



City of Homer

www.cityofhomer-ak.gov

Office of the City Manager

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Homer, Alaska 99603

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Memorandum

TO: Mayor Zak and Homer City Council
FROM: Katie Koester, City Manager
DATE: October 19, 2016
SUBJECT: City Manager's Report - October 24, 2016

Orientation from City Attorney

In the past the City Attorney has provided trainings for Councilmembers and Commissioners on Open Meetings Act, records, Quasi-judicial decision making, ethics and other legal matters. There is a lot of valuable information for new Councilmembers, but also a good review for veteran members, especially since this overview has not been offered in the last 5 years. I would like to schedule a time during the first part of November to bring Holly down and spend a few hours with you (and extend the invite to Commissions, when relevant). I know this is a big ask since November is supposed to be short on Council commitments given the holidays, but it also presents a window of time I would like to take advantage of. At the Council meeting I would like to discuss availability and best times for the body. Holly is available November 7-11 or 16-18 and anticipates needing no more than 3 hours total.

Tours for Councilmembers

Along the same lines, I would like to offer tours of City facilities to Councilmembers. Many of you are already familiar with the large and varied infrastructure you are in charge of, and of course any time you want to schedule a facility visit, I am happy to arrange that. However, I thought I would dedicate a few slots for official tours so they can be advertised and organized to make the best use of your time. I am thinking a couple of 2-hour time slots to visit water/sewer treatment, Homer Police Station, and Port and Harbor. Is there interest? If so, what time of day/week works best?

Visit with Sen. Murkowski

Mayor Zak arranged for a tour of the Homer Police Station when Senator Murkowski was in town on Friday the 14th. We were able to show her the Homer Police Station and she was truly aghast with the cramped and outdated conditions of the station. Though there is no grant program that jumps out as a perfect fit, having firsthand knowledge of our station and needs allows the Senator to keep our needs in mind as potential opportunities pop up. I will be following up with her staff and communicating the 2017 federal priorities.

Campground Notice

Last year Council expanded the camping season from April 1st through October 30th to reflect the greater demand for shoulder season camping. Homer City Code 19.08.030(d) allows the

City Manager to open a campground on the Homer Spit to winter camping. The attached notice opens lots 1-16 of the Fishing Hole Campground next to Pier One for winter camping (similar to last year). The restroom at that site cannot be winterized for year-round use. Last year we offered a port-a-john at the campground. However, at a cost of \$1,260 a season, we do not recover those funds in campground fees. Most campers are self-sufficient with facilities in their camper. The Load and Launch restroom is open year-round and 800 feet away and Ramp 5 is 1,000 feet away. According to average walking speed (3 mph), it takes 3 minutes to walk 800 feet.

Update on Revisions to Title IV (Alcohol)

Soldotna City Manager and the Wasilla Mayor presented to the ABC Board on Friday the 14th on concerns they have with the proposal to restrict public convenience licenses (beer and wine restaurant licenses) and package store restrictions. The City of Soldotna is working with the ABC Board on a proposal to let cities handle permitting of restaurants under the local control argument. There are many details of local control that would need to be worked out, but the premise is that a local municipality knows best if they are having an increase in crime rate or other negative consequences of public convenience license (rather than an arbitrary population number made for urban areas). The City of Homer may be asked to weigh in on recommendations to the ABC Board.

Letter of Non-objection

Alaska Department of Fish and Game has funding to place a gate at the top of Airport Road to restrict vehicle access to the beach at the bottom of the road (this is State property). Restricting access there is consistent with the Homer Beach Policy. First responders have requested a key for the gate that is standardized with other gates (Bishop's Beach, for example) so they can travel down the beach in case of an emergency. With an easy to use key, HVFD and HPD have no problems with a gate. Unless there is objection from Council, I will forward the attached letter to the State.

Letter of Support for Homer Senior Citizens Inc. to KPB

With Council's approval, Mayor Zak will submit the attached letter of support for Kenai Peninsula Borough Resolution 2016-061 approving a \$10,000 budget revision in the 2016/2017 Borough Senior Grant Program for the Homer Senior Citizen's Inc. As the letter states, the City of Homer is grateful to Mayor Navarre and Assembly Member Cooper for introducing the budget amendment that recognizes the need for new flooring at Homer Senior Citizens and shows the support of the Kenai Peninsula Borough for services provided on the Southern Peninsula.

Enc:

Campground notice

Draft letter of non-objection to gate at Airport Access Road and attachments

The Homer Foundation Report

Draft letter of support of KPB Resolution 2016-061



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NOTICE

October 19, 2016

Due to a demand for camping outside of the traditional camping season, effective November 1, 2016, I am opening camp spaces 1 to 16 of the Fishing Hole Campground next to Pier One Theater on the Homer Spit for winter camping. City campgrounds are closed by ordinance from November 1 through May 31. However, according to Homer City Code 19.08.030d*, they can be opened at any other time by order of the City Manager.

City of Homer campground rules and fee schedule applies and will be enforced.

Katie Koester
City Manager

***HCC 19.08.030d.** Camping in a closed campground is prohibited. All City campgrounds shall be closed outside of the camping season, except winter camping may be allowed in a City-owned campground on the Homer Spit as designated by the City Manager. All normal camping fees and rules will apply to winter camping areas.



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October 25, 2016

Mr. Joe Meehan
Fish and Game Coordinator
333 Raspberry Road
Anchorage, AK 99518

Re: Letter of Non-Objection for the installation of a gate at the Airport Beach Access Road

Dear Mr. Meehan,

Please consider this letter from the City of Homer as a non-objection to the installation of a locked gate on the Airport Beach Access Road off of Kachemak Drive.

In 2016 the Homer City Council adopted a new Beach Policy. The intent of the Beach Policy is to keep Homer's beaches safe and enjoyable for all uses and to preserve the natural environment. In particular, the plan addresses sensitive beach areas where inappropriate beach use is common place. One of those areas identified is the "Airport Beach Access Road" where "Vehicle use at the bottom of airport beach access road on the beach is **not allowed**." 2016 COH Beach Policy, Area 1 – Miller's Landing to Airport Access Road, page 7.

The Beach Policy also addresses the challenges to enforce these restricted areas. The Beach Policy suggests a combination of rocks/boulders, signage and driftwood. The proposed gate on the Airport Beach Access Road would help meet the City's public safety goals. It's our understanding that the proposed gate would be installed and paid for by the State of Alaska and that a universal key to the gate would be provided to the City's Emergency Response Teams.

In closing, the City of Homer does not object to the installation of a gate along the Airport Beach Access Road.

Sincerely,

Katie Koester
City Manager
907-235-8121

Att: 2016 COH Beach Policy, Area 1 – Miller's Landing to Airport Access Road, page 7
HCC 7.16 Vehicles in Beach Areas

1. Area 1 - Miller's Landing to Airport Access Road

A. Miller's Landing. Create a public viewing spot in the Beach Access Road Right of Way off of Kachemak Drive, by posting a sign stating the location of the public access. In the future, as use warrants, create a small parking area, and use boulders to discourage trespassing on adjacent properties.

B. Airport Access Road Signage (with diagram of berm-slope-flats).

- No camping
- Please keep vehicles between the storm berm and the mud flats.
- All of the areas above high tide (and much below) are private property and there are no designated camping areas.

C. Vehicle use at the bottom of airport beach access road on the beach is not allowed.

D. Vehicles are allowed on the beach east of the vacated easement formerly known as Shirlene Circle (refer to map), under the terms of HCC 7.16

Vehicles are not allowed on the beach at the bottom of the airport beach access road. Vehicles are allowed east of that area, but there is no public vehicle access point to get to that part of the beach. Land owners or those with land owner permission may access the beach from private vehicle access points. Once on the beach, nothing in City laws or policy condones trespassing on adjacent private lands.



2. Area 2 - Airport Beach Access Road to North End of Berm outside of Louie's Lagoon and Louie's Lagoon

A. Due to expert testimony, it was agreed by the BPTF that limiting vehicle use in this area was necessary to protect the fragile habitats from Mud Bay to Louie's Lagoon.

B. Signage - identifying access and informing the public as to where vehicles are prohibited.

C. Vehicles are prohibited in this entire area - outside of access driveways and parking.

D. Conservation zoning is suggested for all public lands in this area. Much of Area 2 already has a conservation easement.

E. Designate the platform area as a park and initiate cleanup of surface debris in Louie's Lagoon. A layer of dredge spoils to cover debris and more grass around the platform is also recommended. Investigate potential as a bird viewing platform.

F. Long term goal: Reconfigure the section line easement. The current section line easement goes across the mud flat in the bird sanctuary. A reconfiguration would provide better access to the beach, and protection for the sanctuary. As designated on attached map.

G. Preserve subsistence fishing access for vehicles, and public access to that part of the Spit. This has traditionally included an access across the northern portion of the English Bay property

I. Budget for rock placement at the Airport Beach Access to discourage travel to the west into Mud Bay. Contract the work out.

3. Area 3 - From Louie's Lagoon - South to end of Homer Spit and then North to City Campground across from Fishing Hole

A. Long range goal: Removal of beached barge on English Bay Corporation property.

B. Encourage the elimination of unsightly waste on properties near the beach by working with owners. Several highly visible properties have allowed the accumulation of waste and industrial junk. The City has also allowed this to occur on City land, and should lead the way in the cleanup effort.

4. Area 4 - From City Fishing Hole Campground to the Outlet of Mariner Park Lagoon

A. At campground building across from the Fishing Hole, make beach use maps available, as well as information and signage that is interpretive about the berm building process, encourages courtesy to pedestrians, and states where vehicles are permitted.

B. Install signage at a controlled exit from the City Fishing Hole campground to the beach to direct vehicles to the base of the spit, and away from the no recreational vehicle area.

C. Define limits to Mariner Park campground by utilizing logs, rocks or other means to restrain vehicles from entering the lagoon. Similar to Parks & Recreation Advisory Commission Draft Master Plan for Mariner park campground, which extends a revetment to protect berms, grasses and tidal mud, with no additional incursion into the lagoon.

Chapter 7.16 VEHICLES IN BEACH AREAS

Sections:

- 7.16.010 Definitions.
- 7.16.020 Operating, stopping or parking of motor vehicles in beach areas prohibited – Exceptions.
- 7.16.030 Operating, stopping or parking of motor vehicles on storm berms prohibited.
- 7.16.040 Impoundment authorized.

7.16.010 Definitions.

In this chapter:

“Beach area” means all of the following, whether publicly or privately owned: submerged land, tideland, and the zone of sand, gravel and other unconsolidated materials that extends landward from the elevation of mean high water to the place where there is a marked change in material or physiographic form.

“Berm” means a natural, linear mound or series of mounds in a beach area composed of sand, gravel, or both, generally paralleling the water at or landward of the elevation of mean high water.

“Motor vehicle” means a device in, upon, or by which a person or property may be transported or drawn upon or immediately over land, that is self-propelled except by human or animal power.

“Storm berm” means a berm formed by the upper reach of storm wave surges or the highest tides. Storm berms generally include an accumulation of seaweed, driftwood, and other waterborne materials. A beach area may have more than one storm berm.

“Submerged land” means land covered by tidal water from the elevation of mean low water seaward to the corporate boundary of the city.

“Tideland” means land that is periodically covered by tidal water between the elevation of mean high water and mean low water. [Ord. 16-05(S-2)(A-2) § 2, 2016].

7.16.020 Operating, stopping or parking of motor vehicles in beach areas prohibited – Exceptions.

- a. Except as provided in subsections (b) through (d) of this section, no person may operate, stop or park a motor vehicle within or upon any beach area.
- b. A person may operate, stop or park a motor vehicle within and upon the beach area east of a line extending south from the southern end of a line extending south from the southern end of the vacated easement formally known as Shirlene Circle, and within and upon the beach area west of Bishops Beach Park Access.
- c. A person may operate, stop or park a motor vehicle within and upon the beach area between the south end of Mariner Park beach to the east end of the seawall from October 1st through March 31st solely for the purpose of gathering sand and coal.

d. An owner of property immediately adjacent to a beach area may operate, stop and park a motor vehicle within or upon a beach area as is reasonably necessary to maintain the owner's property, in accordance with the terms of a permit issued for that purpose by the Chief of Police.

e. Nothing in this section permits a person to operate, stop or park a motor vehicle within or upon privately owned property in a beach area without the permission of the property owner. [Ord. [16-13](#) § 1, 2016; Ord. [16-05\(S-2\)\(A-2\)](#) § 2, 2016].

7.16.030 Operating, stopping or parking of motor vehicles on storm berms prohibited.

No person may operate, stop or park a motor vehicle upon a storm berm. [Ord. [16-05\(S-2\)\(A-2\)](#) § 2, 2016].

7.16.040 Impoundment authorized.

A vehicle that is stopped or parked in violation of this chapter may be impounded as provided in Chapter [7.10](#) HCC. [Ord. [16-05\(S-2\)\(A-2\)](#) § 2, 2016].

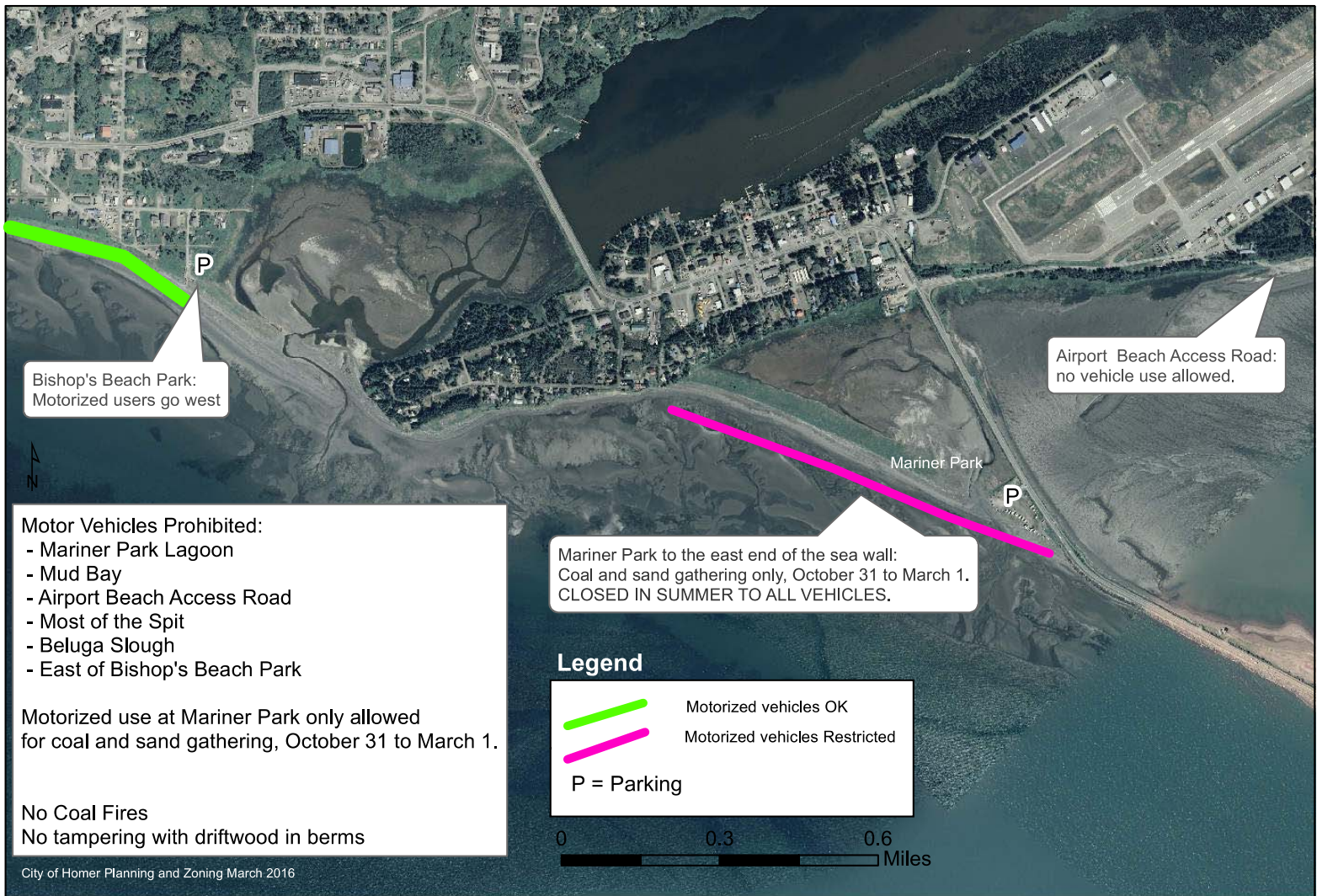
The Homer City Code is current through Ordinance 16-49, passed October 10, 2016.

Disclaimer: The City Clerk's Office has the official version of the Homer City Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

— [Navigation icons] —

Where Can I Drive?

Problems? Call Homer Police Dept at 235-3150.
Violators can be fined.



HOMER FOUNDATION
Quarterly Report to Fund Holders
April - June 2016

Fund Holder City of Homer
Fund **City of Homer Fund**

Fund Type: Field of Interest
Fund Code: 1305

PORTFOLIO SHARE (Corpus)

Beginning Balance	201,007.67
Contributions	-
Withdrawals	-
Portfolio Market Change	39,151.21
Ending Balance	240,158.88

AVAILABLE FOR DISTRIBUTION (Earnings)

Beginning Balance	13,130.55
Earnings Allocation	8,577.81
Grants Awarded:	
none this quarter	-
	-
	-
Grants Total	-
Transfers to Restricted Fund	(5,600.00)
Ending Balance	16,108.36