



Action Agendas City Council Committee of the Whole & Regular Meetings

Monday, April 14, 2025 at 5:00 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

COMMITTEE OF THE WHOLE

Zoom Webinar ID: 953 097 829 Password: 234969

CALL TO ORDER, 5:00 P.M.

Mayor Lord called the meeting to order at 4:00 p.m.

Councilmember Aderhold had requested excusal and timely notice was provided.

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

APPROVED without discussion.

CONSENT AGENDA

Mayor Lord facilitated discussion on the following:

- Resolution 25-031 regarding communications and outreach with the affected property owners.
- Ordinance 25-35 regarding the use, storage and purpose of a hydroseeder.

REGULAR MEETING AGENDA

Mayor Lord facilitated discussion on the following:

- Resolution 25-33 regarding concerns on what changes occurred, project status update needed and possible postponement to the next meeting.
- Ordinance 25-31 moving from the Consent Agenda due to clarification regarding the funding source

DISCUSSION/PRESENTATION TOPICS

- a. FY24 Audit – BDO USA, PC - Bicky Shrestha

Bikky Shrestha presented the FY24 Audit overview he touched on the following:

- The objective of the audit
- Completed in a timely manner
 - Financial statements and report issued on March 31, 2025
- The responsibility of BDO USA, PC
- Accounting Practices, Policies Estimates and Significant Unusual Transactions
- Qualities of the City's Financial Reporting
- Corrected or uncorrected Misstatements
- Internal Control Over Financial Reporting
- Other Required Communications
- Independence

b. FY26/FY27 Proposed Budget and Utility Rate Model

Refer to Binders provided.

City Manager Jacobsen provided a quick review of the draft proposed budget noting the following:

- Represented a Budget A and Budget B
- Removed two fulltime and two-part time positions
 - Not filling the vacant Administrative Assistant position in Administration
 - Not filling the fulltime Recreation Assistant position
 - Not filling two-part time library positions
- Did not include transfers

Due to time constraints and to allow ample time for public comment the discussion was limited and would be continued during the City Manager's Report under the Regular Meeting Agenda.

COMMENTS OF THE AUDIENCE

There were two that commented.

ADJOURNMENT NO LATER THAN 5:50 P.M.

Mayor Lord adjourned the meeting at 5:50 p.m.

REGULAR MEETING AGENDA

Zoom Webinar ID: 205 093 973 Password: 610853

CALL TO ORDER, PLEDGE OF ALLEGIANCE

Mayor Lord called the meeting to order and invited those present to join her in the Pledge of Allegiance.

City Clerk Krause conducted attendance and a full Council was present. Councilmember Aderhold attended electronically.

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

Mayor Lord read the Supplemental Items into the Record as follows: **CONSENT AGENDA** Item h. Resolution 25-027 Approving Assignment of Ground Lease and Security Agreement between the City and Berth II, Inc. to Happy Face, LLC. Landscape Plan and **CITY MANAGER'S REPORT** Item a. City Manager's Report and Resolution 24-124(S) with corresponding backup as attachment and Tourism Industry Working Group Final Report **RESOLUTIONS** Item a. Resolution 25-026 A Resolution of the City Council of Homer, Alaska, Awarding the Contract for Federal Lobbyist Services to a Firm to be Named in the Amount to be Determined and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Clerk. Resolution 25-026(S) Awarding the Contract for the Federal Lobbyist Services to The Ferguson Group of Washington, D.C. in the Amount of \$65,000 and Authorizes the City Manager to Negotiate and Execute the Appropriate Documents.

DAVIS/VENUTI MOVED TO AMEND THE AGENDA TO ALLOW SENATOR STEVENS TO SPEAK AFTER AGENDA APPROVAL.

There was no discussion.

VOTE. NON-OBJECTION, UNANIMOUS CONSENT.

Motion carried.

ADOPTED as AMENDED.

MAYORAL PROCLAMATIONS AND RECOGNITIONS

There were none scheduled for this meeting.

PUBLIC COMMENT ON MATTERS ALREADY ON THE AGENDA

Mayor Lord invited the public to comment on any item on the agenda with the exception of the following:

- Ordinance 25-28, Un-appropriating \$268,605 of HART Roads Funds from the Ohlson Lane West Bunnell Avenue Reconstruction Project.
- Ordinance 25-29, Appropriating an Additional \$3,200 from the Homer Accelerated Roads and Trails (HART) Trails Fund for Change Order No. 1 to Kinney Engineering Task Order 24-01.
- Ordinance 25-30, Appropriating an Additional \$57,073.12 from HAWSP for the Purpose of Reimbursing Six Property Owners in the Bunnell Ave/Charles Way Special Assessment District for the Cost of E-One Lift Stations.

There were 19 that commented.

RECONSIDERATION

There were none scheduled for this meeting.

CONSENT AGENDA

Mayor Lord noted the items listed on the Consent Agenda 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 Regular Meeting Minutes of March 24, 2025. City Clerk. Recommend adoption.
- b. Memorandum CC-25-099 from Mayor re: Re-appointments of Marcia Kuszmaul to the Library Advisory Board. Recommend approval.
- c. Ordinance 25-31, An Ordinance of the City Council of Homer, Alaska, Amending the FY25 Capital Budget Supplemental Appropriation of \$72,382 from the Public Works Capital Asset Repair and Maintenance Allowance (CARMA) Fund for a Change Order to the Fuel Island Replacement contract to also include Underground Tank Removal. City Manager/Public Works Director. Introduction April 14, 2025 Public Hearing and Second Reading April 28, 2025.

Memorandum CC-25-101 from the Public Works Director as backup.

Pulled and moved to Ordinances item a.

- d. Ordinance 25-32, An Ordinance of the City Council of Homer, Alaska, Amending the FY25 Capital Budget by Appropriating \$1,300 Additional Funding from the Port Reserves Fund for the Crane Eight Control System Replacement Project. City Manager/Port Director. Introduction April 14, 2025 Public Hearing and Second Reading April 28, 2025.

Memorandum CC-25-102 from Port Director as backup.

- e. Ordinance 25-33, An Ordinance of the City Council of Homer, Alaska, Amending the FY25 Capital Budget by Appropriating \$45,000 From the Port Reserves Fund for the Purpose of Installing Air Filled Floats to Refloat DD Float in System Four. City Manager/Port Director. Introduction April 14, 2025 Public Hearing and Second Reading April 28, 2025.

Memorandum CC-25-103 from Port Director as backup.

- f. Ordinance 25-34, An Ordinance of the City Council of Homer, Alaska Amending the FY25 Capital Budget by Appropriating \$45,500 from the Port Reserves Fund for the Purpose of Replacing a Fender on the Deep Water Dock and Authorizing Single-Source Procurement. City Manager/Port Director.

Memorandum CC-25-104 from Port Director as backup.

- g. Ordinance 25-35, An Ordinance of the City Council of Homer, Alaska, Amending the FY25 Capital Budget by Re-appropriating Alaska Department of Environmental Conservation (ADEC) Alaska Clean Water Action (ACWA) Grant Funds from the Beluga Slough Green Infrastructure Stormwater Treatment System Project to the Purchase of Hydroseeding Equipment. City Manager/Public Works Director. Introduction April 14, 2025 Public Hearing and Second Reading April 28, 2025.

Memorandum CC-25-105 from Public Works Director as backup.

- h. Resolution 25-027 A Resolution of the City Council of Homer Alaska, Approving the Assignment of a Ground Lease and Security Agreement between the City and Berth II, Inc., for the Property with a Legal Description of T7S R13W Section 1 Seward Meridian HM0890034 Homer Spit Amended Lot 32, in the Homer Recording District, State of Alaska, also known as Kenai Peninsula Borough Parcel No. 18103432 and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Port Director. Recommend adoption.

Memorandum CC-25-107 from Port Property Associate as backup.

- i. Resolution 25-029, A Resolution of the City Council of Homer, Alaska, Accepting the Fiscal Year 2024 Basic Financial Statements and Acknowledging the Management Letter Submitted by the City's Independent Auditor, BDO USA, LLP and Authorizing the City Manager to Execute the Financial Report. City Manager/Finance Director. Recommend adoption.
- j. Resolution 25-031, A Resolution of the City Council of Homer, Alaska Awarding a Contract to East Road Services, Inc. of Homer, Alaska, in the Amount of \$2,064,000 for the Ohlson Lane West Bunnell Avenue Roadway and Water Improvement Project and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk. Recommend adoption.

Memorandum CC-25-110 from City Engineer as backup.

Pulled and moved to Resolutions item d.

- k. Resolution 25-032, A Resolution of the City Council of Homer, Alaska, Authorizing the Issuance of a Task Order to Nelson Engineering, PC in the amount of \$63,412 for Bidding and Construction Assistance Services for the Ohlson Lane and W. Bunnell Avenue Road Reconstruction Project. City Manager/City Engineer. Recommend adoption.

Memorandum CC-25-111 from City Engineer as backup.

- l. Resolution 25-033, A Resolution of the City Council of Homer, Alaska Approving a Contract to McSwain Appraisals, LLC in the Amount of \$12,000 to Provide Appraisal Services to Support the Kachemak Peatlands Project and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/City Engineer. Recommend adoption.

Memorandum CC-25-112 from City Engineer as backup.

Pulled and moved to Resolutions item e.

City Clerk Krause read the Consent Agenda as amended into the record.

ADOPTED as AMENDED with discussion.

VISITORS

- a. Legislative Report - Senator Gary Stevens

Senator Stevens reported on the Legislative actions for the previous quarter.

- b. FY24 Audit Presentation - BDO USA PC, Bikky Shrestha

Bikky Shrestha with BDO USA, PC provided a summary overview of the FY24 Audit, complimenting the Finance Department for excellent work.

- c. Homer Wilderness Leaders (HoWL) Presentation & Annual Dirt Bag Clean Up Event - Todd Hineman

Todd Hineman, representing the Board of Directors for HoWL and Libby Howell, presented to Council on the organization and what they provide. It was reported that HoWL will be kicking off the Dirtbag Clean-up Week.

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

- a. Committee of the Whole Report

Councilmember Davis reported.

- b. Mayor's Report

Mayor Lord reported.

- c. Borough Report

Assembly person Cooper reported.

- d. Port and Harbor Advisory Commission

- e. Economic Development Advisory Commission

Karin Marks, Commissioner reported.

- f. Americans with Disabilities Act Advisory Board

Pat Case, Boardmember reported.

PUBLIC HEARING(S)

- a. Ordinance 25-28, An Ordinance of the City Council of Homer, Alaska, Amending the FY25 Capital Budget by Unappropriating \$268,605 of Homer Accelerated Roads and Trails (HART) Roads Funds for the Ohlson Lane West Bunnell Avenue Reconstruction Project. City Manager/Public Works Director. Introduction March 24, 2025 Public Hearing and Second Reading April 14, 2025

Memorandum CC-25-091 from Public Works Director as backup.

Mayor Lord opened the public hearing.

There was one person who testified.

The public hearing was closed and Mayor Lord requested a motion.

ADOPTED without discussion.

- b. Ordinance 25-29, An Ordinance of the City Council of Homer, Alaska Amending the FY25 Capital Budget by Appropriating an Additional \$3,200 from the Homer Accelerated Roads and Trails (HART) Trails Fund for Change Order No. 1 to Kinney Engineering Task Order 24-01 and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Public Works Director. Introduction March 24, 2025 Public Hearing and Second Reading April 14, 2025.

Memorandum CC-25-092 from Public Works Director as backup.

Mayor Lord opened the public hearing, seeing no member of the public coming forward or raising their hand to speak the public hearing was closed and she requested a motion.

ADOPTED without discussion.

- c. Ordinance 25-30, An Ordinance of the City Council of Homer, Alaska Amending the FY25 Capital Budget by Appropriating an Additional \$57,073.12 from the Homer Accelerated Water and Sewer Program (HAWSP) for the Purpose of Reimbursing Six Property Owners in the Bunnell Ave/Charles Way Special Assessment District for the Cost of E-One Lift Stations. Aderhold/Hansen. Introduction March 24, 2025 Public Hearing and Second Reading April 14, 2025.

Memorandum CC-25-093 from City Manager as backup.

Mayor Lord opened the public hearing, seeing no member of the public coming forward or raising their hand to speak the public hearing was closed and she requested a motion.

ADOPTED without discussion.

ORDINANCE(S)

- a. Ordinance 25-31, An Ordinance of the City Council of Homer, Alaska, Amending the FY25 Capital Budget Supplemental Appropriation Appropriating of \$72,382 from the Public Works Capital Asset Repair and Maintenance Allowance (CARMA) Fund for a Change Order to the Fuel Island Replacement contract to also include Underground Tank Removal. City Manager/Public Works Director. Introduction April 14, 2025 Public Hearing and Second Reading April 28, 2025.

Memorandum CC-25-101 from the Public Works Director as backup.

INTRODUCED with discussion.

City Manager Jacobsen clarified that the memorandum and agenda titles were incorrect and will be amended for the next meeting but the title on the ordinance was correct.

Corrected title for agenda and memorandum should reflect the following language:

An Ordinance of the City Council of Homer, Alaska, Amending the FY25 Capital Budget by Appropriating an Additional \$72,382 from the General Fund Unassigned Fund Balance for a Change Order to the Fuel Island Replacement Contract to also Include Underground Tank Removal. City Manager/Public Works Director.

CITY MANAGER'S REPORT

- a. City Manager's Report
 - Title 21 Re-write Update from Agnew::Beck
 - CIRCAC Update from the Board of Directors
 - April Employee Anniversaries
 - Tourism Industry Working Group Report
 - Resolution 124(S) and backup

City Manager Jacobsen reported. She then facilitated discussion on the following:

- Making amendments to the operating budget
- Expectations of needs but it is assumed this includes wants as well
- Expenditures that were not included in the budget that likely would come back before Council requesting to be funded.
- Worksessions on scheduled meeting days versus off cycle meeting days

Council will conduct a worksession on April 28, 2025 at 4:00 p.m. for budget discussion.

PENDING BUSINESS

- a. Ordinance 25-11(S)(A), An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Chapter 21.90 Administration and Enforcement to Direct Appeals to the Office of Administrative Hearings or a Hearing Officer Appointed by the City Manager. City Manager. Introduced February 10, 2025, Public Hearing on February 24, 2025 Postponed to March 10, 2025 Referred to Planning Commission March 19, 2025 Second & Final Reading April 14, 2025

Memorandum CC-25-106 from City Planner as backup.

Memorandum CC-25-075 from Acting City Manager as backup.

Memorandum CC-25-043 from Community Development Director as backup.

Mayor Lord introduce the ordinance noting the following: Introduced on February 10th, a Public Hearing was held on February 24th, a Substitute Ordinance was adopted, then amended and was postponed, referring it to the Planning Commission for Public Hearing. The Planning Commission held a public hearing at their March 19th regular meeting and provided recommendations via Memorandum CC-25-106. It is before the Council tonight with the following motion on the table:

ADERHOLD/VENUTI MOVE TO SUBSTITUTE ORDINANCE 25-11 WITH ORDINANCE 25-11(S) BY READING OF TITLE ONLY.

Mayor Lord requested additional discussion or a motion to amend.

DAVIS/VENUTI MOVED TO AMEND ORDINANCE 25-11(S)(A) TO 30 DAYS ON LINES 113-114

Discussion on the following points ensued:

- Pros and cons on amending the time period from the recommended 10 days to 30 days
- This action was applicable to enforcement orders
- Time constraints related to project, developers, property owners with 30-day period
- Inability to file if the shorter 10-day period is implemented due to scheduling conflicts that may impede the ability of a party to file an appeal timely.

VENUTI/ERICKSON MOVED TO AMEND THE AMENDMENT TO 15 DAYS

Discussion on the following:

- Providing consistency within the Homer City Code
- Allows a little longer for those that may be unable to file a timely appeal
- Extensions can be asked for and granted if agreeable

ADOPTED as AMENDED with discussion.

NEW BUSINESS

- a. Memorandum CC-25-100 from Mayor re: 2025 Council Projects & Initiatives

Mayor Lord facilitated discussion explaining the purpose of the task. She requested that the Council for the next meeting review the spreadsheet provided and r Introduce the topic and open discussion.

RESOLUTIONS

- a. Resolution 25-026, A Resolution of the City Council of Homer, Alaska, Awarding the Contract for Federal Lobbyist Services to a Firm to be Named in the Amount to be Determined and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Clerk.

Memorandum CC-25-098 from Selection Committee as backup.

Resolution 25-026(S), A Resolution of the City Council of Homer, Alaska, Awarding the Contract for the Federal Lobbyist Services to The Ferguson Group of Washington, D.C. in the Amount of \$65,000 and Authorizes the City Manager to Negotiate and Execute the Appropriate Documents. City Clerk.

ADOPTED SUBSTITUTE with discussion.

- b. Resolution 25-028, A Resolution of the City Council of Homer, Alaska, Supporting the Efforts of the Homer Area Beekeepers Association to Promote “No Mow May” for the Protection of Pollinators. Davis/Erickson.

Memorandum CC-25-113 from Homer Area Beekeepers as backup.

ADOPTED with discussion.

- c. Resolution 25-030, A Resolution of the City Council of Homer, Alaska Amending the City of Homer Personnel Regulations Sections 5.8 Shift Pay and 5.14 On Call Pay. City Manager/HR Director.

Memorandum CC-25-108 from Personnel Director as backup.

Memorandum CC-25-109 from Employee Committee as backup.

POSTPONED TO FOLLOW BUDGET ORDINANCE with discussion.

- d. Resolution 25-031, A Resolution of the City Council of Homer, Alaska Awarding a Contract to East Road Services, Inc. of Homer, Alaska, in the Amount of \$2,064,000 for the Ohlson Lane West Bunnell Avenue Roadway and Water Improvement Project and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk. Recommend adoption.

Memorandum CC-25-110 from City Engineer as backup.

ADOPTED with discussion.

- e. Resolution 25-033, A Resolution of the City Council of Homer, Alaska Approving a Contract to McSwain Appraisals, LLC in the Amount of \$12,000 to Provide Appraisal Services to Support the Kachemak Peatlands Project and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/City Engineer. Recommend adoption.

Memorandum CC-25-112 from City Engineer as backup.

ADOPTED with discussion.

COMMENTS OF THE AUDIENCE

Mayor Lord invited the public to comment on any topic.

There were eight that commented.

COMMENTS OF THE CITY ATTORNEY

City Attorney Gatti had no further comments.

COMMENTS OF THE CITY CLERK

City Clerk Krause announced vacancies on the ADA Advisory Board and Economic Development Advisory Commission

COMMENTS OF THE CITY MANAGER

City Manager Jacobsen had no further comments.

COMMENTS OF THE MAYOR

Mayor Lord commented on the hiring of Eric Peterson as Homer High School Principal, on the upcoming track meeting in Homer, attending a field trip to the Tiglax vessel and gave a shout out to the Alaska Maritime Refuge employees.

COMMENTS OF THE CITY COUNCIL

Councilmember Venuti wished everyone a Happy Easter, commented on the upcoming track meeting in Homer cautioning drivers on watching for those pedestrians, echoing the congratulations to Eric Peterson, mentioned the field trips that schools plan to normally come down and visit Homer at this time of year, expressed her appreciation for Councilmember Aderhold to attend the meeting for non-profits in Anchorage and looking forward to No Mow May.

Councilmember Parsons had no additional comments.

Councilmember Aderhold expressed her appreciation for all the public attendance at the meeting.

Councilmember Davis had no additional comments.

Councilmember Erickson commented in regards to the public statements on the Old Town Project relating her experiences over the summer season last year with the asphalt production and burning in the dump that created such a stench and working with East Road Services on a recent project over the winter. She then commented that Homer Communications on Facebook was a great read, former Spit Rats, if people who visit Homer are not paying their way, then the city pays and sometimes people forget the other side of the story.

Councilmember Hansen commended people for coming to the meeting and speaking on uncomfortable subjects and acknowledged the lack of communication on all levels and it happens throughout the city, as she has experienced it first hand and encouraged patience and understanding to all parties involved.

ADJOURNMENT

Mayor Lord adjourned the meeting at 9:46 p.m. The next Regular Meeting is Monday, April 28, 2025 at 6:00 p.m., Committee of the Whole at 5:00 p.m. A Special Meeting at 3:00 p.m. A Worksession at 4:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.