5 talks about enforcement of State activities including public health and purports to incorporate AS Title 17 and 18. They don't think any of those ordinances expressly or impliedly grants the City specific health powers to engage in activities within the province of State Department of Health and Social Services. They then looked at the Alaska Disaster Act and how it fits in. It sets up the Unified Command structure and it specifically has a provision

that doesn't confer additional authority on local governments other than the authority they already have. The Constitution Article 7 Section 4 delegates the responsibility for creating and implementing health powers to the State Legislature. The Legislature adopted Title 18 which is the statutory authority for the Department of Health and Social Services to act. They can implement measures during an outbreak of disease, and there are provisions about right to due process where the state medical officer's determinations can be challenged. Another legal question is State preemption and whether there's an argument of preemption of municipalities operating in certain areas of health powers. Because of the Constitutional delegation to the Department of Health and Social Services, could it be argued as an applied preemption. They don't think the current City ordinances address health powers. It's possible the City could, under liberal construction, but would have to determine what that would look like and what kind of enforcement would be employed. If the City was inclined to do anything like that, the best position would be to adopt ordinances with health powers, and if someone disagrees they could seek a legal decision. But right now it doesn't appear there's an expressed or implied power under the City's current ordinances. A written memorandum will be issued soon with more detail.

PUBLIC HEARING(S)

- a. Ordinance 20-49, An Ordinance of the City Council of Homer, Alaska Amending the Homer City Zoning Map to Rezone 4061 Pennock Street from Urban Residential (UR) Zoning District to Residential Office (RO) Zoning District. Planning Commission. Introduction August 10, 2020, Public Hearing and Second Reading August 24, 2020.

Memorandum 20-119 from City Planner as backup
Memorandum 20-115 from City Planner as backup

Mayor Castner opened the public hearing. There were no comments and the hearing was closed.

LORD/VENUTI MOVED TO ADOPT ORDINANCE 20-49 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

Councilmember Evensen expressed his opposition to the ordinance and commented regarding the importance of keeping residential zoned districts as residential because of long term and economic impacts of bringing in a commercial type of zoning. He appreciated the additional information from Planning, including citations from the Comp Plan, but he disagrees with the notion of infilling as this is already zoned for residential development. Adding a commercial structure next to a residential structure decreases the value of the residential structure. He believes the zoning district should stay the way it's set up.

EVENSEN MOVED TO REFER ORDINANCE 20-49 TO THE EDC FOR THEIR OPINION.

Motion failed for lack of a second.

There was no further discussion on the motion on the floor.

VOTE: YES: VENUTI, SMITH, ADERHOLD, LORD
NO: EVENSEN, HANSEN-CAVASOS

Motion carried.

- b. Ordinance 20-50 An Ordinance of the City Council of Homer, Alaska Appropriating \$60,000 in CARES Act Funds from the State of Alaska for the Homer Chamber of Commerce to Continue Operations during the Pandemic. Evensen/Mayor. Introduction August 10, 2020 Public Hearing and Second Reading August 24, 2020

Ordinance 20-50(S) An Ordinance of the City Council of Homer, Alaska Appropriating \$60,000 in CARES Act Funds from the State of Alaska for the Homer Chamber of Commerce to Continue Operations during the Pandemic. Evensen/Mayor

Mayor Castner opened the public hearing.

Brad Anderson, Executive Director of the Homer Chamber of Commerce, commented in support of the ordinance and shared some of the impacts the pandemic has had on the Chamber.

There were no further comments and the hearing was closed.

LORD/EVENSEN MOVED TO ADOPT ORDINANCE 20-50 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

LORD/EVENSEN MOVED TO SUBSTITUTE ORDINANCE 20-50(S) FOR 20-50.

Councilmember Evensen explained the substitution was intended to streamline the original ordinance.

VOTE (substitution): VOTE NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

EVENSEN MOVED TO STRIKE LINES 31-36.

Councilmember Evensen explained they are redundant statements and he intended them to be removed from the substitute.

There was brief discussion confirming the redundancy with lines new lines 22-29.

VOTE (amendment): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

There was no further discussion.

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

Motion carried.

ORDINANCE(S)

- a. Ordinance 20-55, An Ordinance of the City Council of Homer, Alaska Reappropriating \$1,500,000 from the Small Business Economic Relief Grant (SBERG) Program to the Household Economic Relief Grant (HERG) Program. Evensen/Smith. Recommended dates Introduction August 24, 2020 Public Hearing and Second Reading September 14, 2020.

LORD/EVENSEN MOVED TO INTRODUCE ORDINANCE 20-55 BY READING OF TITLE.

There was discussion that this may be unnecessary at this point because as we look at having to track this money and the buckets, the HERG program isn't open yet. The SBERG will likely have money left over but has a longer open period and the HERG program would cover 1000 successful applicants at the current up to \$1500 funding level per households. It would be beneficial to wait until September when they have a better feel for numbers of applications for the Economic Relief Grant (ERG) programs. There is also the additional money coming from the Borough, so before re-appropriating funds now, it could be more beneficial for Council to look at it when we have a better feel for applicants and where we are. It was suggested this makes household grant a priority and would have the biggest economic impact on the community and should be rolled out first.

At the request of Council, Sara Perman, City CARES Funding Coordinator, commented the remaining ERG programs will start rolling out after Labor Day, staggered over two to three weeks.

VOTE: YES: HANSEN-CAVASOS, EVENSEN, SMITH
NO: ADERHOLD, LORD, VENUTI

Mayor Castner did not vote.

Motion failed.

- b. Ordinance 20-56, An Ordinance of the City Council of Homer, Alaska Amending the 2020 Capital Budget and Authorizing the Expenditure of \$550,000 from the Water Depreciation Fund for Designated Urgent Projects. City Manager/Public Works Director.

Recommended dates Introduction August 24, 2020 Public Hearing and Second Reading
September 14, 2020

Memorandum 20-126 from Public Works Director as backup

LORD/VENUTI MOVED TO INTRODUCE ORDINANCE 20-56 BY READING OF TITLE ONLY.

Councilmember Aderhold raised a question regarding the climate action plan and the ability to generate electricity by adding turbines to the water system as it comes into town. She wonders if there's opportunity with any of these projects to evaluate if it makes sense to do it at this time.

Councilmember Lord recalled there has been discussion over the last year or so and some movement has happened with that, so it might be a good follow up for Public Works to bring back.

Councilmember Evensen thinks it's a great thought but has concerns with that because turbines tend to kick off metal shards and could affect the quality of the water.

Mayor Castner appreciates Public Works putting together lists of projects that need to get done and planning for them.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

- c. Ordinance 20-57, An Ordinance of the City Council of Homer, Alaska Amending the 2020 Capital Budget and Authorizing the Expenditure of \$484,900 from the Sewer Depreciation Fund for Designated Projects in the 2020 Sewer Capital Improvement Plan. City Manager/Public Works Director. Recommended dates Introduction August 24, 2020 Public Hearing and Second Reading September 14, 2020

Memorandum 20-127 from Public Works Director as backup

LORD/VENUTI MOVED TO INTRODUCE ORDINANCE 20-57 BY READING OF TITLE ONLY.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

- d. Ordinance 20-58, An Emergency Ordinance of the City Council of Homer, Alaska Declaring the Landslide on Horizon Court to Constitute an Emergency and Amending the 2020 Capital Budget and Authorizing Expenditure of up to \$300,000 from the HART

Road Fund to Design and Construct Remedial Solution. City Manager/Public Works Director.

Memorandum 20-127 from Public Works Director as backup

LORD/ADERHOLD MOVED TO ADOPT ORDINANCE 20-58 BY READING OF TITLE ONLY.

Mayor Castner shared his understanding that the toe of a slope gave out and took away a huge chunk of slope with it. It affects 6 or 8 homes in the neighborhood and it's a city owned road. Their solution right now is to increase the cut in the hillside and widen out what's left of the road, and the long term solution will likely be a retaining wall.

Councilmember Aderhold noted as we look for longer term solutions she'd like to look at the community forming a special assessment district to match HART funds and looking at whether it would be for bringing the entire Horizon Court up to City standards, or just a small section of it.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

- e. Ordinance 20-53, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code 21.05.030 Measuring Heights to Exclude Elevator Shafts when Measuring the Height of a Building. Planning Commission. Recommended dates Introduction August 24, 2020 Public Hearing and Second Reading September 14, 2020.

Memorandum 20-123 from City Planner as backup

LORD/VENUTI MOVED TO INTRODUCE ORDINANCE 20-53 BY READING OF TITLE ONLY.

Councilmember Evensen shared his concerns in that there are no building restriction codes in the City aside from this one, and he thinks we should hold on to it to help unify our City for aesthetic reasons where views are so important.

Councilmember Smith doesn't see this as an issue, and as the City Planner clarified, it's something akin to an air handler on a roof, not requiring another building floor to accommodate it.

Councilmember Lord shared her support for the ordinance and the rationale behind it. She doesn't believe it's the only building restriction in the city as the City has an entire title on Planning and Zoning and there are a number of things developments have to adhere to.

Councilmember Aderhold noted the City has a resolution that we're trying to become a universally accessible City, and one reason for requiring elevators in buildings is accessibility.

We aren't increasing overall building height, it's for an elevator shaft. She supports the ordinance.

Councilmember Venuti added her support, noting it isn't just elevator shafts, but also air handlers, which are very important in this time when we're dealing with COVID.

Councilmember Evensen added some of the condos at the end of the spit have elevators so they now could raise the structure higher, and could increase the roof space and block the view that much more. He thinks sometimes with these planning things we fall into a near term solution that sounds good at the time but 20 years later there's unintended consequences.

VOTE: YES: LORD, ADERHOLD, HANSEN-CAVASOS, SMITH, VENUTI
NO: EVENSEN

Motion carried.

CITY MANAGER'S REPORT

a. City Manager's Report

City Manager Dumouchel said he's glad to be in Homer now and was happy to answer questions on his report.

Councilmember Aderhold commented regarding the partnership with Bunnell on the National Endowment for the Arts and said she's happy to sponsor Council action if needed for that. She'd also like to have a report from Sara Perman as their ERG programs roll out, any issues she's seeing, and fill them on how things are going.

Councilmember Lord said appreciated the EOC debrief from the tsunami response last month. Regarding the types of reporting they get from on finances, she'd like to have it expanded to more than just one month to get more contextual information to help them utilize the information better.

Councilmember Smith concurred with having more financial information to see where they are quarterly and also year to date, in relationship to last year.

Councilmember Evensen commented regarding unauthorized camping on the Homer Spit and shared concern about vehicles parked down on the beach berms near the Seafarers Memorial in a protected area.

PENDING BUSINESS

- a. Ordinance 20-48, An Ordinance of the City Council of Homer, Alaska Amending the 2020 Operating Budget and Authorizing Expenditure of \$29,100 from the General Fund Fund

Balance to Fund Additional Porta Potties and Hand Wash Stations and Authorizing a Sole Source Contract. City Manager/Public Works Director. Introduction July 27, 2020 Public Hearing and Second Reading August 10, 2020.

Ordinance 20-48(S), An Ordinance of the City Council of Homer, Alaska Amending the ~~2020~~ **2020-2021** Operating Budget and Authorizing Expenditure of **an Additional** \$29,100 ~~from the General Fund Fund Balance to Fund Additional~~ **for** Porta Potties, **Designating this as a COVID Related Expense**, and Hand Wash Stations and Authorizing a Sole Source Contract. City Manager/Public Works Director.

Memorandum 20-124 from Public Works Director as backup
Memorandum 20-105 from Public Works Director as backup

Mayor Castner stated there's a motion on the floor from August 10th to adopt ordinance 20-48\ by reading of title only for second and final reading.

LORD/VENUTI MOVED TO SUBSTITUTE ORDINANCE 20-48(S) FOR 20-48.

There was no discussion.

VOTE (substitution): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

There was no further discussion

VOTE (main motion): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

NEW BUSINESS

- a. Oath of Office for Robert Dumouchel, City Manager

This was taken up after agenda approval.

- b. Memorandum 20-122 from City Clerk Re: Expression of Interest by the City of Homer to Host the 2024 Arctic Winter Games

LORD/ADERHOLD MOVED TO APPROVE THE RECOMMENDATION OF MEMORANDUM 20-122 TO SUBMIT AN EXPRESSION OF INTEREST TO HOST THE ARCTIC WINTER GAMES IN MARCH 2024 TO THE LT GOVERNOR NO LATER THAN SEPTEMBER 10.

Council address the significant undertaking and cost required to host this event and that they'd be willing to work with the Borough and participate in hosting an event, if the Borough put forth a proposal to host the Games.

VOTE: NO: HANSEN-CAVASOS, VENUTI, LORD, EVENSEN, ADERHOLD, SMITH

Motion failed.

- c. Memorandum 20-129 from City Clerk re: Approval to Submit Letter to Senator Sullivan related to the CARES Act

LORD/ADERHOLD MOVED TO APPROVE THE RECOMMENDATION OF MEMORANDUM 20-129 TO SUBMIT THE LETTER FROM THE MAYOR TO SENATOR SULLIVAN REGARDING CARES ACT EXPENDITURES.

Mayor Castner explained his understanding from Councilmember Aderhold that there was a meeting at AML where Senator Sullivan was suggesting CARES Act could take care of shortfalls the City might have in revenue and got some pushback from participants that wasn't the case. His response was he'd like to hear from some of the Mayor's about what they're using CARES Act money for.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

RESOLUTIONS

- a. Resolution 20-075, A Resolution of the City Council of Homer, Alaska Accepting the 2020 Water Capital Improvement Plan and Declaring it should be Updated as Part of the City's Budget Cycle. City Manager/Public Works Director.

LORD/VENUTI MOVED TO ADOPT RESOLUTION 20-075 BY READING OF TITLE ONLY.

Councilmember Lord noted earlier in the meeting they introduced an ordinance funding a portion of this work, and this is the work of Public Works looking through our plans and infrastructure and determine where we are with urgent, moderate, and lower priority needs to continue maintaining the systems we have.

Councilmember Smith noted the resolution identifies a funding source and thinks part of that is something they're still working through.

Councilmember Aderhold agreed in that there could be different ways these projects are funded. It's like our City wide Capital Improvement Plan (CIP) in that we're outlining current and future needs, and it's a very wise thing to be doing, and for Council to be keeping track of. She's curious how this and the sewer plan will intersect with the City wide CIP, and noted getting too many of these plans going it gets confusing. There's a note about the current

master plan and the population in 2025 which we're not close to, but there is a building boom and she wonders what the demand is on the system, especially in the summer.

Councilmember Lord commented in concurrence to removing reference to a funding source in the resolution.

LORD/ADERHOLD MOVED TO DELETE LINES 16-21.

At the request of Council Public Works Director Keiser commented she had no concern with removing reference to a funding source. She noted we need the plan as there are numerous grant opportunities that will be coming our way that require the subject project be part of a plan. There's two projects common with the City wide CIP, the raw water connection and a water tank. The Water and Sewer Master Plan doesn't address these needs.

VOTE (amendment): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

There was no further discussion.

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

Motion carried.

- b. Resolution 20-076, A Resolution of the City Council of Homer, Alaska Accepting the 2020 Sewer Capital Improvement Plan and Declaring it should be Updated as Part of the City's Budget Cycle. City Manager/Public Works Director.

LORD/VENUTI MOVED TO ATOP ORDINANCE 20-076 BY READING OF TITLE ONLY.

LORD/ADERHOLD MOVED TO DELETE LINES 16-21.

There was no discussion.

VOTE (amendment): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

There was no further discussion.

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

Motion carried.

- c. Resolution 20-077, A Resolution of the City Council of Homer, Alaska Adopting a Reserve Fund Policy for the Collection and Use of Water and Sewer Depreciation Reserve Funds. Lord/Aderhold.

LORD/ADERHOLD MOVED TO POSTPONE RESOLUTION 20-077 TO THE FIRST MEETING IN OCTOBER.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- d. Resolution 20-078, A Resolution of the City Council of Homer, Alaska Amending the Homer Accelerated Water and Sewer Program (HAWSP) Policy Manual to Modernize the Language and Clarify Qualifying Criteria for using HAWSP Funds. Lord/Aderhold.

LORD/ADERHOLD MOVED TO POSTPONE RESOLUTION 20-078 TO THE FIRST MEETING IN OCTOBER.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- e. Resolution 20-074, A Resolution of the City Council of Homer, Alaska Approving Application for Coronavirus Relief Funds in the Amount of \$1,203,124.94 from the Kenai Peninsula Borough for Costs that are Necessary Expenditures Incurred due to the Coronavirus Disease 2019 (COVID-19) Public Health Emergency, and Authorizing the City Manager to Execute the Grant Agreement. City Manager.

LORD/VENUTI MOVED TO ADOPT RESOLUTION 20-074 BY READING OF TITLE ONLY.

LORD/ADERHOLD MOVED TO AMEND THE AMOUNT OF THE GRANT TO READ "AN AMOUNT NOT TO EXCEED \$2,251,058.85" IN PLACE OF THE \$1,203,124.94 IN ALL REFERENCES THROUGHOUT THE RESOLUTION.

There was no discussion.

VOTE (amendment): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

There was no discussion.

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

Motion carried.

COMMENTS OF THE AUDIENCE

Barbara Howard, city resident, shared her appreciation for being selected to be involved in the selection of the City Manager.

COMMENTS OF THE CITY ATTORNEY

City Attorney Gatti had no comments.

COMMENTS OF THE CITY CLERK

City Clerk Jacobsen commented the last day to register to vote or update voter registration for the October 6 City and Borough Elections, and there is one form this year to request City and Borough ballots by mail. Forms are available on line and at City Hall. There is a black box outside where of the City Clerk's lobby area where people can pick up applications and a secure drop where they can be returned. There are openings on the Library Advisory Board, Economic Development Advisory Commission, and Economic Development Advisory Commission. She said it was great to have City Manager Dumouchel here this past week, he's very friendly and personable and she's sure he's going to be great to work with.

COMMENTS OF THE CITY MANAGER

City Manager Dumouchel thanked everyone for a great meeting and he's looking forward to the next one.

COMMENTS OF THE MAYOR

Mayor Castner commented he was pleased to appoint Frida Renner to the Library Advisory Board and he thinks when students join these groups, the amount they can learn is amazing. He encourages any student to think about joining one of these Commissions and taking part in democracy. To answer his earlier question about what the count has to be to trip us into the red zone, he heard back that it would be 20 positive cases over 14 days. He congratulated the community for keeping up the good work, one case in seven days is as good as we could hope for and shows everyone's cooperation. He's like to have more interaction between Council and the review team after an event. He made a comment about utilizing parking lots that made it into the review, but he and Councilmember Smith also made a comment about utilizing the bike path coming off the Spit that didn't make it into the review. He also made a comment about what are you going to do when there's really a tsunami coming and there are people who want to get out to the harbor to get their vessels out into deeper water, we need to look at that scenario.

COMMENTS OF THE CITY COUNCIL

Councilmember Evensen commented the community has been doing a great job. He's concerned about the week ahead with school starting and the time when a lot of commercial fishermen come back to town. It may be challenging and he encouraged folks to keep their wits about them.

Councilmember Smith commented that school started and it was interesting having an empty house today. He appreciates the tremendous effort that's going on within the school district to try to provide an education to our kids through the brick and mortar system. It's going to be a bit of a wrestling match to make that happen. He hopes it goes well because it's important for the kids to get educated. He encourage people who haven't participated in the Census to work with the workers going door to door to collect information. It's very important, and also encourage getting out to vote.

Councilmember Lord welcomed City Manager Dumouchel and staff for working hard. She shared her experience engaging with a Census worker who was looking for an address, and encouraged people to help these folks out. Her daughter started 2nd grade remotely and she appreciates the staff at Paul Banks for their efforts. She appreciates the school districts work on getting classes going this fall, we have really good schools and she's thankful for that. She noted the 2nd quarter sales tax report, while it's not as bad as it could be, there are some industries that have been hit really hard.

Councilmember Aderhold thanked City Planner Abboud for stepping in as City Manager and welcomed City Manager Dumouchel, she looks forward to working with him. She appreciated learning about Bonita Banks, that's fantastic and it's a great opportunity for her. We're coming down to the wire on the Census and she hopes people will open the door and be nice to the door knockers. She shared regarding the need to have a code for the online form, and the Census worker can give you one.

Councilmember Hansen-Cavasos thanked City Planner Abboud and welcomed City Manager Dumouchel. She is also excited about Bonita Banks' move to Homer Medical Center. She shared about the Census worker coming to her house and she got her information submitted. She's a believer in the public school system and is appreciates the districts leniency with her kids and potential health issue from wearing masks all day, she's grateful for the home schooling system for her kids. There's a lot of pressure no matter what avenue you're using for school right now.

Councilmember Venuti commented she heard the voting went well with the new voting machines. The election workers did a great job. With the fires in California, she's grateful for our Fire Department, the wetter weather we've had, and people clearing trees on their properties. Bonita Banks will be teaching a CNA class at the college, and college classes started today. She shared regarding Japan's contest on porta potties, there are unique designs and we might want to consider some of them.

ADJOURN

There being no further business to come before the Council Mayor Castner adjourned the meeting at 8:47 p.m. The next Regular Meeting is Monday, September 14, 2020, at 6:00 p.m. Worksession at 4:00 p.m. Committee of the Whole at 5:00 p.m. All meetings are scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

Melissa Jacobsen, MMC, City Clerk

Approved: _____