

Session 24-18 a Regular Meeting of the City Council of Homer, Alaska was called to order on August 26, 2024 by Mayor Pro Tem Lord at 5:00 p.m. at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska, and opened with the Pledge of Allegiance. A Worksession was conducted at 4:00 p.m. with discussion on the Draft Capital Improvement Plan 2025-2030 and FY26 Legislative Request.

**PRESENT:** COUNCILMEMBERS ERICKSON, DAVIS, ADERHOLD, VENUTI, HANSEN

**ABSENT:** MAYOR CASTNER (EXCUSED)

**STAFF:** CITY MANAGER JACOBSEN  
CITY CLERK KRAUSE  
CITY ATTORNEY GATTI  
PUBLIC WORKS DIRECTOR KORT  
FINANCE DIRECTOR FISCHER  
PORT DIRECTOR HAWKINS  
COMMUNITY DEVELOPMENT DIRECTOR ENGBRETSSEN  
CHIEF TECHNOLOGY OFFICER JIRSA  
PERSONNEL DIRECTOR BROWNING  
RECREATION MANAGER ILLG  
SPECIAL PROJECTS & COMMUNICATIONS COORDINATOR CARROLL  
CITY PLANNER FOSTER

## AGENDA APPROVAL

Mayor Pro Tem Lord announced the supplemental items: **CONSENT AGENDA** Item a. Unapproved meeting minutes for the Regular Meeting of August 12<sup>th</sup> and Special Meeting of August 29<sup>th</sup>, item h. Resolution 24-091, Authorizing the Purchase and Installation of a Natural Gas Burner in the Homer Education and Recreation Complex (HERC) Boiler in the Amount of \$14,000 and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Public Works Director. Resolution 24-091(S) Awarding a Contract to Combustion Control of Anchorage, Alaska, for the Purchase and Installation of a Natural Gas Burner in the Homer Education and Recreation Complex (HERC) Boiler Not to Exceed the Amount of \$14,000 and Authorizes the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Public Works Director. **PUBLIC HEARINGS** Ordinance 24-35, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Chapter 3.16 Procurements. City Manager. Ordinance 24-35(S), Amending Homer City Code Chapter 3.16 Procurements. Memorandum CC-24-182 from the City Manager as backup. **CITY MANAGER'S REPORT** add Items c. Memorandum CC-24-180 from the Library Advisory Board re: Library Security Grille Funding and item d. Memorandum CC-24-181 from Parks, Art, Recreation & Culture Advisory Commission re: HERC II Building Exterior Recommendation **ANNOUNCEMENTS/PRESENTATIONS/REPORTS** Item j. Borough Report

ADERHOLD/VENUTI MOVED TO APPROVE THE AGENDA AS AMENDED.

There was no discussion.

VOTE. NON OBJECTION. UNANIMOUS CONSENT

Motion carried.

## MAYORAL PROCLAMATIONS AND RECOGNITIONS

### PUBLIC COMMENT ON MATTERS ALREADY ON THE AGENDA

Mayor Pro Tem Lord announced the following: The public may comment on items on the agenda with the exception of the Public Hearing items:

- Ordinance 24-35, Amending Homer City Code Chapter 3.16 Procurements. City Manager.
- Ordinance 24-35(S) Amending Homer City Code Chapter 3.16 Procurements
- Ordinance 24-36, Amending the FY25 Capital Budget by Appropriating \$208,000 from the Sewer Capital Asset Repair and Maintenance Allowance (CARMA) Fund for Construction Work Associated with the Rehabilitation of the Beluga Slough Lift Station. City Manager/Public Works Director.
- Ordinance 24-37, Amending the FY25 Capital Budget by Accepting and Appropriating the Amended Alaska Fish and Game Cooperative Agreement #23-177 Construction Grant in the Amount of \$505,875 and Appropriating \$87,012 from the Port and Harbor Reserve Fund to Complete the 25% Match for the Fish Grinding Building Replacement Project. City Manager/Port Director.
- Ordinance 24-38, Amending the FY25 Capital Budget to Fund Maintenance to the Seawall by Establishing Authority in the Fiscal Year 2025 Budget for Routine Maintenance to the Seawall. City Manager/Public Works Director.

Comments on these matters will be addressed under Item 9 Public Hearings.

Karin Marks, city resident, informed the Council that it was very difficult to hear anyone due to all the static and requested that they speak up.

### 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.)

Mayor Pro Tem Lord requested amendments.

- a. Homer City Council Unapproved Regular Meeting Minutes of August 12, 2024 and August 19, 2024. City Clerk. Recommend approval.
- b. Memorandum CC-24-168 from City Clerk re: Liquor License Renewals for Captain Patties Fish House. Recommend approval.
- c. Ordinance 24-39, An Ordinance of the City Council of Homer, Alaska, Amending the FY25 Capital Budget by Appropriating \$18,000 from the Port Reserves Fund for the Acquisition of an Ammonia Storage Tank for the City Ice Plant. City Manager/Port Director. Introduction August 26, 2024 Public Hearing and Second Reading September 9, 2024.

Memorandum CC-24-169 from Port Director as backup.

- d. Ordinance 24-40, An Ordinance of the City Council of Homer, Alaska, Amending the FY25 Capital Budget by Re-Appropriating \$6,152 from the Homer Accelerated Roads and Trails (HART) Trails Fund for Library Trail - West Storybook Trail Improvements. City Manager/Public Works Director. Introduction August 26, 2024 Public Hearing and Second Reading September 9, 2024.

Memorandum CC-24-170 from Public Works Director as backup

- e. Ordinance 24-41, An Ordinance of the City Council of Homer, Alaska, Amending the FY25 Capital Budget by Appropriating \$6,000 from the Homer Accelerated Roads and Trails (HART) Trails Fund for Lucky Shot Trail Improvements. City Manager/Public Works Director. Introduction August 26, 2024 Public Hearing and Second Reading September 9, 2024.

Memorandum CC-24-171 from Public Works Director as backup

- f. Ordinance 24-42, An Ordinance of the City Council of Homer, Alaska, Amending the FY25 Capital Budget by Appropriating an Additional \$50,000 from the Homer Accelerated Roads and Trails (HART) Road Fund to the Bayview Park Renovation Project. City Manager/City Engineer. Introduction August 26, 2024 Public Hearing and Second Reading September 9, 2024.

Memorandum CC-24-172 from City Engineer as backup

- g. Resolution 24-090, A Resolution of the City Council of Homer, Alaska, Authorizing Issuance of a Task Order to Kinney Engineering, LLC in the Not to Exceed Amount of \$25,000 for Preliminary Design of the Diamond Creek Trail Highway Underpass Project and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/City Engineer.

Memorandum CC-24-173 from City Engineer as backup

Council member Davis: Request Resolution 24-090 be moved to Resolutions item a.

- h. Resolution 24-091, A Resolution of the City Council of Homer, Alaska, Authorizing the Purchase and Installation of a Natural Gas Burner in the Homer Education and Recreation Complex (HERC) Boiler in the Amount of \$14,000 and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Public Works Director.

Memorandum CC-24-174 from Public Works Director as backup

Councilmember Aderhold Request to move to Resolution 24-091 move to Resolutions item b.

- i. Resolution 24-092, A Resolution of the City Council of Homer, Alaska Awarding a Contract for City Hall Elevator Recertification Project to the Firm of TK Elevator Corporation in the Amount of \$129,838.97 and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Public Works Director.

Memorandum CC-24-175 from Public Works Director as backup

- j. Resolution 24-093, A Resolution of the City Council of Homer, Alaska Amending the Economic Development Advisory Commission Bylaws, Section V City Staff Roles and Section VI, Meetings. City Clerk.

Memorandum CC-24-176 from Economic Dev. Advisory Commission as backup

- k. Resolution 24-094, A Resolution of the City Council of Homer, Alaska, Awarding a Contract for Replacing the Fire Alarm System in the Elevator as City Hall to the Firm of Accel Fire Systems, Inc., in the Amount of \$20,508 and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Public Works Director.

Memorandum CC-24-177 from Public Works Director as backup

- l. Resolution 24-095, A Resolution of the City Council of Homer, Alaska Accepting the Donation of Playground Equipment from the Rotary Club for Bayview Park. City Manager/City Engineer.

Memorandum CC-24-178 from City Engineer as backup

Council member Davis requested Item g., Resolution 24-090 be moved to Resolutions item a.

Council member Aderhold requested Item h., Resolution 24-091 be moved to Resolutions Item b.

Mayor Pro Tem Lord requested a motion.

ADERHOLD/VENUTI MOVED TO ADOPT THE RECOMMENDATIONS OF THE CONSENT AGENDA AS READ.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

## **VISITORS**

## **ANNOUNCEMENTS/PRESENTATIONS/REPORTS**

- a. Worksession Report

City Manager Jacobsen reported that Council received a review of the Draft Capital Improvement Plan (CIP) from Special Projects & Communication Coordinator Carroll. Council discussed the following projects and processes regarding the plan:

- Karen Hornaday Park Restroom Project
- City Hall Barrier Removals
- Homer Spit Campgrounds
- Baycrest Overlook Restrooms

- Non-profit project pages in the CIP are not requests for city funding
- Council requested to submit top none projects
- Inclusion of the Pratt Museum Roof Project in the CIP
- Comments on Mount Augustine Drive Slope Stability project with the State

b. Committee of the Whole Report

Councilmember Erickson reported that Council discussed the following topics:

- Number of Public Works Projects on the agenda and those projects just starting
  - Funding should be clear on where it is coming from
- Ordinance to buy an Ammonia Storage tank
- Resolution to authorize a preliminary design for a underpass previously approved by Council and amended to speak to the MOU concern brought forward by the Mayor

c. Mayor's Report

Mayor Pro Tem Lord reported that the Mayor did the City proud in the Bridge tournament in Whitehorse but unfortunately fell ill.

d. AML Summer Conference Report

- i. AML Summer Conference in Kodiak, Alaska by Councilmember Aderhold

Councilmember Aderhold provided her written report and commented that the City Manager brought forward the Public Notice issue and received resounding applause from the majority in attendance.

e. Economic Development Advisory Commission

Karin Marks, Chair for the Commission, reported the Commission reviewed the CIP and supported the Pratt roof project, and EDC planning a worksession on Cruise Ships and there is one open seat still available.

f. Parks Art Recreation and Culture Advisory Commission

Ingrid Harrald, Commissioner, reported appointment of new Commissioner, Ellie Stefano that represented the arts, Commission recommendations on the CIP and expressed appreciation for the support in funding for the trails, performing a SWOT with a consultant preliminary more staff, capturing the intangibles, conversations on closing the Baycrest, denial of acceptance of art donation for the Boathouse Pavilion, community rec software, improvements to the KHP and Jack Gist Park, Sister City Banners, gardens are lovely.

g. Library Advisory Board

Andy Haas, Board member, expressed appreciation for the security gate funding and it will now be available for use after hours, they discussed the CIP top priority is the Library Siding project, State Funding is reduced to \$1829 and will be detrimental to the areas smaller libraries in Ninilchik, Anchor Point and Seldovia he referred to the website, [eed.library.grant@alaska.gov](mailto:eed.library.grant@alaska.gov). 907-465-2802 These libraries will be feeling the financial loss and commented on the Teen Library Board.

Mr. Haas provided Councilmember Erickson clarification on the meeting room availability having a security gate and how that effected employees.

h. Comprehensive Plan Steering Committee Report

Kathy Carssow, Chair of the Committee, reported that in response to the Council's concern they will begin in January with kickoff in February, approval will be delayed to April. She explained her understanding and expressed concerns regarding issues that are impacting the community now. Council will have to provide clarification for her and the community. Ms. Carssow continued by commenting on the completion of the Comprehensive Plan and start of the re-write for Title 21 and Agnew::Beck responded to Council's concerns but opined that it was still far too late citing the relevance of importance to things happening now in the Community and moving on the changing code is really important. Ms. Carssow reiterated that she wanted clarification on the schedule that is approved for her personal knowledge as well as the community's. She referred to her previous experience, noting that contracts could not be changed by staff and not go back before Council for amendment to the contract.

Councilmember Davis reported that the disagreement is between the Contractor and the Steering Committee members. He understood that if the Contractor wished to amend the schedule that had specific dates and timelines that the Contractor was required to submit a change to effect that to staff or the City Manager who would then seek approval from City Council for the change. Mr. Davis added that he did not believe there was disagreement on that assumption.

Council member Venuti asked if the question should be weighed in on by the City Attorney.

City Manager Jacobsen stated noting that her role was negotiating the contract and that the contract should have been amended at the beginning since a Steering Committee was not called out for in that contract, she additionally stated that the tasks or duties of the Steering Committee were outlined in the Resolution that created the Committee and she did not call out any related to the Title 21 re-write, that is a separate component from the Comprehensive Plan.

Ms. Carssow was just pointing out that the Steering Committee did not have the authority to extend the dates of the contract and expressed concerns on the work for the title 21 update was starting later than planned.

Mayor Pro Tem Lord commented that she would like to see Council apprised a bit more on the status of things.

i. Champions Report

- i. Finance
- ii. Harbor
- iii. Recreation

j. Borough Report

Kelly Cooper reported the Assembly enjoyed their recent visit to Homer and appreciated the City hosting them, stating that the comments are Homer always has the best food. She then continued on calls received regarding

the entrance to the landfill and the horrible pothole is scheduled for repair, the fall tax foreclosure public auction is scheduled for October 5, 2024 and will be held in the high school auditorium, properties will be listed on the website in the coming week after the next meeting. They will have an ordinance regarding retention schedule, some will be retained and others developed for housing, she noted that there were three Borough Assembly seats up for election and all three are uncontested, she will be introducing a resolution to create a tourism industry group to start meeting in the fall. Ms. Cooper expressed hope that all communities will participate.

Ms. Cooper facilitated discussion on collection of sales tax from operators such as Airbnb. She may be able to have more information at the next meeting.

**PUBLIC HEARING(S)**

- a. Ordinance 24-35, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Chapter 3.16 Procurements. City Manager. Introduction August 12, 2024 Public Hearing and Second Reading August 26, 2024.

Memorandum CC-24-157 from City Manager as backup

Ordinance 24-35(S), An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Chapter 3.16 Procurements. City Manager.

Memorandum CC-24-182 from City Manager as backup

Mayor Pro introduced the topic and opened the public hearing. Having no member of the audience come forward, or indicate that they wish to provide comment, Mayor Pro Tem Lord closed the public hearing and requested a motion and second.

ADERHOLD/VENUTI MOVED TO ADOPT ORDINANCE 24-35 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

Mayor Pro Tem Lord asked for a motion to substitute.

ADERHOLD/VENUTI MOVED TO SUBSTITUTE ORDINANCE 24-35(S) FOR ORDINANCE 24-31 BY READING OF TITLE.

There was a brief discussion on the increase amount of expenditure authorization for Department Heads and Division Leads and appreciation for addressing items in the manual to update them to more current standards.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- b. Ordinance 24-36, An Ordinance of the City Council of Homer, Alaska, Amending the FY25 Capital Budget by Appropriating \$208,000 from the Sewer Capital Asset Repair and Maintenance Allowance (CARMA) Fund for Construction Work Associated with the Rehabilitation of the Beluga Slough Lift Station. City Manager/Public Works Director. Introduction August 12, 2024 Public Hearing and Second Reading August 26, 2024.

Memorandum CC-24-158 from Public Works Director as backup

Mayor Pro introduced the topic and opened the public hearing. Having no member of the audience come forward, or indicate that they wish to provide comment, Mayor Pro Tem Lord closed the public hearing and requested a motion and second.

ADERHOLD/VENUTI MOVED TO ADOPT ORDINANCE 24-36 BY READING OF TITLE FOR SECOND AND FINAL READING.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- c. Ordinance 24-37, An Ordinance of the City Council of Homer, Alaska, Amending the FY25 Capital Budget by Accepting and Appropriating the Amended Alaska Fish and Game Cooperative Agreement #23-177 Construction Grant in the Amount of \$505,875 and Appropriating \$87,012 from the Port and Harbor Reserve Fund to Complete the 25% Match for the Fish Grinding Building Replacement Project. City Manager/Port Director. Introduction August 12, 2024 Public Hearing and Second Reading August 26, 2024.

Memorandum CC-24-159 from Port Director as backup

Mayor Pro introduced the topic and opened the public hearing. Having no member of the audience come forward, or indicate that they wish to provide comment, Mayor Pro Tem Lord closed the public hearing and requested a motion and second.

ADERHOLD/VENUTI MOVED TO ADOPT ORDINANCE 24-37 BY READING OF TITLE FOR SECOND AND FINAL READING.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- d. Ordinance 24-38, An Ordinance of the City Council of Homer, Alaska, Amending the FY25 Capital Budget to Fund Maintenance to the Seawall by Establishing Authority in the Fiscal Year 2025 Budget for Routine Maintenance to the Seawall. City Manager/Public Works Director. Introduction August 12, 2024 Public Hearing and Second Reading August 26, 2024.

Memorandum CC-24-160 from Public Works Director as backup

Mayor Pro introduced the topic and opened the public hearing. Having no member of the audience come forward, or indicate that they wish to provide comment, Mayor Pro Tem Lord closed the public hearing and requested a motion and second.



ADERHOLD/VENUTI MOVED TO ADOPT ORDINANCE 24-38 BY READING OF TITLE FOR SECOND AND FINAL READING.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

**ORDINANCE(S)**

**CITY MANAGER'S REPORT**

- a. City Manager's Report
- b. FY25 Monthly YTD Financial Report
- c. Memorandum CC-24-180 from Library Advisory Board re: Library Security Grille Funding –
- d. Memorandum CC-24-181 from Parks, Art, Recreation, & Culture Advisory Commission re: HERC II Building Exterior Recommendations

City Manager Jacobsen commented on her request to AML regarding Legislative amendments to the Public Notice requirements after sharing recent experiences with the local newspaper.

Councilmember Aderhold added that it was the only subject that brought forward applause from the attendees.

Councilmember Venuti commented on a Contractor being interviewed.

**PENDING BUSINESS**

- a. Resolution 24-083, A Resolution of the City Council of Homer, Alaska, Adopting the Revised City of Homer Procurement Policy Manual. City Manager.

Memorandum CC-24-157 from City Manager as backup

ADERHOLD/VENUTI MOVED TO ADOPT RESOLUTION 24-083 BY READING OF TITLE ONLY.

There was a brief discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

**NEW BUSINESS**

**RESOLUTIONS**

- a. Resolution 24-090, A Resolution of the City Council of Homer, Alaska, Authorizing Issuance of a Task Order to Kinney Engineering, LLC in the Not to Exceed Amount of \$25,000 for Preliminary Design of the

Diamond Creek Trail Highway Underpass Project and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/City Engineer.

Memorandum CC-24-173 from City Engineer as backup

ADERHOLD VENUTI MOVED TO ADOPT RESOLUTION 24-090 BY READING OF TITLE ONLY.

DAVIS ADERHOLD MOVED TO AMEND RESOLUTION 24-090 BY STRIKING LINE 27-29 AND REPLACING WITH 'THE COMPLETION OF THE PRELIMINARY DESIGN WILL AID IN THE DEVELOPMENT OF MEMORANDUM OF UNDERSTANDINGS WITH OTHER ENTITIES INVOLVED IN THE PROJECT AS DIRECTED BY ORDINANCE 24-06(A)'

There was a brief discussion on using explicit language within the Resolution to address the Mayor's expressed concerns.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

There was no further discussion or amendments.

VOTE. (Main as amended) NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- b. Resolution 24-091, A Resolution of the City Council of Homer, Alaska, Authorizing the Purchase and Installation of a Natural Gas Burner in the Homer Education and Recreation Complex (HERC) Boiler in the Amount of \$14,000 and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Public Works Director.

Memorandum CC-24-174 from Public Works Director as backup

Resolution 24-091(S), A Resolution of the City Council of Homer, Alaska, Awarding a Contract to Combustion Control of Anchorage, Alaska, for the Purchase and Installation of a Natural Gas Burner in the Homer Education and Recreation Complex (HERC) Boiler Not to Exceed the Amount of \$14,000 and Authorizes the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Public Works Director.

Mayor Pro Tem Lord requested a motion and second.

ADERHOLD/VENUTI MOVED TO ADOPT RESOLUTION 24-091 BY READING OF TITLE ONLY.

Mayor opened the floor for discussion or a motion.

ADERHOLD VENUTI MOVED TO ADOPT SUBSTITUTE RESOLUTION 24-091(S) FOR RESOLUTION 24-091.

There was a brief discussion on the amendments.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

**COMMENTS OF THE AUDIENCE**

**COMMENTS OF THE CITY ATTORNEY**

City Attorney Gatti had no comments.

#### **COMMENTS OF THE CITY CLERK**

City Clerk Krause announced the vacancies on the advisory bodies.

#### **COMMENTS OF THE CITY MANAGER**

City Manager Jacobsen reported the closure of the Deputy City Clerk I position and beginning of interviews and provided some highlights of her attendance at the AML Summer Conference in Kodiak, expressed thanks for adopting the procurement manual and updating city code.

#### **COMMENTS OF THE MAYOR**

#### **COMMENTS OF THE COUNCIL MEMBERS**

Councilmember Lord commented on welcoming visitors from around the globe to Homer this week and holding a conference at Land's End regarding food security and she works for Alaska Food Policy Council, Alaska Region USDA Regional Food Business Center welcoming other representatives from other regions such as Hawaii, US Virgin Islands, Puerto Rico, American Samoa and Guam.

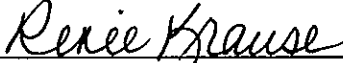
Councilmember Erickson expressed appreciation for the Public Works Department and all the work being done this summer on the parks, it's been wonderful to see how nice the parks are with the improvements being done and then responded to concerns about the changes up at Baycrest Fuel reporting that Marathon bought out Tesoro a while back and they are now doing the rebranding logo work but assured everyone that they are still there and operating the business.

Councilmember Davis announced the Candidate Forum scheduled for Mayor and Council Candidates on Thursday, August 29<sup>th</sup> at the Homer Public Library.

Councilmember Venuti wished everyone a Happy Labor Day and commented on the rainfall experienced on last Saturday, August 24<sup>th</sup>, and expressed her appreciation for the donation by Homer Rotary for the playground equipment.

#### **ADJOURNMENT**

Mayor Pro Tem Lord adjourned the meeting at 7:07 p.m. the next Regular Meeting is Monday, September 9, 2024 at 6:00 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.



Renee Krause, MMC, City Clerk

Approved: 