



# ACTION AGENDA

## City Council Committee of the Whole

Monday, November 28, 2022 at 5:00 PM

City Hall Cowles Council Chambers In-Person & Via Zoom Webinar

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### Homer City Hall

491 E. Pioneer Avenue  
Homer, Alaska 99603  
[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

### Zoom Webinar ID: 953 097 829 Password: 234969

<https://cityofhomer.zoom.us>  
Dial: 346-248-7799 or 669-900-6833;  
(Toll Free) 888-788-0099 or 877-853-5247

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1. **CALL TO ORDER, 5:00 P.M.**
  2. **AGENDA APPROVAL** (Only those matters on the noticed agenda may be considered, pursuant to City Council's Operating Manual)  
APPROVED without discussion.
  3. **CONSENT AGENDA**
  4. **REGULAR MEETING AGENDA**
  5. **DISCUSSION TOPIC(S)**
    - 5.A. HDR Contract re: Owner's Representative for the New Large Vessel Harbor Project - Ronny McPherson, HDR
  6. **COMMENTS OF THE AUDIENCE** (3 minute time limit)  
Four people commented.
  7. **ADJOURNMENT NO LATER THAN 5:50 PM** Next Regular Meeting is Monday, January 9, 2023 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 5:45 p.m.



# **ACTION AGENDA**

## **City Council Meeting**

**Monday, November 28, 2022 at 6:00 PM**

City Hall Cowles Council Chambers In-Person & Via Zoom Webinar

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### **Homer City Hall**

491 E. Pioneer Avenue  
Homer, Alaska 99603  
www.cityofhomer-ak.gov

### **Zoom Webinar ID: 205 093 973 Password: 610853**

<https://cityofhomer.zoom.us>  
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#### **1. CALL TO ORDER, PLEDGE OF ALLEGIANCE**

Session 22-24 a Regular Meeting of the City Council of Homer, Alaska was called to order on November 28, 2022 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, DAVIS, ERICKSON, HANSEN, LORD, VENUTI

**STAFF:** CITY MANAGER DUMOUCHEL  
CITY CLERK JACOBSEN  
PORT DIRECTOR HAWKINS  
FINANCE DIRECTOR WALTON  
PUBLIC WORKS DIRECTOR KEISER  
FIRE CHIEF KIRKO  
NETWORK ADMINISTRATOR SULCZYNSKI  
CITY ATTORNEY GATTI

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

**CONSENT AGENDA** Application for Appointment to the Port & Harbor Advisory Commission as an attachment to Memo 22-209 **ANNOUNCEMENTS PRESENTATIONS & REPORTS** EDC Power Point Presentation **PUBLIC HEARINGS** Memorandum 22-210 from City Clerk with Proposed Amendments to Ordinance 22-74 and Ordinance 22-78 and Written Public Comment on Ordinance 22-78 and Ordinance 22-79

APPROVED without discussion.

#### **3. MAYORAL PROCLAMATIONS AND RECOGNITIONS**

#### **4. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA** (The public may comment for three minutes on agenda items not schedule for public hearing.)

One person 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 Council Member.)

6.A. Homer City Council Unapproved Regular Meeting Minutes of November 14, 2022. City Clerk. Recommend adoption.

6.B. Memorandum 22-190 from City Clerk re: Travel Authorization for Mayor Castner to Attend the Alaska Conference of Mayors on December 6, 2022 and Council Members Aderhold, Davis, and Erickson to attend the Alaska Municipal League Annual Conference December 7-9, 2022 in Anchorage, Alaska and Council Member Aderhold's attendance at the North Pacific Fisheries Management Council Meetings through December 11, 2022. Recommend approval.

6.C. Memorandum 22-202 from City Clerk Re: Liquor License Renewals for Land's End and La Baleine Cafe. Recommend approval.

6.D. Memorandum 22-209 from Mayor Castner re: Appointment of Lacey Velsko to the Port and Harbor Advisory Commission. Recommend approval.

6.E. Resolution 22-085, A Resolution of the City Council of Homer, Alaska Approving the 2023 Meeting Schedule for City Council, Economic Development Advisory Commission, Library Advisory Board, Parks Art Recreation and Culture Advisory Commission, Planning Commission, Port and Harbor Advisory Commission, and Americans with Disabilities Act Advisory Board. City Clerk. Recommend adoption.

Memo 22-203 from Deputy City Clerk as backup.

Memo 22-204 from City Clerk as backup.

6.F. Resolution 22-086, A Resolution of the City Council of Homer, Alaska Authorizing the City to Apply for a FEMA Building Resilient Infrastructure & Communities Grant to Adopt and Implement International Building Code Edition 2021. City Manager. Recommend adoption.

Memo 22-205 from Special Projects Coordinator as backup.

6.G. Resolution 22-087, A Resolution of the City Council of Homer, Alaska Authorizing a Task Order to HDR Engineering in an Amount not to exceed \$32,000 for Grant Writing Services for a FY2023 Federal RAISE Planning Grant to Support Homer's Non-Motorized Transportation Infrastructure and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager. Recommend adoption.

Memorandum 22-206 from Special Projects & Communications Coordinator as backup.

- 6.H. Resolution 22-088, A Resolution of the City Council of Homer, Alaska Approving the Bylaws of the American's with Disabilities Act (ADA) Advisory Board. City Clerk/ADA Advisory Board. Recommend adoption.
- 6.I. Resolution 22-089, A Resolution of the City Council of Homer, Alaska Approving a Contract with Kachemak Electric Co. of Kenai, Alaska in the Amount of \$271,517 for the Rehabilitation of the Electrical Control Works for the City's Sewage Lift Stations Project and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Public Works Director. Recommend adoption.

Memorandum 22-198 from Public Works Director as backup.

- 6.J. Resolution 22-090, A Resolution of the City Council of Homer, Alaska Approving a Contract with North Pacific Advisors, LLC of Anchorage, Alaska for Land Appraisal Services and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager. Recommend adoption.

Memorandum 22-207 from Deputy City Clerk as backup.

- 6.K. Resolution 22-091, A Resolution of the City Council of Homer, Alaska Providing Comments to the Alaska Department of Transportation & Public Facilities Request for Scoping Comments for the Sterling Highway Mile Post 169 to 175 Pavement Preservation Project. City Manager/Public Works Director. Recommend adoption.
- 6.L. Resolution 22-092, A Resolution of the City Council of Homer, Alaska Encouraging the North Pacific Fisheries Management Council to Immediately Adopt Fishery Conservation and Mitigation Measures to Facilitate the Restoration of the Direct Bering Sea Crab Fisheries. Mayor/Aderhold. Recommend adoption.

ADOPTED without discussion.

## **7. VISITORS**

- 7.A. Semester by the Bay Intern Presentation - Madeline Butz, Climate Action Champion (10 minutes)

## **8. ANNOUNCEMENTS/PRESENTATIONS/REPORTS (5 minutes each)**

- 8.A. Committee of the Whole

Council Member Aderhold reported.

- 8.B. Mayor's Report

Mayor Castner reported and Tim Navarre presented an Industry Appreciation Award to South Peninsula Hospital.

8.C. Borough Report

8.D. American's with Disabilities Act (ADA) Advisory Board

Council Member Aderhold reported.

8.E. Economic Development Advisory Commission  
Memorandum Re: Year in Review

Economic Development Advisory Commission Chair Marks and  
Economic Manager Engebretsen reported.

8.F. Library Advisory Board

Library Board Chair Kate Finn reported.

8.G. Parks Art Recreation & Culture Advisory Commission

Parks Art Recreation & Culture Advisory Commissioner Robert  
Archibald reported.

## **9. PUBLIC HEARING(S)**

9.A. Ordinance 22-74, An Ordinance of the City Council of Homer, Alaska, Amending the FY23 Capital Budget by Appropriating \$7,400 from the Port Reserve Fund to Repair and Replace the City Ice Plant's Ammonia Lines and Valves and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents to Contract with Alaska Industrial Services for the Repair. City Manager/Port Director. Introduction November 14, 2022 Public Hearing and Second Reading November 28, 2022.

Memorandum 22-192 from Port Director/Harbormaster as backup.

One person testified.

ADOPTED as amended without discussion.

Amended: Current section 2 a new section 3 and a new section 2 to read - The City Manager is authorized to negotiate and execute a contract with Alaska Industrial Services for installation of the required ammonia lines and valves.

9.B. Ordinance 22-75, An Ordinance of the City Council of Homer, Alaska, Amending the FY23 Capital Budget by Accepting and Appropriating a Matching Grant from the State of Alaska Municipal Harbor Grant Program in the Amount of \$366,000 for the Harbor Basin Cathodic Protection Project and Appropriating an Additional \$174,050.90 from the Port Reserve Fund to fulfill the City's 50% Match Requirement. City Manager/Port

Director. Introduction November 14, 2022 Public Hearing and Second Reading November 28, 2022.

Memorandum 22-193 from Port Director as backup.

One person testified.

ADOPTED with discussion.

- 9.C. Ordinance 22-76, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating an FY 2022 State Homeland Security Grant in the Amount of \$43,702.43 from the Alaska Division of Homeland Security & Emergency Management (DHS&EM) to Upgrade the City's Radio Communication System, Authorizing a Sole Source Request to Contract with ProComm Alaska and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Introduction November 14, 2022 Public Hearing and Second Reading November 28, 2022.

Memorandum 22-194 from Police Chief as backup.

There were no public comments.

ADOPTED with discussion.

- 9.D. Ordinance 22-77, An Ordinance of the City Council of Homer, Alaska, Amending the FY23 Capital Budget by Appropriating \$25,000 from the Homer Accelerated Roads and Trails (HART) Road Fund for an On-Call Services Contract with the Kachemak Bay Conservation Society and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Public Works Director. Introduction November 14, 2022 Public Hearing and Second Reading November 28, 2022.

Memorandum 22-195 from Public Works Director as backup.

One person testified.

ADOPTED as with discussion.

- 9.E. Ordinance 22-78, An Ordinance of the City Council of Homer, Alaska, Amending the FY23 Capital Budget by Appropriating \$49,690 from the Port and Harbor Reserves for the Design of Parking Improvements to the Parking Lots at the Boathouse Pavilion, Seafarer's Memorial, and Harbor Ramps Three and Four and Authorizing the a Task Order to HDL Engineering to Complete the Work. City Manager/Port Director. Introduction November 14, 2022 Public Hearing and Second Reading November 28, 2022.

Memorandum 22-196 from Port Director as backup.  
Three people testified.

ADOPTED as amended without discussion.

Amended: lines 22 through 26 to read - Whereas, Revenues from day use fee parking in the lots that adjoin the State Right of Way may only be used for to reimburse the Port Enterprise fund for parking improvements; and

Whereas, Those revenues will be transferred back into the Port Reserves to reimburse the enterprise for the infrastructure improvement expenditure at the end of the year budget close out; and

- 9.F. Ordinance 22-79, An Ordinance of the City Council of Homer, Alaska, Amending the FY23 Capital Budget by Appropriating \$408,073 from the Port Reserves for an Owner's Representative for the New Large Vessel Harbor and Issuing a Task Order to HDR to Provide Owner's Representative Services. City Manager/Port Director. Introduction November 14, 2022 Public Hearing and Second Reading November 28, 2022.

Memorandum 22-197 from Port Director as backup.

Five people testified.

ADOPTED as amended with discussion.

- 9.G. Ordinance 22-80, An Ordinance of the City Council of Homer, Alaska, Amending the FY23 Capital Budget by Appropriating \$271,517 from the Sewer Capital Asset Repair and Maintenance Allowance (CARMA) Fund for the Rehabilitation of the Electrical Control Works for the City's Sewage Lift Stations. City Manager/Public Works Director. Introduction November 14, 2022 Public Hearing and Second Reading November 28, 2022.

Memorandum 22-198 from Public Works Director as backup.

There was no public comment.

ADOPTED as amended without discussion.

- 9.H. Ordinance 22-81, An Ordinance of the City Council of Homer, Alaska, Amending the FY23 Capital Budget by Accepting and Appropriating a Reimbursable Code Blue Grant in the Amount of \$55,000 and Appropriating an Amount not to exceed \$300,000 from the General Fund Fleet Capital Asset Repair and Maintenance Allowance (CARMA)

Fund for the Purchase of an Ambulance. City Manager/Fire Chief. Introduction November 14, 2022 Public Hearing and Second Reading November 28, 2022.

Memorandum 22-199 from City Manager as backup.

One person testified.

ADOPTED as amended with discussion.

- 9.I. Ordinance 22-82, An Ordinance of the City Council of Homer, Alaska, Amending the FY23 Operating Budget by Appropriating \$652,500 from the General Fund Unassigned Fund Balance to Fund Two Full-Time Firefighter/EMT Positions through the end of FY25. City Manager. Introduction November 14, 2022 Public Hearing and Second Reading November 28, 2022.

Memorandum 22-199 from City Manager as backup.

Eight people testified.

ADOPTED as amended with discussion.

**10. ORDINANCE(S)**

**11. CITY MANAGER'S REPORT**

- 11.A. City Manager's Report

City Manager Dumouchel reported and answered questions from Council.-

**12. PENDING BUSINESS**

- 12.A. 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.

ADOPTED without discussion.

- 12.B. Ordinance 22-70, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code, Section 21.60.100 Signs Exempt from Regulation to Exempt Signs Not Visible from Public Rights of Way. Lord. Introduction October 24, 2022, Referred to Planning Commission, Public Hearing and Second Reading November 28, 2022. Memorandum 22-208 from City Planner as backup.

Memorandum 22-179 from Council Member Lord as backup.



POSTPONED to January 9, 2023 without discussion.

**13. NEW BUSINESS**

**14. RESOLUTIONS**

**15. COMMENTS OF THE AUDIENCE** (The public may comment for three minutes on any topic.)  
One person commented.

**16. COMMENTS OF THE CITY ATTORNEY**  
Attorney Gatti had no comments.

**17. COMMENTS OF THE CITY CLERK**  
City Clerk Jacobsen commented.

**18. COMMENTS OF THE CITY MANAGER**  
City Manager Dumouchel commented.

**19. COMMENTS OF THE MAYOR**  
Mayor Castner commented.

**20. COMMENTS OF THE CITY COUNCIL**  
Council Members commented.

**21. ADJOURNMENT** Next Regular Meeting is Monday, January 9, 2023 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 8:25 p.m.