



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 Supplemental Packet

TO: MAYOR CASTNER AND HOMER CITY COUNCIL
FROM: MELISSA JACOBSEN, MMC, CITY CLERK
DATE: OCTOBER 24, 2022
SUBJECT: SUPPLEMENTAL PACKET

CONSENT AGENDA

Memorandum 22-178 from Mayor re: Reappointment of Clark Fair and Peter Roedl to the Parks, Art, Recreation & Culture Advisory Commission. Page 3

Ordinance 22-71, An Ordinance of the City Council of Homer, Alaska, Amending the FY23 Capital Budget by Appropriating \$20,250 From the Port Reserve Fund to Pump, Dispose/Recycle, and Replace the City Ice Plant's Ammonia Stores and Authorizing the City Manager to Execute the Appropriate Documents for a Sole Source Contract with Multifrost. City Manager/Port Director.

Financial Supplement Form Page 4

Resolution 22-074, A Resolution of the City Council of Homer, Alaska Adopting the City of Homer 2022 Non-Motorized Transportation and Trails Implementation Plan. City Manager/Public Works Director.

Written Public Comment Page 5

PUBLIC HEARINGS

Ordinance 22-42(S-2), An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Sections 11.04.120, 22.10.050, and 22-10.051 to Specify when New Streets are Required to Provide for Non-Motorized Transportation. Davis/Erickson.

Staff Report PL 22-64 from City Planner and Excerpt of Unapproved Meeting Minutes for October 19, 2022

Page 8

Ordinance 22-68, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.12, Rural Residential District; Homer City Code 21.14, Urban Residential District; Homer City Code 21.12 Residential

Office District; Homer City Code 21.18, Central Business District; Homer City Code 21.20 Town Center District; Homer City Code 21.22, Gateway Business District; Homer City Code 21.24, General Commercial 1 District; Homer City Code 21.26, General Commercial 2 District; And Homer City Code 21.27, East End Mixed Use District, Regarding Conditional Uses in each District. Planning Commission. Introduction October 10, 2022 Public Hearing and Second Reading October 24, 2022.

Memorandum 22-187 from City Clerk as back up and Written Public Comment Page 11

ORDINANCES

Ordinance 22-73, An Ordinance of the City Council of Homer, Alaska, Amending the FY22 Capital Budget to Authorize the Expenditure of \$97,860.73 from the Sewer CARMA Fund to Fully Fund Repairs of the Broken Clarifier Belt at the Waste Water Treatment Plant. City Manager/Public Works Director.

Ordinance 22-73(S), An Ordinance of the City Council of Homer, Alaska, Amending the FY22 Capital Budget to Authorize the Expenditure of \$97,860.73 from the Sewer CARMA Fund to Fully Fund Repairs of the Broken Clarifier Belt at the Waste Water Treatment Plant. City Manager/Public Works Director. Page 13

Financial Supplement Form

Page 15



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mayor@ci.homer.ak.us

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(f) 907-235-3143

Memorandum 22-178

TO: HOMER CITY COUNCIL
FROM: MAYOR CASTNER
DATE: OCTOBER 24, 2022
SUBJECT: REAPPOINTMENT OF CLARK FAIR AND PETER ROEDL TO THE PARKS,
ART, RECREATION AND CULTURE ADVISORY COMMISSION

Clark Fair and Peter Roedl are re-appointed to the PARC Advisory Commission. Their terms will expire October 31, 2025.

Recommendation

Confirm the re-appointment of Clark Fair and Peter Roedl to the Parks, Art, Recreation & Culture Advisory Commission.

CITY OF HOMER
FINANCIAL SUPPLEMENT

| | | |
|------------------|---|---|
| PROJECT NAME | <u>Ice Plant - Pump, Dispose/Recycle and Replace Ammonia Stores</u> | DATE <u>10/24/2022</u> |
| DEPARTMENT | <u>Port and Harbor</u> | SPONSOR <u>City Manager/Port Director</u> |
| REQUESTED AMOUNT | <u>\$ 20,250</u> | |

| | |
|-------------|--|
| DESCRIPTION | <p>While the ice plant has received periodic small quantity deliveries of NH3 to replace standard user losses through the system, since the plant's inception 40+ years ago the 25 plant's NH3 has never been fully removed, replaced, or exchanged for new. This has caused a slow build up aqueous ammonia that has impaired the 28 pressure-temperature relationship and adversely affected pump operation, piping pressure drop, and evaporator performance.</p> <p>The City ice plant's NH3 tank needs to be pumped, the ammonia solution safely disposed of, and a new anhydrous ammonia solution delivered.</p> |
|-------------|--|

| FUNDING SOURCE(S) | OPERATING | GF CARMA | GF FLEET CARMA | PORT RESERVES | WATER CARMA |
|-------------------|-----------|------------|----------------|---------------------|-------------|
| | 0% | 0% | 0% | 100% | 0% |
| | HAWSP | HART-ROADS | HART-TRAILS | PORT FLEET RESERVES | SEWER CARMA |
| | 0% | 0% | 0% | 0% | 0% |

| FUNDING SOURCE 1: Port Reserves | FUNDING SOURCE 2: | FUNDING SOURCE 3: |
|--|-------------------------------------|-------------------------------------|
| Current Balance <u>\$ 2,786,976</u> | Current Balance _____ | Current Balance _____ |
| Encumbered <u>\$ 574,970</u> | Encumbered _____ | Encumbered _____ |
| Requested Amount <u>\$ 20,250</u> | Requested Amount _____ | Requested Amount _____ |
| Other Items on Current Agenda <u>\$ 69,110</u> | Other Items on Current Agenda _____ | Other Items on Current Agenda _____ |
| Remaining Balance <u>\$ 2,122,646</u> | Remaining Balance _____ | Remaining Balance _____ |
| FUNDING SOURCE 4: | FUNDING SOURCE 5: | FUNDING SOURCE 6: |
| Current Balance _____ | Current Balance _____ | Current Balance _____ |
| Encumbered _____ | Encumbered _____ | Encumbered _____ |
| Requested Amount _____ | Requested Amount _____ | Requested Amount _____ |
| Remaining Balance _____ | Remaining Balance _____ | Remaining Balance _____ |

From: [Nina Faust](#)
To: [Department Clerk](#)
Subject: Resolution on the Transportation Plan Oct 24th
Date: Wednesday, October 19, 2022 10:58:12 AM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Please send this email to the Mayor, all city council members, planning commission members, head of public works, and head of Planning.
Thank you.
Nina

P.O.Box 2994
Homer AK 99603

October 19, 2022

Dear City Council Members:

RE: Resolution 22-074: A Resolution of the City Council of Homer, Alaska Adopting the City of Homer 2022 Non-Motorized Transportation and Trails Implementation Plan

While I agree the Transportation Plan is going to be a good document to guide the City as improvements are made to streets, trails, and other transportation needs, there is one proposed trail I would like the City to delete and support an alternative route as described in my letter below and depicted on the attached map. This has been brought to the City's attention in the recent past.

I would respectfully request that the Council amend the resolution to support the plan with a recommendation to substitute the alternate route suggested below in place of the proposed route through the north shore of Beluga Slough. I outline reasons why in the letter.

With the severe declines in bird populations recently reported in the news, we must be proactive in making decisions that do not degrade valuable bird habitat, especially when there is a very feasible alternative to what is proposed. Beluga Slough is a great place to bird, but we need to maintain its wild portions if we do not want to be part of the problem by fragmenting further the last remaining undisturbed part of the Slough.

Respectfully,

Nina Faust

P.O. Box 2994
Homer, AK 99603

October 18, 2022

Dear Homer Transportation Planners:

Overall, I am impressed with the Transportation Plan. Working to make this community more accessible to everyone is a very important tenet for improving quality of life for all residents.

I do want to comment in depth on the proposed separated trail along the north shore of Beluga Slough. I know folks are looking at this to connect trails from the Bunnell and Bishops Beach areas to the trail along and between Beluga Slough and Beluga Lake. I see several reasons not to build the trail where it is proposed and would like to propose an alternative. First, here are some of the reasons why I am concerned and opposed to the proposed route.

First, the northern shore is the only portion of the Beluga Slough habitat that remains mainly undisturbed and relatively wild, and it is a very important, high-value wetland area. For several years two of the three active nesting pairs of Sandhill Cranes have used the north shoreline of the Slough where there presently is no trail. They nest, feed, forage, and rest all along that area at the edge of the forest. No wildlife assessment has been made to determine how many other bird species are nesting in this important wild part of the Slough. Nor has there been an assessment of what small mammals might be using this small refugia. Keeping this area wild enhances the diversity of birds and animals the Slough can support.

Many people travel to Homer to see these nesting cranes. The Boardwalk Pair has become a bit of a celebrity pair, and the pair provides up close observation of crane family life, an amazing attraction for bird watchers.

Second, a trail in this extremely wet area, especially nearer to the By-Pass, would be very expensive to build. This trail would bring many people into an area that is now difficult for people to access, and thus makes it a safe zone for animals and birds. It also will bring dog walkers. Unfortunately, many of these dog walkers will not have their dogs leashed, and those dogs will be off trail in the habitat disturbing nesting birds during the critical time when they are raising their young.

The City has not been able as yet to control the problems with non-compliant dog owners who let their dogs romp in the nesting habitat from the existing boardwalk from Islands and Ocean Visitor Center to Bishops Beach. Extending the boardwalk into this now remote portion of the Slough would be detrimental to nesting populations.

I do see alternatives for a separated connection from the By-Pass to the existing Boardwalk Trail. The sidewalk from the By-Pass could join a dedicated bike/pedestrian path through the RV servicing station. The trail could either join the existing sidewalk heading towards Island and Ocean VC or be tucked south of the line of trees adjacent to the main road. Then to make the final link, it could continue along the sidewalk and into the Islands and Ocean VC parking area where the final link could join the existing gravel trail from I & O. Another option for the last link could follow a short trail from the Aspen parking lot back to the boardwalk along an existing informal trail on the east end of the I & O parking lot.

This alternate route would create the link between the I & O boardwalk to the Bishops Beach and whatever trail is planned on the other side of the By-Pass near Ben Walter's Park. By doing this, we would provide dedicated connectivity, while protecting the north shore Slough habitat for all the animals and birds nesting, denning, or resting there.

As Homer gets more tourism, problems in Beluga Slough may increase. If we avoid putting people along the north shore by using this alternate route, we will hopefully reduce future problems and protect the biodiversity of the Slough. Beluga Slough, an Audubon Important Bird Area, deserves to have the highest level of protection we can provide through good public management, even if it means we might have to go around an area of critical habitat to protect it.

Sincerely,

Nina Faust
Kachemak Crane Watch



Nina Faust Co-founder
Kachemak Crane Watch
235-6262
reports@cranewatch.org
www.cranewatch.org

From: [Kathryn Carssow](#)
To: [Mayor Email](#); [Donna Aderhold](#); [Storm Hansen-Cavasos](#); [Jason Davis](#); [Rachel Lord](#); [Shelly Erickson](#)
Cc: [Julie Engebretsen](#); [Robert Dumouchel](#); [Department Clerk](#)
Subject: Resolution 22-074
Date: Wednesday, October 19, 2022 11:18:10 AM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Please forward the following to Mayor Castner and the City Council.

Dear Mayor and City Council Members,

I commend the work of many, including the city planning department, on developing and preparing to implement a trails plan for our city. I am writing in support of a letter you are receiving from Nina Faust regarding amending the trail route proposed for the north side of Beluga Slough to protect the gathering and nesting habitat of our beloved Sandhill cranes. Please amend the plan to change the proposed trail on the north shore of Beluga Slough to the alternate route Ms. Faust recommends. Thanks.

Sincerely,

Kathryn Carssow

Sent from [Mail](#) for Windows



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report PL 22-64

TO: HOMER PLANNING COMMISSION
FROM: RICK ABOUD, AICP, CITY PLANNER
DATE: October 19, 2022
SUBJECT: Draft Ordinance 22-42(S-2), AN ORDINANCE OF THE CITY OF HOMER ALASKA AMENDING HOMER CITY CODE SECTIONS 11.04.120, 22.10.050 AND 22.10.051 TO SPECIFY WHEN NEW STREETS ARE REQUIRED TO PROVIDE FOR NON-MOTORIZED TRANSPORTATION

Introduction

The City Council was to hold a public hearing on this draft ordinance at their meeting of October 10th. Due to an error by the Homer News, the advertisement for the public hearing was never run and the public hearing will be moved to the next meeting. This gives the Planning Commission time for input prior to the next council meeting on October 24th. This ordinance was written by the Public Works Director. It amends titles 11 and 22. Title 22, Subdivisions is amended to reference the proposed requirements for the dedication of non-motorized transportation facilities in Title 11. My staff report is focused on title 11, where changes are made.

Analysis

Looking at the ordinance from a policy perspective, I am supportive of the concepts outlined in lines 55-90. My concern lies with the many pieces that make necessary to make defensible policies that are discernable and measurable to developers. I believe that we would want to clean up the ordinances and documents as we complete our transportation plan. The transportation plan may be able to better specify our requirements and exceptions, so that developers might have a better idea of their responsibilities. Additionally, the design criteria manual should be updated to better designate the minimum or required design standards and how they might fit with the requirements of non-motorized facilities.

In general, the proposed ordinance gives the city a position to negotiate the development of non-motorized facilities, as new subdivisions are developed. As a practical matter, the ordinance should have legal review and recommendations regarding procedures and code construction. Some concerns for legal include: reference of developer's costs on line 57, which is apparently related to dedication on line 56; requirements for showing good cause regarding exceptions; and appeal language.

Staff Recommendation

Make a motion expressing the support of the Commission for the concepts forwarded by the ordinance.

Attachments

Proposed ordinance 22-42(S-2)

Trails design criteria manual

Non-Motorized Transportation and Trails 2022 Supplement

Session 22-15, a Regular Meeting of the Planning Commission was called to order by Vice Chair Roberta Highland at 6:31 p.m. on October 19 2022 at the Cowles Council Chambers in City Hall, located at 491 E. Pioneer Avenue, Homer, Alaska, and via Zoom Webinar.

PRESENT: COMMISSIONERS BARNWELL, VENUTI, HIGHLAND, CONLEY, AND STARK

ABSENT: COMMISSIONERS CHIAPPONE, VENUTI (EXCUSED)

STAFF: CITY PLANNER ABBOUD
DEPUTY CITY CLERK KRAUSE
ECONOMIC DEVELOPMENT MANAGER ENGEBRETSEN

PENDING BUSINESS

A. Staff Report 22-64, Draft Ordinance 22-42(S-2) An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Sections 11.04.120, 22.10.050 and 22.10.051 to Specify When New Streets are Required to Provide for Non-Motorized Transportation.

Vice Chair Highland introduced the item by reading of the title and deferred to City Planner Abboud.

City Planner Abboud reviewed Staff Report 22-64 for the Commission. he noted some changes that were made in the Substitute Ordinance 22-42 (S-2)

Vice Chair Highland requested a motion and second. Hearing no motions coming forth Vice Chair Highland made the motion.

HIGHLAND/CONLEY MOVED TO ADOPT STAFF REPORT 22-64 AND FORWARD A RECOMMENDATION TO CITY COUNCIL TO ADOPT ORDINANCE 22-42(S-2)

Commissioners recommended a legal review, if not already done on Line 57 regarding the developers cost, Line 76 and Lines 115-119 regarding the appeals. Further discussion ensued on the 2022 Supplement to the Non-motorized Transportation Implementation Plan and that this ordinance was relative to new streets but the issues are with existing streets with the biggest concerns are actually state owned roads; funding and special assessment districts for construction of sidewalks are not favored on the whole; Council wanting to have sidewalks on new streets that are connectors; vastly improved ordinance over previous revisions.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.



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Memorandum 22-186

TO: MAYOR CASTNER AND HOMER CITY COUNCIL
FROM: MELISSA JACOBSEN, MMC, CITY CLERK
DATE: OCTOBER 24, 2022
SUBJECT: PROPOSED AMENDMENT TO ORDINANCE 22-68

City Planner Abboud suggests the following amendment to line 54 of Ordinance 22-68:

m. More than one building containing a permitted principal use on a lot **except as provided for in HCC 21.12.020(s)**;

Recommendation: Move to amend Ordinance 22-68 on line 54 to add **except as provided for in HCC 21.12.020(s)**; at the end after the word lot;

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[Home](#) > [Submit Written Testimony to City Council](#) > [Webform results](#) > Submission #67

Submission information

Form: [Submit Written Testimony to City Council](#) [1]

Submitted by Visitor (not verified)

Sun, 10/23/2022 - 4:53pm

209.193.52.44

First Name Alice

Last Name Porter

Email [REDACTED]

Phone Number [REDACTED]

Are You A City or Non-City Resident? City Resident

Which City Council Meeting do you want to participate in? Regular Meeting

Date of Meeting you want to participate in? Mon, 10/24

What type of comments will you be giving?

Public Comments Upon Matters Already on the Agenda - Citizen may comment on regular agenda items not scheduled for public hearing such as Consent Agenda items, Memorandums, Pending Business, New Business, Resolutions, and Ordinances to be introduced.

Written Testimony

I live on Beluga Lake's north side, across from the new float plane haul road and wish to comment on the proposed hangar on Lakeshore Drive. I have read the City Council packet on the CUP ordinance changes starting on page 233 and the Planning Commission Hearing meeting packet starting on page 35. These are the points I wish to make:

The hangar will industrialize the area. The public notice was too short and difficult to find, thus disenfranchising the public from the planning process. The packet stated under Public Comments: none. The lots are not vacant, they are filled with wildlife ecosystems. There is already direct access to the Homer Airport where the proposed hangar should be built. The hangar will be in my viewshed and significantly diminish the ecosystem. It will be a massive building two storeys high beside the lake rather than among the other airport structures.

It is my hope that the Council and Commission will redirect this project and allow it on a suitable site, thereby preserving the small town, wildlife and natural aesthetic of the lake side.

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**CITY OF HOMER
HOMER, ALASKA**

City Manager/
Public Works Director

ORDINANCE 22-73(S)

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA AMENDING THE FY~~2223~~ CAPITAL BUDGET ~~TO AUTHORIZE THE EXPENDITURE OF~~ **BY APPROPRIATING** ~~\$97,860.73~~ **\$98,281** FROM THE SEWER CARMA FUND TO FULLY FUND REPAIRS OF THE BROKEN CLARIFIER BELT AT THE WASTE WATER TREATMENT PLANT.

WHEREAS, Ordinance 22-34(S) appropriated \$497,900 to repair the belt-drive clarifier skimmers in the Waste Water Treatment Plant (WWTP); and

WHEREAS, After more detailed investigation, the cost was determined to be \$867,743 and Ordinance 22-55 appropriated another \$370,263 to fully fund the work; and

WHEREAS, In the course of developing the Purchase Order for the work, it became apparent the vendor had not included the cost of prevailing wages in its installation costs; and

WHEREAS, This increased the cost of installation by \$167,990; and

WHEREAS, Value engineering was conducted and we were able to achieve a savings in material costs of \$69,709.40; and

WHEREAS, The revised costs are:

- Materials \$486,188.73
- Installation \$479,835.00
- Total \$966,023.73

leaving an unfunded balance of \$98,280.73; and

WHEREAS, Monies are available in the Sewer CARMA Fund Balance to fill this shortfall.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The FY~~2223~~ Capital Improvement Plan **Capital Budget** is **hereby** amended to authorize **by appropriating** ~~\$98,280.73~~ **\$98,281** from the Sewer CARMA Fund Balance to fully fund the repair of the clarifier belts at the WWTP **as follows:**

| Fund | Description | Amount |
|-----------------|-------------------------|-----------------|
| 256-0379 | Sewer CARMA Fund | \$98,281 |

45
46 Section 2. This is a budget amendment ordinance only, is not permanent in nature, and
47 shall not be codified.

48
49 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this _____ day of November,
50 2022.

51
52 CITY OF HOMER

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55 _____
56 KEN CASTNER, MAYOR

57
58 ATTEST:

59
60
61 _____
62 MELISSA JACOBSEN, MMC, CITY CLERK

63
64
65 YES:

66 NO:

67 ABSTAIN:

68 ABSENT:

69
70 First Reading:

71 Public Reading:

72 Second Reading:

73 Effective Date:

CITY OF HOMER
FINANCIAL SUPPLEMENT

| | | | |
|------------------|--|---------|---------------------------------|
| PROJECT NAME | <u>Additional - WWTP Clarifier Belts Repair or Replacement</u> | DATE | <u>10/24/2022</u> |
| DEPARTMENT | <u>Public Works</u> | SPONSOR | <u>City Manager/PW Director</u> |
| REQUESTED AMOUNT | <u>\$ 98,000</u> | | |

| | |
|-------------|---|
| DESCRIPTION | <p>Current Appropriations:</p> <ul style="list-style-type: none"> - Ordinance 22-34(S) authorized \$497,480 from the Sewer CARMA Fund - Ordinance 22-55 authorized an additional \$370,263 from the Utility Operations Fund Balance <p>Increased cost of installation of \$167,990 is offset by material cost savings of \$69,709.40. This leaves a balance of \$97,861 to be funded by the Sewer CARMA fund. The funding request has been rounded to nearest whole dollar.</p> |
|-------------|---|

| FUNDING SOURCE(S) | OPERATING | GF CARMA | GF FLEET CARMA | PORT RESERVES | WATER CARMA |
|-------------------|-----------|------------|----------------|---------------------|-------------|
| | 0% | 0% | 0% | 0% | 0% |
| | HAWSP | HART-ROADS | HART-TRAILS | PORT FLEET RESERVES | SEWER CARMA |
| | 0% | 0% | 0% | 0% | 100% |

| FUNDING SOURCE 1: SEWER CARMA | FUNDING SOURCE 2: | FUNDING SOURCE 3: |
|---|-------------------------------------|-------------------------------------|
| Current Balance <u>\$ 1,819,821</u> | Current Balance _____ | Current Balance _____ |
| Encumbered <u>\$ 1,424,545</u> | Encumbered _____ | Encumbered _____ |
| Requested Amount <u>\$ 98,000</u> | Requested Amount _____ | Requested Amount _____ |
| Other Items on Current Agenda <u>\$ 0</u> | Other Items on Current Agenda _____ | Other Items on Current Agenda _____ |
| Remaining Balance <u>\$ 297,276</u> | Remaining Balance _____ | Remaining Balance _____ |
| FUNDING SOURCE 4: | FUNDING SOURCE 5: | FUNDING SOURCE 6: |
| Current Balance _____ | Current Balance _____ | Current Balance _____ |
| Encumbered _____ | Encumbered _____ | Encumbered _____ |
| Requested Amount _____ | Requested Amount _____ | Requested Amount _____ |
| Remaining Balance _____ | Remaining Balance _____ | Remaining Balance _____ |