



Action Agendas

City Council Worksession, Committee of the Whole and Regular Meeting

Monday, June 10, 2024 at 6:00 PM

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

Homer City Hall

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

<https://cityofhomer.zoom.us>

Dial: 346-248-7799 or 669-900-6833;
(Toll Free) 888-788-0099 or 877-853-5247

WORKSESSION

Zoom Webinar ID: 965 8631 4135 Password: 792566

CALL TO ORDER, 4:00 P.M.

Mayor Castner called the meeting to order.

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

APPROVED without discussion.

DISCUSSION TOPIC(S)

a. Homer City Code Title 11, Vegetation in Right of Ways

Presentation by Public Works Director Kort Re: Committee to Revise HCC 111.36 Vegetation in Public Rights of Way

Mayor and Council discussed the issues and Council members Aderhold and Davis were appointed to work with City staff on refining city code and bringing back to City Council to address issues presented.

b. Mid Biennium Budget Amendments

Mayor Castner facilitated discussion on proposed adjustments to the FY24/25 Operating and Capital Budgets.

COMMENTS OF THE AUDIENCE (3 minutes)

There was one person who commented.

ADJOURNMENT NO LATER THAN 4:50 P.M.

A Special Meeting is scheduled for Monday, June 17, 2024 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 4:58 p.m.

COMMITTEE OF THE WHOLE

Zoom Webinar ID: 953 097 829 Password: 234696

CALL TO ORDER, 5:00 P.M.

Mayor Castner called the meeting to order at 5:03 p.m.

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

APPROVED without discussion.

DISCUSSION/PRESENTATION(S)

- a. Resolution 24-069, A Resolution of the City Council of Homer, Alaska, Amending the 2024 City Council Meeting Schedule for June. Interim City Manager.

Mayor Castner facilitated discussion on the purpose to amend the meeting schedule providing information to support canceling the June 24th regular meeting.

WORKSESSION AGENDA

CONSENT AGENDA

Council discussed Ordinance 24-30 regarding where the funds were going to be placed and being used for the HERC instead of the intended Multi Use Community Center; postponing the use of Free Main Allowance Funds until after July when they will have a better idea of the balance available.

REGULAR MEETING AGENDA

The City Council discussed scheduling changes, budget examinations, and the interview process for the city manager position, while also addressing concerns about noise complaints and the proposed allocation of unallocated investment income. They also deliberated on proposed changes to ordinances related to community center funding, solid waste collection, and heat piping in sidewalks, as well as the impact of a benefits and salary survey on wage increases. Lastly, the city's commitment to a proposed recreational facility for Homer and concerns about parking fees were addressed.

COMMENTS OF THE AUDIENCE

ADJOURNMENT NO LATER THAN 5:50 P.M.

The next Regular Meeting is Monday June 24, 2024 at 6:00 p.m., Committee of the Whole at 5:00 p.m. A Special Meeting is scheduled for Monday, June 17, 2024 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 5:58 p.m. and noted the regular meeting would commence at 6:05 p.m.

REGULAR MEETING

Zoom Webinar ID: 205 093 973 Password: 610853

Session 24-13 a Regular Meeting of the City Council of Homer, Alaska was called to order on May 28, 2024 by Mayor 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.

CALL TO ORDER, PLEDGE OF ALLEGIANCE

Mayor Castner called the meeting to order at 6:05 p.m.

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

Mayor announces supplemental items: **CONSENT AGENDA** Item f. Ordinance 24-29, An Ordinance of the City Council of Homer, Alaska Amending the FY24 Capital Budget by Appropriating an Additional \$75,071.38 from the General CARMA Fund to the Homer Airport Terminal Sidewalk Replacement Project. Finance Supplement Sheet. Item j. Resolution 24-066, A Resolution of the City Council of Homer, Alaska, Approving a Recreational Use Agreement between the City of Homer and the Kachemak Nordic Ski Club Regarding the Maintenance and Operation of Nordic Ski Trails on Three City Owned Properties in the Baycrest Ski Area including Construction of an Equipment Shed and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. Letter and updated drawings from Kachemak Nordic Ski Club **ANNOUNCEMENTS/PRESENTATIONS/REPORTS**

Item c. Mayor's Report Alaska Marine Conservation Council Letter and Draft Resolution in Support of Amendment 123 to the Fishery Management Plan (FMP) for Groundfish of the Bering Sea and Aleutian Islands (BSAI) Management Area Which Amends Regulations Governing Limits on the Pacific Halibut Prohibited Species Catch (PSC) and Links the Halibut PSC Limit for the Amendment 80 Commercial Groundfish Trawl Fleet in the BSAI Groundfish Fisheries to Halibut Abundance. Mayor. **PUBLIC**

HEARINGS Item c. Ordinance 24-23, An Ordinance of the City Council of Homer, Alaska, Amending the FY25 Operating Budget for Necessary Mid-Biennium Adjustments. Memorandum CC-24-132 from Interim City Manager as backup. Item d. Ordinance 24-24, An Ordinance of the City Council of Homer, Alaska, Amending the FY25 Capital Budget for Necessary Mid-Biennium Adjustments. Memorandum CC-24-132 from Interim City Manager as backup

APPROVED AS AMENDED without discussion.

MAYORAL PROCLAMATIONS AND RECOGNITIONS

PUBLIC COMMENT ON MATTERS ALREADY ON THE AGENDA

There were nine who commented.

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. Homer City Council Unapproved Regular Meeting Minutes of May 28, 2024. Acting City Clerk. Recommend approval.
- b. Memorandum CC-24-123 from Mayor re: Appointment to the ADA Advisory Board. Recommend approval.
- c. Memorandum CC-24-124 from Acting City Clerk re: Liquor License Renewals for Kharacters, AJ's Oldtown Steakhouse & Tavern and Oaken Keg #1832. Recommend approval.
- d. Ordinance 24-27, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Chapter 3.10 Investments and Collateralization of Public Funds by Adding Section 3.10.105 Investment Income Allocation. Lord/Davis. Introduction June 10, 2024 Public Hearing and Second Reading June 17, 2024.
- e. Ordinance 24-28, An Ordinance of the City Council of Homer, Alaska, Amending the FY24 Capital Budget by Accepting and Appropriating the FY24 State of Alaska Community Assistance Program Payment in the Amount of \$146,261.39 for the City Hall Elevator Re-certification. City Manager. Introduction June 10, 2024 Public Hearing and Second Reading June 17, 2024.
- f. Ordinance 24-29, An Ordinance of the City Council of Homer, Alaska Amending the FY24 Capital Budget by Appropriating an Additional \$75,071.38 from the General CARMA Fund to the Homer Airport Terminal Sidewalk Replacement Project. City Manager/Public Works Director. Introduction June 10, 2024 Public Hearing and Second Reading June 17, 2024.

Memorandum CC-24-129 from Public Works Director as backup.

- g. Resolution 24-066, A Resolution of the City Council of Homer, Alaska, Approving a Recreational Use Agreement between the City of Homer and the Kachemak Nordic Ski Club Regarding the Maintenance and Operation of Nordic Ski Trails on Three City Owned Properties in the Baycrest Ski Area including Construction of an Equipment Shed and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Community Development Director. Recommend adoption.

Memorandum CC-24-128 from Community Development Director as backup.

- h. Resolution 24-067, A Resolution of the City Council of Homer, Alaska Confirming the Assessment Roll, Establishing Dates for Payment of Special Assessments and Establishing

Delinquency, Penalty, and Interest Provisions for the Charles Way Bunnell Avenue Water and Sewer Special Assessment District. City Clerk. Recommend adoption.

- i. Resolution 24-068, A Resolution of the City Council of Homer, Alaska Approving a Lease Assignment from Y&C, LLC to Berth II, Inc. for a New 20 Year Lease for Lot 32 as shown on Plat No. 89-34 at the Annual Rate of \$23,653.44 and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager. Recommend adoption.

Memorandum CC-24-129 from Port Property Associate as backup.

- j. Resolution 24-069, A Resolution of the City Council of Homer, Alaska, Amending the 2024 City Council Meeting Schedule for June. Interim City Manager. Recommend adoption.
- k. Resolution 24-071, A Resolution of the City Council of Homer, Alaska, Establishing a Right of Way Policy Evaluation Team on Cutting, Clearing or Removal of Trees and Vegetation Located within Public Rights of Way. City Manager/Public Works Director. Recommend adoption.

Memorandum CC-24-131 from Public Works Director as backup.

Item g. Ordinance 24-30 moved to Ordinances item a. and Items h. and i., Resolutions 24-064 and 24-065 were moved to Resolutions items b. and c.

ADOPTED AS AMENDED with discussion.

VISITORS

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

- a. Worksession Report

Interim City Manager Jacobsen reported.

- b. Committee of the Whole Report

Councilmember Aderhold reported.

- c. Mayor's Report

Alaska Marine Conservation Council Letter

Draft Resolution in Support of Amendment 123 to the Fishery Management Plan (FMP) for Groundfish of the Bering Sea and Aleutian Islands (BSAI) Management Area Which Amends Regulations Governing Limits on the Pacific Halibut Prohibited Species Catch (PSC) and Links the Halibut PSC Limit for the Amendment 80 Commercial Groundfish Trawl Fleet in the BSAI Groundfish Fisheries to Halibut Abundance. Mayor.

Mayor Castner reported that this will be a resolution submitted for approval at the Special Meeting on June 17, 2024.

Andrea Browning reported on the process and work of the City Manager Hiring Advisory Committee. She facilitated discussion on the expectation of Council for the June 17, 2024.

Aderhold recommended deleting Lines 66-67 from the Resolution, amended to remove “landed” insert, “Where City of Homer Claims the title of...”

d. Borough Report

Kelly Cooper, assembly person, reported.

e. Planning Commission Report

f. Sister City Task Force

Council member Venuti reported.

g. Champions Report

i. Finance

ii. Harbor

Councilmember Lord reported that they will be meeting with Port Director and Staff on Wednesday, June 12th

iii. Recreation

PUBLIC HEARING(S)

- a. Ordinance 24-21, An Ordinance of the City Council of Homer Alaska Amending the FY23 Capital Budget by Re-Appropriating FY22 State of Alaska Community Assistance Program in the Amount of \$98,714.98 from Various ADA Projects to the Airport Sidewalk Repair Project. City Manager/Public Works Director. Introduction May 13, 2024 Public Hearing and Second Reading May 28, 2024 Page 197 Postponed to June 10, 2024

Memorandum CC-24-105 from City Engineer as backup.

ADOPTED with no discussion.

- b. Ordinance 24-22 An Ordinance of the City Council of Homer, Alaska Amending the FY24 Capital Budget By Accepting and Appropriating an Alaska Department of Environmental Conservation Drinking Water Fund Loan in the Amount of \$184,578 for the Tasmania Court Water Improvement Project. City Manager/Public Works Director. Introduction May 13, 2024 Public Hearing and Second Reading May 28, 2024 Postponed to June 10, 2024

ADOPTED with no discussion.

- c. Ordinance 24-23, An Ordinance of the City Council of Homer, Alaska, Amending the FY25 Operating Budget for Necessary Mid-Biennium Adjustments. City Manager. Introduction May 28, 2024 Public Hearing and Second Reading June 10, 2024.

Memorandum CC-24-113 from HR Director/Finance Director as backup.

Memorandum CC-24-111 from Employee Committee as backup.

Memorandum CC-24-112 from Community Development of Director as backup.

Memorandum CC-24-110 from PARC Advisory Commission as backup.

Memorandum CC-24-132 from Interim City Manager as backup

AMENDED TO INCLUDE \$12,000 FOR THE SMALL BUSINESS DEVELOPMENT SALARY

AMENDED TO INCREASE LOBBYING \$20,000 FOR FEDERAL LOBBYIST SERVICES

AMENDED TO FUND 3.5% COLA FOR ALL EMPLOYEES

ADOPTED AS AMENDED with discussion.

- d. Ordinance 24-24, An Ordinance of the City Council of Homer, Alaska, Amending the FY25 Capital Budget for Necessary Mid-Biennium Adjustments. City Manager. Introduction May 28, 2024 Public Hearing and Second Reading June 10, 2024.

Memorandum CC-24-114 from PARCAC/Recreation Manager as backup.

Memorandum CC-24-132 from Interim City Manager as backup.

AMENDED TO INCLUDE \$30,000 FOR LIBRARY SECURITY GATE.

AMENDED TO INCLUDE \$4500 FOR VOLLEY BALL NET SYSTEM FOR COMMUNITY RECREATION

AMENDED TO INCLUDE \$125,000 FOR JACK GIST PARK IMPROVEMENTS

AMENDED TO INCLUDE \$400,000 FOR MULTI-USE COMMUNITY CENTER

ADOPTED AS AMENDED with discussion.

- e. Ordinance 24-25, An Ordinance of the City Council of Homer, Alaska, Amending the City of Homer Water and Sewer Rates and Updating the City Fee Schedule Accordingly. City Manager/Finance Director. Introduction May 28, 2024 Public Hearing and Second Reading June 10, 2024.

Memorandum CC-24-122 from Finance Director as backup.

ADOPTED without discussion.

- f. Ordinance 24-26, An Ordinance of the City Council of Homer, Alaska, Amending The FY24 Capital Budget By Redistributing Funds within the General Fund Capital Asset Repair and Maintenance Allowance (CARMA) Fund and within the General Fund Fleet Capital Asset Repair

and Maintenance Allowance (CARMA) Fund To Establish Subaccounts. Lord/Davis. Introduction May 28, 2024 Public Hearing and Second Reading June 10, 2024.

Memorandum CC-24-121 from Councilmembers Lord and Davis as backup.

ADOPTED with discussion.

ORDINANCE(S)

- a. Ordinance 24-30, An Ordinance of the City Council of Homer, Alaska, Amending the FY24 Capital Budget by Appropriating \$900,000 from the Gas Line Fund for a Multi-Use Community Recreation Center Project. Mayor. Introduction June 10, 2024 Public Hearing and Second Reading June 17, 2024.

POSTPONED with discussion to the July 22, 2024 regular meeting.

CITY MANAGER'S REPORT

- a. City Manager's Report

Interim City Manager Jacobsen expressed appreciation for Senator Murkowski for forwarding the Homer Spit Climate Resiliency Project and Homer Harbor Critical Float Replacement Project to relevant sub-committees as it is a great start for those projects. Appreciation is given for the team that went to Washington DC to perform the lobbying on the city's behalf, and Senator Murkowski and her staff for taking these projects on for the city. She reported that they are working on celebration opportunities for celebrating the Coast Guard Birthday in August and BDO started last week on the FY23 Audit process with an onsite visit. She recognized the outstanding efforts of the Finance Staff – Jenna DeLumeau, Jessica McGuire, Angie Kalugin and Lynda Gilliland for their responsiveness providing BDO with the necessary documents and research and escorting BDO staff to conduct inventories on location.

PENDING BUSINESS

NEW BUSINESS

RESOLUTIONS

- a. Resolution 24-070, A Resolution of the City Council of Homer, Alaska, Authorizing A Change Order to the Ben Walters Lane Sidewalk Improvement Project in the Amount of \$56,300 to Reduce the Sidewalk Width to Eight Feet and Widen the Roadway Repaving to Include the Distance from New Curb to the Centerline of Ben Walters Lane and Authorizes the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Public Works Director.

Memorandum CC-24-130 from Public Works Director as backup.

ADOPTED with discussion

- b. Resolution 24-064, A Resolution of the City Council of Homer, Alaska Awarding the Contract for the Solid Waste Collection and Disposal for a Three Year Term with Two One-Year Renewal Options to Alaska Waste – Kenai Peninsula, LLC of Soldotna, Alaska and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/ Port Director. Recommend adoption.

Memorandum CC-24-126 from Public Works Director as backup.

ADOPTED as AMENDED

- c. Resolution 24-065, A Resolution of the City Council of Homer, Alaska, Authorizing City Staff to Continue with the FEMA BRIC Grant Application Process with a 25% Local Match to Include Staff Time, Materials, and Cash as Requested by the Sub-Applicant, the State of Alaska Department of Homeland Security and Emergency Management as the Sub-Applicant. City Manager. Recommend adoption.

Memorandum CC-24-127 from City Planner as backup.

ADOPTED with discussion.

COMMENTS OF THE AUDIENCE

There were two who commented.

COMMENTS OF THE CITY ATTORNEY

City Attorney Gatti had no comments.

COMMENTS OF THE CITY CLERK

Acting City Clerk Krause announced the vacancies available for the Boards and Commissions.

COMMENTS OF THE CITY MANAGER

Interim Manager Jacobsen expressed her appreciation for the Finance Directors patience during the budget process and her assistance working through the Budget adjustments. She then expressed kudos for the Finance department staff and assistance with the start of FY23 audit process while the auditors were visiting last week. She received high praises from BDO for the staff.

COMMENTS OF THE MAYOR

Mayor Castner expressed comments regarding the budget process becoming “milder” and easier with more understanding but had concerns with use of reserve funds, acknowledging the requirements to have a bond reserve fund and emergency reserve but now they are creating the idea of reserves for future grant obligations and would like to address the reserve issue at the end of the summer to determine if the city can have just one reserve fund. He complimented the work performed by the City Manager Hiring Advisory Committee, noting that they read all thirty two applications, were very diligent and serious and had a very robust discussion on Friday afternoon. He hoped that when it comes time to conduct the interviews that Council has interaction with the members of the

Committee because every single one of those Committee members bring something to the table. Stating that the six sitting at the dais represent the corporate elements of the City but the Committee represent all the other people and have to interact with the city manager, and are pretty serious about having access to the administration. Mayor Castner expressed his appreciation and thanks for their time and dedication.

COMMENTS OF THE CITY COUNCIL

Councilmember Venuti cautioned everyone regarding their health, expressed comments on Celebrating Mary Epperson and former Mayor Hornaday proclaiming June as Mary Epperson Month and tonight they were sharing a poem or song in honor of her, stating that she was considered the Godmother of the Arts; Interim City manager Jacobsen announcement of the Coast Guard planned celebration, reiterated her support for the Jack Gist Park Improvements and was glad to have the sun shining.

Councilmember Lord did not have any comments.

Councilmember Aderhold reported on attending the reopening of the K'Beq Archeological Site in Cooper Landing and it will be open during the summer.

Councilmember Davis commented that the Mayor can consider him an ally on reserve funds as he liked the idea of one reserve fund that could be tapped into when needed by any department instead of several individual reserve funds. He acknowledged that it was a complicated issue when you see the percentage that is sitting in multiple reserves funds as it is quite high. He then announced the combined Annual Pride Walk and Juneteenth Celebration on June 15th starting at the HERC at 11:30 a.m. and proceed up Pioneer Avenue to the Kachemak Bay College Campus for the Liberation Celebration and on June 20th the Chamber is hosting the Summer Solstice celebration Festival at the Chamber of Commerce, with food trucks, vendors, and music.

Councilmember Erickson expressed thanks to Interim City Manager Jacobsen for opening up City Hall expressing it was nice to step past COVID, expressed her appreciation for all the fisherman and the various departments representatives who came in support of Amendment 123 dealing with the trawlers and the Mayor for keeping Council in the loop. She recognized that at this time of the year the seiners and others leave the port and they are a valuable part of the city's economics and the city should watch out for them as it is part of the Alaskan lifestyle. Ms. Erikson encouraged everyone to use caution and be safe while driving the roadways as traffic has increased, the sunshine is out and the beauty of the land is shining for everyone to enjoy.

Councilmember Hansen expressed her appreciation for everyone attending and speaking up on the proposed draft resolution, it was impressive to see what people were passionate about when the room and lobby fills up, then empties out when the item is addressed. She commented about being stuck in the accident that happened yesterday and expressed condolences for the loss of Barney Brooks over the weekend and the loss to the community.

ADJOURNMENT

Having no further business before the Council Mayor Castner adjourned the meeting at 9:19 p.m. A Special Meeting is scheduled for Monday, June 17, 2024 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.