

City Council

Monday, October 9, 2017

Committee of the Whole 5:00 p.m.
Regular Meeting 6:00 p.m.



City Hall Cowles Council Chambers
491 E. Pioneer Avenue
Homer, Alaska



October 2017

- Monday 9th: CITY COUNCIL**
Committee of the Whole 5:00 p.m., Regular Meeting 6:00 p.m.
- Tuesday 10th: ECONOMIC DEVELOPMENT ADVISORY COMMISSION**
Regular Meeting 6:00 p.m.
- Thursday 12th: PARKS ART RECREATION & CULTURE ADVISORY COMMISSION**
Worksession 4:00 p.m. @ Jack Gist Park
- Tuesday 17th: PLANNING COMMISSION**
Work Session 5:30 p.m., Regular Meeting 6:30 p.m.
- Wednesday 18th: CITY OFFICES CLOSED**
In Observance of Alaska Day
- Thursday 19th: PARKS ART RECREATION & CULTURE ADVISORY COMMISSION**
Regular Meeting 5:30 p.m.
- ADA COMPLIANCE COMMITTEE**
Regular Meeting 4:00 p.m.
- Tuesday 24th: ECONOMIC DEVELOPMENT ADVISORY COMMISSION**
Worksession 6:00 p.m.
- KENAI PENINSULA BOROUGH RUN-OFF ELECTION**
Polls open 7:00 a.m. to 8:00 p.m.
- Wednesday 25th: PORT & HARBOR ADVISORY COMMISSION**
Regular Meeting 5:00 p.m.
- Monday 30th: CITY COUNCIL**
Worksession 4:00 p.m. Committee of the Whole 5:00 p.m. and Regular Meeting 6:00 p.m.

Regular Meeting Schedule

City Council 2nd and 4th Mondays 6:00 p.m.
Library Advisory Board 1st Tuesday 5:30 p.m. with the exception of
January June July September
Economic Development Advisory Commission 2nd Tuesday 6:00 p.m.
Parks Art Recreation and Culture Advisory Commission 3rd Thursday 5:30 p.m. with the exception of
January July December
Planning Commission 1st and 3rd Wednesday 6:30 p.m.
Port and Harbor Advisory Commission 4th Wednesday 5:00 p.m. (May-August 6:00 p.m.)
Cannabis Advisory Commission Quarterly 4th Thursday 5:00 p.m.

MAYOR AND CITY COUNCILMEMBERS AND TERMS

BRYAN ZAK, MAYOR – 18
DAVID LEWIS, COUNCILMEMBER – 17
CATRIONA REYNOLDS, COUNCILMEMBER – 17
DONNA ADERHOLD, COUNCILMEMBER – 18
HEATH SMITH, COUNCILMEMBER – 18
SHELLY ERICKSON, COUNCILMEMBER – 19
TOM STROOZAS, COUNCILMEMBER - 19

City Manager, Katie Koester
City Attorney, Holly Wells

<http://cityofhomer-ak.gov/cityclerk> for home page access, Clerk's email address is: clerk@ci.homer.ak.us
Clerk's office phone number: direct line 235-3130

HOMER CITY COUNCIL
491 E. PIONEER AVENUE
HOMER, ALASKA
www.cityofhomer-ak.gov



COMMITTEE OF THE WHOLE
5:00 P.M. MONDAY
OCTOBER 9, 2017
COWLES COUNCIL CHAMBERS

MAYOR BRYAN ZAK
COUNCIL MEMBER DAVID LEWIS
COUNCIL MEMBER CATRIONA REYNOLDS
COUNCIL MEMBER DONNA ADERHOLD
COUNCIL MEMBER HEATH SMITH
COUNCIL MEMBER TOM STROOZAS
COUNCIL MEMBER SHELLY ERICKSON
CITY ATTORNEY HOLLY WELLS
CITY MANAGER KATIE KOESTER
CITY CLERK MELISSA JACOBSEN

COMMITTEE OF THE WHOLE AGENDA

- 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, pg. 6)
- 3. 2018 DRAFT BUDGET**
- 4. CONSENT AGENDA**
- 5. REGULAR MEETING AGENDA**
- 6. COMMENTS OF THE AUDIENCE**
- 7. ADJOURNMENT NO LATER THAN 5:50 P.M.**
Next Regular Meeting is Monday, October 30, 2017 at 6:00 p.m., Worksession at 4:00 p.m. and Committee of the Whole 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.

CALL TO ORDER
PLEDGE OF ALLEGIANCE
AGENDA APPROVAL

HOMER CITY COUNCIL
491 E. PIONEER AVENUE
HOMER, ALASKA
www.cityofhomer-ak.gov



REGULAR MEETING
6:00 P.M. MONDAY
OCTOBER 9, 2017
COWLES COUNCIL CHAMBERS

MAYOR BRYAN ZAK
COUNCIL MEMBER DAVID LEWIS
COUNCIL MEMBER CATRIONA REYNOLDS
COUNCIL MEMBER DONNA ADERHOLD
COUNCIL MEMBER HEATH SMITH
COUNCIL MEMBER TOM STROOZAS
COUNCIL MEMBER SHELLY ERICKSON
CITY ATTORNEY HOLLY WELLS
CITY MANAGER KATIE KOESTER
CITY CLERK MELISSA JACOBSEN

REGULAR MEETING AGENDA

Committee of the Whole 5:00 p.m. in Homer City Hall Cowles Council Chambers.

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE

Department Heads may be called upon from time to time to participate via teleconference.

2. AGENDA APPROVAL

(Addition of items to or removing items from the agenda will be by unanimous consent of the Council. HCC 2.08.040.)

3. MAYORAL PROCLAMATIONS AND RECOGNITIONS

- A. Mayor's Proclamation recognizing Representative Seaton Page 17
- B. Mayor's Proclamation recognizing the Homer Chamber of Commerce Page 19
- C. Mayor's Proclamation - Breast Cancer Awareness Month Page 21

4. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

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 Councilmember.)

A. Homer City Council unapproved Special and Regular Meeting Minutes of September 25, 2017 City Clerk. Recommend adoption. Page 29

B. **Memorandum 17-127** from City Clerk Re: Travel Authorization for Mayor Zak, 2 Newly Elected Officials, and up to Three Councilmembers to attend the Alaska Municipal League 67th Annual Local Government Conference in Anchorage, Alaska, November 13-17, 2017. Recommend approval. Page 45

C. **Memorandum 17-128** from City Clerk Re: Vacation of a Portion of the 33-foot wide Section Line Easement in Homer Lying within Lot 1 Ditton 2014 Replat within the City of Homer and the KP.B. Recommend approval. Page 47

D. **Ordinance 17-38**, An Ordinance of the City Council of Homer, Alaska, Amending the Official Road Maintenance Map of the City of Homer by Adding Eric Lane as Urban Road. City Manager/Public Works Director. Recommended Dates: Introduction October 9, 2017, Public Hearing and Second Reading October 30, 2017. Page 59

Memorandum 17-129 from Public Works Superintendent as back up Page 61

E. **Resolution 17-083**, A Resolution of the City Council of Homer, Alaska, Adopting Uniform Abatement of Water and Sewer Past Due Amounts Due When City has made a Billing Error. City Manager. Recommend adoption. Page 63

F. **Resolution 17-084**, A Resolution of the City Council of Homer, Alaska, Acknowledging that Previously Paid Water Assessments will be Credited Back to Each Property Owner at the time Road and Sewer Assessments are Levied. City Clerk/Public Works Director. Recommend adoption. Page 65

Memorandum 17-130 from Public Works Director as back up Page 67

7. VISITORS

A. Homer Hockey Association Program Update - Jan Rumble (5 minutes)

B. SPARC Program Update – Bailey Lowney (5 minutes)

8. ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS

(10 minute limit per report)

- A. Borough Report
- B. Commissions/Board Reports:
 - 1. Library Advisory Board
 - 2. Homer Advisory Planning Commission
 - 3. Economic Development Advisory Commission
 - 4. Parks Art Recreation and Culture Advisory Commission
 - 5. Port and Harbor Advisory Commission
 - 6. Cannabis Advisory Commission

9. PUBLIC HEARING(S)

A. 2018 Draft Budget

- B. **Ordinance 17-34**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2017 Operation Budget to Provide for Necessary Mid-Year Adjustments by Increasing Revenue Projections and Appropriating and Transferring Funds from the General and Port and Harbor Funds. City Manager/Finance Director. Introduction September 25, 2017 Public Hearing and Second Reading October 9, 2017. Page 81

Memorandum 17-125 from City Manager as backup. Page 85

- C. **Ordinance 17-35**, An Ordinance of the City Council of Homer, Alaska, Approving the Sale of Lot 47 Homer Spit Subdivision Amended, KPB Parcel No. 18103408 to Land's End Acquisition Corporation for \$30,000 Cash and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Introduction September 25, 2017 Public Hearing and Second Reading October 9, 2017. Page 93

- D. **Ordinance 17-36**, An Ordinance of the City Council of Homer, Alaska, Approving the Sale of Govt. Lot 36, Section 14, Township 6 South, Range 13 West, Seward Meridian, KPB Parcel No. 17910001 to Betty Gambone for \$25,000 Cash, Plus Associated Water and Sewer Assessments, and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Introduction September 25, 2017 Public Hearing and Second Reading October 9, 2017. Page 101

- E. **Ordinance 17-37**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating an FY 2017 State Homeland Security Grant for Upgrading the City’s Radio Communication System and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Introduction September 25, 2017 Public Hearing and Second Reading October 9, 2017. Page 111

Memorandum 17-124 from Special Projects & Communications Coordinator as backup
Page 113

10. ORDINANCE(S)

11. CITY MANAGER’S REPORT

- A. City Manager’s Report Page 119

- B. Bid Report

12. CITY ATTORNEY REPORT

13. COMMITTEE REPORT

- A. Employee Committee Report
- B. Americans with Disabilities Act Compliance Committee

14. PENDING BUSINESS

- A. **Memorandum 17-122** from Councilmember Aderhold Re: Approval of Submitting a Letter to the Marijuana Control Board to Oppose Smoking of Marijuana Onsite but Allowing Consumption of Marijuana to Include the Method of Vaping. Recommend approval. Page 141

15. NEW BUSINESS

16. RESOLUTIONS

- A. **Resolution 17-085**, A Resolution of the City Council of Homer, Alaska, Acknowledging the Results of the City of Homer Regular Election Held October 3, 2017 to Decide Ballot Proposition 1 “Shall the City of Homer, Alaska, be Authorized to use the Revenue from the Three Fourths Percent (3/4%) Homer Accelerated Roads and Trails Dedicated Sales

Tax for the Maintenance of Local Roads and Trails?” and Elect two City Councilmembers. . City Clerk/Canvass Board. Page 153

Swear in Newly Elected Councilmembers

- 17. COMMENTS OF THE AUDIENCE**
- 18. COMMENTS OF THE CITY ATTORNEY**
- 19. COMMENTS OF THE CITY CLERK**
- 20. COMMENTS OF THE CITY MANAGER**
- 21. COMMENTS OF THE MAYOR**
- 22. COMMENTS OF THE CITY COUNCIL**
- 23. ADJOURNMENT**

Next Regular Meeting is Monday, October 30, 2017 at 6:00 p.m., Worksession at 4:00 p.m. and Committee of the Whole 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.

MAYORAL PROCLAMATIONS
AND RECOGNITIONS

**City of Homer
Homer, Alaska
Mayor's Proclamation
Recognizing Representative Paul Seaton**

WHEREAS, Paul Seaton was elected to the Alaska House of Representatives in 2003 and continues to serve in that capacity representing constituents including residents of the City of Homer; and

WHEREAS, In his tenure, Representative Paul Seaton has served on many committees spending significant time and dedicated effort on constituents' behalf; and

WHEREAS, As the co-chair of the House Finance committee, he demonstrates a commitment to Alaskans' wellbeing and a thriving economy by pursuing sound state fiscal policies; and

WHEREAS, Presently, with the State in a fiscal crisis and on the verge of a lingering recession due to an 80% decline in oil revenues, Representative Paul Seaton tirelessly works towards comprehensive fiscal solutions that would establish long-term fiscal stability for the state; and

WHEREAS, In this effort he encourages constituent input and engages public dialogue on the difficult challenges to sustainable budgets, helping build consensus on the way forward to a vibrant future for Alaska.

NOW, THEREFORE, I, Bryan Zak, Mayor, on behalf of the City of Homer commend Representative Paul Seaton for his efforts toward a fiscally sound Alaskan future that maintains the quality education, essential infrastructure, health, safety and economic opportunity vital to Alaska's and Alaskans' continued wellbeing.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of the City of Homer, Alaska, on this 9th day of October, 2017.

CITY OF HOMER

BRYAN ZAK, MAYOR

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

City of Homer
Homer, Alaska

Mayor's Proclamation

Recognizing the Homer Chamber of Commerce

WHEREAS, the Homer Chamber of Commerce works with the Homer business community to promote the commercial, professional, financial and community interest in making Homer a better place to live and do business; and

WHEREAS, The Homer Chamber of Commerce is supported by the financial resources of 520 businesses and enthusiastic efforts of 50 volunteers in the greater Homer area; and

WHEREAS, The Chamber is the community's front door, extending a welcoming hand and friendly advice to nearly 12,000 visitors from all fifty United States and thirty countries from around the world, who arrive in vehicles over Baycrest Hill and disembark from cruise ships and airplanes; and

WHEREAS, The Homer Chamber of Commerce promotes the region's business community and strengthens professional relationships by hosting networking events and workshops and connecting businesses to information and resources; and

WHEREAS, The Homer Chamber of Commerce helps us celebrate our community membership through inclusive community events such as parades, festivals, community clean-up and tree lighting ceremonies; and

WHEREAS, Support Your Local Chamber of Commerce Day is observed annually on the third Wednesday in October.

NOW, THEREFORE, I, Bryan Zak, Mayor, recognize the continued efforts of the Homer Chamber of Commerce and that the City of Homer joins other municipalities around the country on October 18, 2017 in honoring our own Homer Chamber of Commerce and its volunteer corps for their dedication to local businesses and for their valuable contributions to the quality and vitality of life in Homer.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of the City of Homer, Alaska, on this 9th day of October, 2017.

CITY OF HOMER

BRYAN ZAK, MAYOR

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

City of Homer
Homer, Alaska
Mayor's Proclamation
2017 Breast Cancer Awareness Month

WHEREAS, October is National Breast Cancer Awareness Month and October 20, 2017 is National Mammography Day; and

WHEREAS, Breast cancer is the most common cancer among women in the United States, and the second leading cause of cancer death in women in the United States; and

WHEREAS, The chance of developing invasive breast cancer at some time in a woman's life is about 1 in 8; and

WHEREAS, In 2016 around 252,710 new cases of female breast cancer will be diagnosed in the U.S. with 500 of those in Alaska, and about 40,610 in the U.S. with 70 in Alaska will die from the disease; and

WHEREAS, In the U.S., an estimated 2,470 cases of male breast cancer will be diagnosed in 2017 and about 460 men will die of the disease; and

WHEREAS, Death rates from breast cancer have been declining, and this change is believed to be the result of earlier detection and improved treatment; and

WHEREAS, Mammography--an "x-ray" of the breast--is recognized as the single most effective method of detecting breast changes that may be cancer long before physical symptoms can be seen or felt; and

WHEREAS, Healthy diet, regular physical activity and control of alcohol intake, has an impact in reducing the risk of breast cancer on an individual level; and

WHEREAS, Businesses and homes throughout the Homer community are displaying pink flags to remind women over 21 years old to make regular appointments for age appropriate breast cancer screenings; and

WHEREAS, Preventative screening services such as mammograms are covered 100% by most insurance companies since 2012; and

WHEREAS, Most uninsured and under-insured individuals in the Homer area qualify for screening and diagnostic mammograms through the Alaska Breast and Cervical Health Check program, which can be obtained at Kachemak Bay Family Planning Clinic and other local providers.

NOW, THEREFORE, I Bryan Zak, Mayor of the City of Homer, do hereby proclaim the month of October 2016 as Breast Cancer Awareness Month and October 21 as Mammography Day in the City of Homer, Alaska.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of the City of Homer, Alaska, on this 9th day of October, 2017.

CITY OF HOMER

BRYAN ZAK, MAYOR

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

PUBLIC COMMENTS
UPON MATTERS
ALREADY ON THE AGENDA

RECONSIDERATION

CONSENT AGENDA

Session 17-22 a Special Meeting of the Homer City Council was called to order on September 25, 2017 at 4:00 p.m. by Mayor Zak 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, ERICKSON, REYNOLDS, SMITH, STROOZAS

ABSENT: LEWIS (excused)

STAFF: CITY MANAGER KOESTER
CITY CLERK JACOBSEN
CITY ATTORNEY WELLS

AGENDA APPROVAL (Only those matters on the noticed agenda may be considered, pursuant to City Council's Operating Manual, pg. 5)

ADERHOLD/REYNOLDS MOVED TO APPROVE THE AGENDA.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- A. **Memorandum 17-126**, from City Clerk, Request For Executive Session Pursuant to AS 44.62.310(A-C)(1&5) Matters, The Immediate Knowledge of Which Would Clearly Have an Adverse Effect Upon the Finances of the Public Entity and Matters that are Attorney Client Privilege.

ADERHOLD/REYNOLDS MOVED TO APPROVE THE RECOMMENDATION OF MEMORANDUM 17-126 AND GO INTO EXECUTIVE SESSION.

Councilmember Reynolds asked for a brief explanation of the reason for the executive session for the record.

City Manager Koester explained the issue of executive session had a financial impact of the City of Homer because it's regarding a water and sewer billing error that we'd like to get Council guidance on. There are various legal ramifications that Council needs to consider when guidance on how to handle the error.

VOTE: YES: SMITH, ADERHOLD, REYNOLDS, STROOZAS, ERICKSON

Motion carried.

Council Adjourned into Executive Session at 4:03 p.m. and the Special Meeting Reconvened at 5:01 p.m.

Councilmember Reynolds stated at the Executive Session they discussed water and sewer billing data. The City of Homer has recently discovered that a water and sewer billing data entry error has resulted in at least one large volume utility customer being under billed for over ten years. This error appears to only impact commercial customers. The City is taking steps to correct the error, notify customers, and will be adjusting bills to reflect accurate amounts. The incorrect rate was detected when City staff used the business as a reference for the large meter identifier and the City's utility billing system. When staff recognized the meter code was incorrect, further investigation found that the account was set up incorrectly. The error resulted in the business being billed for ten times less water usage versus actual usage, essentially a zero was dropped from gallon usage upon set up of the account. While it is difficult to believe an error like this could occur, I commend the current finance department staff for detecting the mistake. It revealed a vulnerability within our billing system which requires many points of manual data entry. As a result the finance department is instituting procedural safeguards to prevent improper account set up in the future. Additionally the City is conducting an in-depth audit of our 1720 water and sewer customers in order to identify any discrepancies and flag these accounts for billing review. If similar data input errors are verified, the affected account holders will be notified. The City deeply apologizes for the hardship that a sudden increase places, not only on the business, but also on the customers. The City will share any new information on water and sewer billing as soon as it becomes available.

COMMENTS OF THE AUDIENCE

Robert Archibald, city resident and City's representative on Prince William Sound Regional Citizen Advisory Council, comment regarding an oil spill in Valdez on Tuesday, when they were hydrostatically testing their loading arms. When they took the pressure off, somehow fluid drained back into the system. They are thinking it's less than 200 gallons, but are investigating it. They've had ongoing clean up happening and they are wrapping it up now. Shoreline assessments are being done to assess any impacts. It's all in the terminal area, so they were able to get on it right away. He's headed to Louisiana next month to look at Edison Chouest's new tug boats. He said our organization has been pushing hard to see how this transition is planned out and how it will happen with the utmost integrity. They're confident the boats will be fine pieces of equipment, but biggest thing is changing out that many personnel at once. They are pushing hard on training and want to see the boat with their crews before signing off on it. It's a big issue, as it should be.

ADJOURN

There being no further business to come before the Council, Mayor Zak adjourned the meeting at 5:05 p.m. The next Regular Meeting is Monday, October 9, 2017 at 6:00 p.m., and Committee of the Whole 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.

MELISSA JACOBSEN, MMC, CITY CLERK

Date: _____

Session 17-23 a Regular Meeting of the Homer City Council was called to order on September 25, 2017 at 6:00 p.m. by Mayor Zak 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, ERICKSON, REYNOLDS, SMITH, STROOZAS

ABSENT: LEWIS (excused)

STAFF: CITY MANAGER KOESTER
CITY CLERK JACOBSEN
CITY ATTORNEY WELLS

City Council met for a Special Meeting from 4:00 p.m. to 5:05 p.m. for an executive session on water/sewer billing issues and from 5:10 p.m. to 5:30 p.m. as Committee of the Whole to discuss consent agenda and regular meeting agenda items.

Department Heads may be called upon from time to time to participate via teleconference.

AGENDA APPROVAL

(Addition of items to or removing items from the agenda will be by unanimous consent of the Council. HCC 2.08.040.)

The following changes were made: **CONSENT AGENDA Resolution 17-081**, A Resolution of the City Council of Homer, Alaska, Authorizing the City to Accept Alaska Tidelands Survey No. 1373 and 1609 from the State of Alaska and Authorizing the City Manager to Execute All Appropriate Documents. City Manager. Final Finding and Decision for Conveyance of Tide and Submerged Land. **PUBLIC HEARING Ordinance 17-33(S)**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Title 9, Taxation, by Adding a New Section 9.04.049 to Exempt Disabled Veterans and Surviving Spouses from Real Property Taxes. Stroozas. Memorandum 17-128 from City Manager as backup. **Resolution 17-079**, A Resolution of the Homer City Council Adopting the 2018-2023 Capital Improvement Plan and Establishing Capital Project Legislative Priorities for Fiscal Year 2019. Mayor/City Council. Memorandum 17-127 from Special Projects & Communications Coordinator as backup.

ADERHOLD/REYNOLDS MOVED TO APPROVE THE AGENDA AS AMENDED.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

MAYORAL PROCLAMATIONS AND RECOGNITIONS

- A. Mayoral Recognition of Barb Brodowski for her Clean-Up Efforts Around the Harbor

Mayor Zak read and presented the Mayoral Recognition to Barb Brodowski.

Barb Brodowski shared that she's been cleaning up around the perimeter of the harbor and adjacent parking lots for a few years now. She does it because she wants the place to look nice. People ask if she gets paid and she tells them no, it's a change to give back to the city and take care of the situation. As of last week she's collected 2328 pounds of trash, she has a little gizmo she uses to weigh the bags. The cigarette butts are up to 60,000, on a good day 150 butts per day, and on a bad day about 200. The cigarette butts are a real problem because when they are wet they release cadmium, arsenic, and lead into the environment. She can't keep up with all the trash and she doesn't do the waterline, for safety concerns. She carries a cellphone, wears gloves, uses a three foot grabber, and has picked up some real raunchy stuff. She thanked all the little kids, youth groups, organizations, and individuals that pick up trash around the area and the city. She also thanked the people who thank her for picking up the trash. You can recognize her, she wears a green hat with Disney pins on top and her winter hat is blue with puffins on it. Ms. Brodowski explained that she doesn't pick up in the rain and there are areas she can't get to now because she can't get a parking spot on the spit. She thanked the city for the recognition, and she will continue to do this.

PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

Sarah Vance, city resident and spokesperson for the former group the Heartbeat of Homer, commented she's learned a lot this year and wishes the councilmembers who are leaving, well. She asked for forgiveness for not speaking respectfully to them as leaders.

RECONSIDERATION

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 Councilmember.)

- A. Homer City Council unapproved Regular Meeting Minutes of September 11, 2017 City Clerk. Recommend adoption.
- B. **Memorandum 17-120** from Deputy City Clerk Re: Confirmation of Election Judges for the October 3, 2017 Regular Election. Recommend approval.

- C. **Memorandum 17-121** from City Clerk Re: New Retail Marijuana Store License for Uncle Herb's. Recommend approval.
- D. **Memorandum 17-122** from Councilmember Aderhold Re: Approval of Submitting a Letter to the Marijuana Control Board to Oppose Smoking of Marijuana Onsite but Allowing Consumption of Marijuana to Include the Method of Vaping. Recommend approval.

Moved to New Business item A. Stroozas.

- E. **Memorandum 17-123** from City Manager Re: Rescheduling the Monday, October 23, 2017 Regular Meeting to Monday, October 30, 2017. Recommend approval.
- F. **Ordinance 17-34**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2017 Operation Budget to Provide for Necessary Mid-Year Adjustments by Increasing Revenue Projections and Appropriating and Transferring Funds from the General and Port and Harbor Funds. City Manager/Finance Director. Recommended dates: Introduction September 11, 2017 Public Hearing and Second Reading September 25, 2017.

Memorandum 17-125 from City Manager as backup.

- G. **Ordinance 17-35**, An Ordinance of the City Council of Homer, Alaska, Approving the Sale of Lot 47 Homer Spit Subdivision Amended, KPB Parcel No. 18103408 to Land's End Acquisition Corporation for \$30,000 Cash and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Recommended dates: Introduction September 11, 2017 Public Hearing and Second Reading September 25, 2017.
- H. **Ordinance 17-36**, An Ordinance of the City Council of Homer, Alaska, Approving the Sale of Govt. Lot 36, Section 14, Township 6 South, Range 13 West, Seward Meridian, KPB Parcel No. 17910001 to Betty Gambone for \$25,000.000 Cash, Plus Associated Water and Sewer Assessments, and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Recommended dates: Introduction September 11, 2017 Public Hearing and Second Reading September 25, 2017.
- I. **Ordinance 17-37**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating an FY 2017 State Homeland Security Grant for Upgrading the City's Radio Communication System and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Recommended dates: Introduction September 11, 2017 Public Hearing and Second Reading September 25, 2017.

Memorandum 17-124 from Special Projects & Communications Coordinator as backup

- J. **Resolution 17-080**, A Resolution of the City Council of Homer, Alaska, Disbanding the Police Station Building Task Force. City Clerk. Recommend adoption.
- K. **Resolution 17-081**, A Resolution of the City Council of Homer, Alaska, Authorizing the City to Accept Alaska Tidelands Survey No. 1373 and 1609 from the State of Alaska and Authorizing the City Manager to Execute All Appropriate Documents. City Manager. Recommend adoption.
- L. **Resolution 17-082**, A Resolution of the City Council of Homer, Alaska, Directing the Homer Advisory Planning Commission to Consider a Natural Hazards Overlay District or Other Appropriate Zoning Regulations In and Around the Baycrest Subdivision. Erickson. Recommend adoption.

Item D moved to New Business Item A. Stroozas.

ADERHOLD/REYNOLDS MOVED TO AMEND THE CONSENT AGENDA AS READ.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

VISITORS

- A. Kenai Peninsula Borough Sales Tax Information – Larry Persily, Borough Mayor Chief of Staff

Larry Persily provided an overview of the ballot proposition to increase the cut-off on borough sales tax from \$500 to \$1000. He explained the current limit has been in place since 1965, it would only affect purchases over \$500, and the increase would not apply to residential rent, it would remain at \$500. The new cut off would earn \$3.6 million a year for the borough and the funds are needed to help cover the \$4 million budget gap. Mr. Persily touched on reasons for the budget gap that include loss of revenue from the seasonal sales tax exemption on non-prepared food, residential property tax exemption increase, and sales tax receipts have been flat since FY 2014. He pointed out education funding takes up almost 2/3 of the borough budget and operations funding has increased, but capital and debt service spending has decreased of the last 18 years. Mr. Persily reviewed FY18 school expenditures, total borough expenditures, and fund balance projections related to the sales tax cut off increase. An adequate fund balance is important because it protects against reduction of services due to unplanned events, it ensures adequate cash flows, maintains a favorable credit rating and low

interest rate, and avoids annual audit “Adverse Opinion”. Homer’s estimated annual increase is \$358,000.

Mr. Persily noted that also on the Borough’s ballot is the new heating system for the borough building in Soldotna. The boilers in place now are the original system from 1971 and need to be upgraded to more energy efficient equipment. The borough would take on \$5 million in debt and the energy savings would help pay for the upgrade. Repayment is estimated at \$14 per year in property taxes on a \$200,000 residence.

B. Center for Alaskan Coastal Studies - Beth Trowbridge, Executive Director

Beth Trowbridge thanked Council for the opportunity to come and talk about Center for Alaskan Coastal Studies (CACs) and the things they are doing. She also thanked the City for the support it gives to local non-profits through the grant program. CACS is a non-profit organization and their mission is mainly education and stewardship of Kachemak Bay. They are celebrating their 35th anniversary. Their mission is done mainly through school programs, field trips, day programs, teacher workshops, citizen monitoring, and the coast walk program.

Their facilities include the headquarters building in town on Smoky Bay Way, the Wynn Nature Center on Skyline Drive, the Peterson Bay Field Station, and the Yurt on the Spit. Ms. Trowbridge reviewed the many activities that take place at each of the locations, including the hiking trails, school field trips, family bonfires, field trips across the bay, kid programs, Creatures of the Dock tours, and more.

Ms. Trowbridge also talked about the Kachemak Bay Coast Walk that started 33 years ago with picking up vehicles off the beach. That has shifted to recreational single use plastics, like water bottles, plastic bags, cups, cigarette butts, things used once or that come down the waterways. They received a grant from NOAA to do marine debris outreach and education. She explained the amount of volunteer effort and student participation for these important programs.

**ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS
(10 minute limit per report)**

A. Borough Report

B. Commissions/Board Reports:

1. Library Advisory Board
2. Homer Advisory Planning Commission
3. Economic Development Advisory Commission

Karin Marks, Economic Development Advisory Commission Chair, reported they have received 97 surveys, there are three weeks left for people who would like to participate, and the survey is available on the City of Homer website. She also commented the Commission has a few other things they are looking at, one is a request from the Alaskan Small Business Development Center for financial support. The Commission decided in these financial tight times for the City, it was probably best for the organization to go to the non-profit grant program through the Homer Foundation. The Commission felt very strongly that the ASBDC is an extremely valuable tool within our community.

In response to a question about the survey, Ms. Marks said the commission anticipates having a report to the Council in mid-January.

4. Parks Art Recreation and Culture Advisory Commission
5. Port and Harbor Advisory Commission
6. Cannabis Advisory Commission

PUBLIC HEARING(S)

- A. **Ordinance 17-33**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Title 9, Taxation, by Adding a New Section 9.04.049 to Exempt Disabled Veterans and Surviving Spouses from Real Property Taxes. Stroozas. Introduction September 11, 2017, Public Hearing and Second Reading September 25, 2017.

Mayor Zak opened the public hearing.

David Shauble, city resident, commented in opposition to Ordinance 17-33. Exempting people from taxes without exempting them from the right to vote creates an ever-growing percentage of the electorate that gets to make budgetary decision without having to pay for their consequences. There is no reason beyond hardship why some citizens should pay for our roads and services and others should not. He would support a hardship provision that all would be eligible for. This is a noble idea for disabled veterans, but there are many young families in Homer trying to make ends meet, and the tax burden is already shifting to fewer people. Let's not make this growing problem worse.

There were no further comments and the public hearing was closed.

Mayor Zak asked for a motion for the adoption of Ordinance 17-33 by reading of title only for second and final reading.

STROOZAS/REYNOLDS SO MOVED.

Mayor Zak asked if there is a motion to substitute Ordinance 17-33(S) for Ordinance 17-33.

STROOZAS/REYNOLDS SO MOVED

There was brief comment explaining the clarifying changes in the substitute.

VOTE (substitute): YES: ADERHOLD, REYNOLDS, STROOZAS, SMITH, ERICKSON

Councilmember Erickson commented she thinks the language regarding the surviving spouse is still vague.

Councilmember Smith agrees on certain levels with Mr. Schauble's comments. It's difficult for him to support any taxation cuts for anyone when we are trying to balance the books. He has the utmost respect for anyone that's served this country and if they've had an injury that's disabled them it's a tragedy, but it's hard for him to support this right now given where we are budget wise. He recognizes it's a small number of people, but small numbers add up.

Councilmember Reynolds expressed her agreement with Councilmember Smith.

Councilmember Stroozas commented the objective here is to concur with the borough allowing this exemption. He hoped the community would go the same way. He noted in the ordinance that this represent \$7200 of revenue to the city, so it isn't going to make or break our city's budget.

There was brief discussion regarding the surviving spouse language and clarifying how one qualifies for the exemption.

VOTE: YES: STROOZAS
NO: REYNOLDS, ADERHOLD, ERICKSON, SMITH

Motion failed.

B. **Resolution 17-079**, A Resolution of the Homer City Council Adopting the 2018-2023 Capital Improvement Plan and Establishing Capital Project Legislative Priorities for Fiscal Year 2019. Mayor/City Council.

Mayor Zak opened the public hearing.

Rachel Lord, city resident, commented in support of the CIP and the top projects revolving around the harbor and harbor expansion. She's attending the Alaska Association of Harbormasters and Port Administrators annual conference in Petersburg, and it's really nice to not only be coming from a strong port and harbor community, but also one that is valuing those large projects in our CIP.

There were no further comments and the public hearing was closed.

Mayor Zak asked for a motion to adopt Resolution 17-079 by reading of title only.

ADERHOLD/REYNOLDS SO MOVED.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

ORDINANCE(S)

CITY MANAGER'S REPORT

A. City Manager's Report

City Manager Koester highlighted the Customer Feedback Quarterly Report. She explained at the City offices there is a post card, and that's an opportunity for customers and constituents to provide feedback. She is pleased that this quarter, about 2/3rds of the comments were positive feedback. She noted the positive comments go a long way with staff, so please don't underestimate the positive power of your words. She also thanked people for the suggestions or criticisms, because we've been able to improve here and there or let people know it's been addressed. She said please fill out those post cards because it's been fun to watch those comments come in.

Mayor Zak noted that the October 23rd Council meetings have been rescheduled to October 30th. City Manager Koester noted her memo on the consent agenda. She thanked Council for their approval and looks forward to being available for their first budget discussions.

CITY ATTORNEY REPORT

A. Memorandum Re: Ethics Complaint Process

City Attorney Wells noted her memorandum in the packet. She added that they spent time in her office briefing the most recent Griswold case in the Alaska Supreme Court so they'll see that as a focus of the work of the attorney's office this last month.

COMMITTEE REPORT

A. Employee Committee Report

B. Americans with Disabilities Act Compliance Committee

Councilmember Adherhold commented the Committee met and discussed the visit with David Barton from the Northwest ADA center. They also discussed the remaining buildings left to survey and hope to finish those in October and start focusing on the Transition Plan. Lastly the Committee talked about the addressing accessibility in the Comprehensive Plan that was included in Resolution 17-075(A).

C. Police Station Building Task Force

Mayor Zak noted a Resolution was adopted earlier disbanding the Police Station Building Task Force. He expressed appreciation to the task force members for their work.

PENDING BUSINESS

NEW BUSINESS

- A. **Memorandum 17-122** from Councilmember Aderhold Re: Approval of Submitting a Letter to the Marijuana Control Board to Oppose Smoking of Marijuana Onsite but Allowing Consumption of Marijuana to Include the Method of Vaping. Recommend approval.

ADERHOLD/REYNOLDS MOVED TO APPROVE MEMORANDUM 17-122

Councilmember Aderhold commented there was good discussion about some confusion regarding the effects of vaping at the Committee of the Whole.

ADERHOLD/REYNOLDS MOVED TO POSTPONE THIS TO THE NEXT REGULAR MEETING.

Councilmember Aderhold said she will work with the City to find some more information and bring that back for discussion.

VOTE (postponement): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

RESOLUTIONS

COMMENTS OF THE AUDIENCE

Lloyd Stiasny, non-resident and owner of the retail cannabis license, thanked council and staff for approval of Memorandum 17-121. He thinks the city has set up a good process for review of what is a challenging business for communities as well as small business owners, and the Cannabis Commission that's been establish has worked well and likewise his work with the

Planning Department. He lived in Homer in the 80's and 90's and understands the community. This is a unique industry, but he thinks it's beneficial to local communities, certainly in our economically challenging times. It is a vibrant industry and over time the benefits will show.

COMMENTS OF THE CITY ATTORNEY

Attorney Wells had no comment.

COMMENTS OF THE CITY CLERK

City Clerk Jacobsen had no comment.

COMMENTS OF THE CITY MANAGER

City Manager Koester had no comment.

COMMENTS OF THE MAYOR

Mayor Zak thanked council for a quick meeting. He has time to make the Documentary Film Festival showing tonight.

COMMENTS OF THE CITY COUNCIL

Councilmember Reynolds commented that a lot of people in town may have gotten a notice of a meeting on October 12 called Pulling Together. Alaska's First Lady will be here and it's a meeting for people of faith about safe children and healthy families. All are welcome, but they are looking for RSVP's for the meeting. Family Planning has been participating, along with the hospital, Flex, and other agencies for the last year in a trauma informed care learning community. The wrap up meeting was in Wasilla last week and it was inspiring to hear all the different things agencies are putting into place to help. In the earlier meeting we met Terry Kadel, the new Assistant Fire Chief, she welcomed him and Tim to town, he will be great addition to the fire hall and community. The Homer Mariner Cross Country team is headed to State next weekend. She wished them good luck and congratulated their Coach Annie Ridgely on winning the Kenai River half marathon and Assistant Coach Pedro Ochoa on winning the full marathon. She also reminded everyone to get out and vote. She thinks it would be great for the incoming council to have a little less of finances to worry about, so she hopes we can pass the ballot measure on HART and also the Sale Tax Cap to \$1000.

Councilmember Stroozas commented the Homer Elks lodge was proud to host the annual AK Kids to DC, the eighth graders who will be going to Washington DC next year. It was very successful with over 150 people attending. He reminded listeners that Thursday at the Homer Elks lodge there will be a forum with the seven City Council candidate. The Elks is hosting in conjunction with the Homer Chamber of Commerce from 5:30 p.m. until 7:00 p.m.

Councilmember Smith thanked Barb Brodowski for being here and the hard work she does. He recalled one summer when he was in high school there was some grant money for a program where they spent the summer cleaning. The spit was by far the worst of all and it wasn't fun picking up cigarette butts. He also appreciates the efforts of Beth Trowbridge and her group in cleaning up. He has known Beth a long time and it's amazing to him the amount of involvement she has within the community and a lot of it is centered around our young people. Larry Persily is gone, but he just wanted to say if the sales tax cap fails, he's sure a bed tax would not, so put that next on the list. Lastly he said there is an opiate task force meeting on Wednesday this week. The community is still involved and interested in making sure we make some headway. It's all based on education and that's the biggest thing, as a community we need to educate ourselves. Not just the medical community, but the community at large in understanding what the risks are when we involve ourselves in opiates. We need to own up to our own responsibility and make sure that we're part of the solution.

Councilmember Aderhold also thanked Barb Brodowski and Center for Alaskan Coastal Studies for their work cleaning up the trash in our city. It's nice to go out there and see it look clean and she's amazed at the amount of time and effort they've put into it. She wonders if having some information on some of our kiosks about the efforts of local residents to keep our spit and beaches clean, and what constitutes the trash, might have any diminishment in trash that's out there. She thanked the Friends of the Homer Public Library for hosting a media literacy forum. A former councilmember and the Library Director were on the panel and she found it a very informative event. The primary takeaway for her was that each of us as individuals needs to take responsibility for media literacy and to think critically about the accuracy of the information that we receive, in whatever form it takes.

Councilmember Erickson commented we just had our last cruise ship of the year and they're so excited they're coming back earlier next year and stay about as late as this year. She thanked the Chamber and all the volunteers that have spent time welcoming our visitors this summer. There were about 400 people on this last ship that they got into town within two hours. The biggest comment they get back is what a welcoming town and how friendly people are, and that says a lot. They all love Homer and want to come back not for a day, but a week or longer. It says that our community is doing a good job when these people come to town. Now we have all of our fall activities to get excited about.

ADJOURN

There being no further business to come before the Council, Mayor Zak adjourned the meeting at 7:35 p.m. The next Regular Meeting is Monday, October 9, 2017 at 6:00 p.m., and Committee of the Whole 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.

HOMER CITY COUNCIL
REGULAR MEETING MINUTES
SEPTEMBER 25, 2017

Date: _____



City of Homer

www.cityofhomer-ak.gov

Office of the City Clerk

491 East Pioneer Avenue
Homer, Alaska 99603

clerk@cityofhomer-ak.gov

(p) 907-235-3130

(f) 907-235-3143

Memorandum 17-127

TO: MAYOR ZAK AND CITY COUNCIL

FROM: MELISSA JACOBSEN, MMC, CITY CLERK

DATE: OCTOBER 4, 2017

SUBJECT: TRAVEL AUTHORIZATION FOR MAYOR ZAK, TWO NEWLY ELECTED COUNCILMEMBERS, AND UP TO THREE COUNCILMEMBERS TO ATTEND THE ALASKA MUNICIPAL LEAGUE 67TH ANNUAL LOCAL GOVERNMENT CONFERENCE IN ANCHORAGE, ALASKA NOVEMBER 13-17, 2017

The Alaska Municipal League (AML) 67th Annual Local Government Conference is scheduled in Anchorage, Alaska, November 13-17, 2017.

The AML is a voluntary, nonprofit, nonpartisan, statewide organization of 140 cities, boroughs, and unified municipalities, representing over 97 percent of Alaska's residents. Originally organized in 1950, the League of Alaska Cities became the Alaska Municipal League in 1962 when boroughs joined the League.

Meetings include Newly Elected Officials (NEO), Alaska Conference of Mayors, board committees and meeting with Legislators.

Cost estimates for travel include round trip airfare from Homer to Anchorage at \$250.00 and room rates at \$111.00 per night. Per diem is \$58.00 per day, for three meals.

For FY 2017 Council budgeted \$6,000 for transportation and \$4,000 for subsistence. To date \$2,725.38 has been expended from Transportation Acct. No. 100.0100.5236, leaving a balance of \$3274.32; and \$1,152.82 has been expended from Subsistence Acct. No. 100.0100.5237, with a balance of \$1,884.18 remaining.

Mayor Zak and Councilmember Stroozas would like to attend. Newly Elected Official have been advised of NEO training, and Councilmember Smith is considering attendance.

RECOMMENDATION:

Approve attendance for Mayor Zak at the Conference of Mayors and AML Annual Conference, two newly elected councilmembers at NEO training, and up to three councilmembers to attend the AML Conference.

An informational memo will be provided at the next meeting confirming who will attend.



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(f) 907-235-3143

Memorandum 17-128

TO: MAYOR ZAK AND HOMER CITY COUNCIL

FROM: MELISSA JACOBSEN, MMC, CITY CLERK

DATE: SEPTEMBER 29, 2017

SUBJECT: VACATION OF A PORTION OF THE 33-FOOT WIDE SECTION LINE EASEMENT IN HOMER LYING WITHIN LOT 1 DITTON 2014 REPLAT, PLAT HM 2015-23; LOCATED WITHIN THE NE1/4 OF SECTION 24, T6S, R14W, SM, ALASKA WITHIN THE CITY OF HOMER AND KPB; FILE 2017-098V

At their September 25, 2017 meeting, the Kenai Peninsula Borough Planning Commission approved to vacate a portion of the 33-foot wide section line easement in Homer lying within Lot 1 Ditton 2014 Replat, Plat HM 2015-23; Located within the NE1/4 of Section 24, T6S, R14W, S.M., Alaska within the City of Homer and KPB; File 2017-098V

Notice of vacation was received on September 27, 2017. Per AS 29.40.140, no vacation of a City right-of-way and/or easement may be made without the consent of the City Council.

The City Council has thirty days from September 25, 2017 in which to veto the decision of the Kenai Peninsula Borough Planning Commission.

The Homer Advisory Planning Commission has no objection to granting this vacation as reflected in the minutes of August 2, 2017 staff report given by Max Best.

RECOMMENDATION:

Voice non objection and consent to vacate a portion of the 33-foot wide section line easement in Homer lying within Lot 1 Ditton 2014 Replat, Plat HM 2015-23; Located within the NE1/4 of Section 24, T6S, R14W, S.M., Alaska within the City of Homer and KPB; File 2017-098V.



KENAI PENINSULA BOROUGH

PLANNING DEPARTMENT

144 North Binkley Street • Soldotna, Alaska 99669-7520

PHONE: (907) 714-2215 • **FAX:** (907) 714-2378

Toll-free within the Borough: 1-800-478-4441, Ext. 2215

www.kpb.us

**MIKE NAVARRE
BOROUGH MAYOR**

September 27, 2017

Homer City Council
491 East Pioneer Avenue
Homer, AK 99603-7645

RE: Vacation of a portion of the 33-foot wide Section Line Easement in Homer lying within Lot 1 Ditton 2014 Replat, Plat HM 2015-23; Located within the NE1/4 of Section 24, T6S, R14W, S.M., Alaska, within the City of Homer and the KPB; File 2017-098V

Dear Homer City Council Members:

In accordance with AS 29.40.140, no vacation of a city right-of-way and/or easement may be made without the consent of the city council. The KPB Planning Commission approved the referenced section line easement vacation during their regularly scheduled meeting of September 25, 2017. This petition is being sent to you for your consideration and action.

The City Council has 30 days from September 25, 2017 in which to veto the decision of the Planning Commission. If no veto is received from the Council within the 30-day period, the decision of the Planning Commission will stand.

Attached are draft, unapproved minutes of the pertinent portion of the meeting and other related material.

Sincerely,

Max J. Best
Planning Director

MJB:pdh

Attachments



KENAI PENINSULA BOROUGH

PLANNING DEPARTMENT

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MIKE NAVARRE
BOROUGH MAYOR

September 27, 2017

KENAI PENINSULA BOROUGH PLANNING COMMISSION NOTICE OF DECISION MEETING OF SEPTEMBER 25, 2017

RE: Vacation of a portion of the 33-foot wide Section Line Easement in Homer lying within Lot 1 Ditton 2014 Replat, Plat HM 2015-23; Located within the NE1/4 of Section 24, T6S, R14W, S.M., Alaska, within the City of Homer and the KPB; File 2017-098V

During their regularly scheduled meeting of September 25, 2017, the Kenai Peninsula Borough Planning Commission granted a four-year approval of the section line easement vacation based on the following findings of fact.

Findings:

1. Lot 1, Ditton 2014 Replat, is within the City of Homer.
2. Development within Lot 1, Ditton 2014 Replat, must comply with the requirements of the zoning district.
3. Lot 1, Ditton 2014 Replat, is within the Rural Residential zone.
4. On August 2, 2017, the Homer Advisory Planning Commission approved staff report PL 17-67, section line easement vacation request at 1105 Seascape Drive, Lot 1 of Ditton 2014 Replat, T6S, R14W, Section 13, S.M. with staff recommendation granting a 30 foot wide sewer line easement to the City of Homer.
5. ENSTAR submitted a statement of no comments, recommendations, or objections.
6. GCI stated there needs to be a 15-foot utility easement centered on the existing overhead facilities.
7. ACS objects due to the existing plant in the section line easement to be vacated. If an easement is granted to the pole line, ACS would have no objections.
8. Per the State Department of Natural Resources, a Section Line Easement Vacation petition has not yet been submitted.
9. The State Department of Transportation will comment when application to the State is made.
10. Per the Homer City staff report, the section line easement is not likely to become a future city street due to the slope.
11. Per the Homer City staff report, the intent is to install an engineered septic system within the section line easement because it is the only area suitably flat enough.
12. KPB GIS 4-foot contours indicate the area south of the section line easement within Lot 1 is subject to steep terrain.
13. Per the submittal for Ditton 2014 Replat, a majority of Lot 1 is subject to slopes greater than 20 percent.
14. Based on 17 findings, the Plat Committee granted an exception to KPB 20.30.030 so the parent plat did not have to provide a fee dedication atop the section line easement during review of Ditton 2014 Replat on June 23, 2014.
15. Sufficient rights-of-way exist to serve the surrounding properties.
16. No surrounding properties will be denied access.

Conditions

1. Submittal of the preliminary plat for Plat Committee review per KPB Title 20.
2. Grant utility easements recommended by the affected utility providers, such as the City of Homer,

ACS, HEA, GCI, and ENSTAR.

3. Compliance with any State requirements for the section line easement vacation.
4. Submittal of a final plat such that it can be recorded within four years of vacation approval.

In accordance with AS 29.40.140, no vacation of a city right-of-way and/or easement may be made without the consent of the city council. The proposed vacation has been forwarded to the Homer City Council. The City Council has 30 days from September 25, 2017 in which to veto the decision of the Planning Commission. If no veto is received from the Council within the 30-day period, the decision of the Commission will stand.

Please contact the Homer City Office to verify the date the subject vacation will be reviewed by the Council.

This notice and unapproved minutes of the subject portion of the meeting were sent September 27, 2017 to:

Timothy Blackmon
Diane Ditton
PO Box 2658
Homer, AK 99603-2658

James Travis
920 Circle in the Woods
Fairview, TX 75069-9534

Homer City Council
491 East Pioneer Avenue
Homer, AK 99603

Michael & Shila Hough
3733 Ben Walters Lane, #2
Homer, AK 99603

William & Joan Blackmon
PO Box 2658
Homer, AK 99603-2658

Carrie Herndon
PO Box 2131
Homer, AK 99603-2131

Homer Advisory Planning Commission
491 East Pioneer Avenue
Homer, AK 99603

AGENDA ITEM F. PUBLIC HEARINGS

1. Vacation of a portion of the 33-foot wide Section Line Easement in Homer lying within Lot 1 Ditton 2014 Replat, Plat HM 2015-23; Located within the NE1/4 of Section 24, T6S, R14W, S.M., Alaska, within the City of Homer and the KPB; File 2017-098V

Staff Report given by Max Best

PC Meeting: 9/25/17

Purpose as stated in petition: Due to the nature of the slope of Lot 1, a leach field needs to be placed within the 33-foot section line easement. No section line easement exists to the north of this portion of section line easement.

Petitioners: Tom Blackmon, Diane Ditton, James E. Travis, William James Blackmon, Joan Peters Blackmon of Homer, AK.

Notification: The public hearing notice was published in the September 14 issue of the Homer News as a separate ad and on September 21 as part of the Planning Commission's tentative agenda.

Public hearing notices were sent to 40 owners within 600 feet by regular mail per KPB 20.70.220.

Public hearing notices were emailed to 11 agencies and interested parties. The public hearing notice was distributed to 10 KPB Departments by a shared database.

The public hearing notice was mailed to the Homer Library and the Homer Post Office with a request to post it in a public place.

The notice and maps were posted on the Borough web site and bulletin board.

Comments Received:

ACS: ACS objects due to the existing plant in the section line easement to be vacated. If an easement is granted to the pole line, ACS would have no objections. Please send the documentation of the proposed easement and they will remove their objection.

City of Homer: Approve staff report PL 17-67, section line easement vacation request at 1105 Seascape Drive, Lot 1 of Ditton 2014 Replat, T6S, R14W, Section 13, S.M. with staff recommendation granting a 30 foot wide sewer line easement to the City of Homer.

ENSTAR: No comments, recommendations, or objections.

GCI: There needs to be a 15-foot utility easement centered on the existing overhead facilities.

Shila and Michael Hough: We do not object to the request by Petitioners to vacate the Section Line Easement because of a leach field needs. We do request that no trees be allowed to be planted in the vacated lot to obstruct the view from upper lots.

State Department of Natural Resources: Please advise the applicant of the vacation action that a section line easement cannot be vacated without DNR and DOTPF approval. To vacate the State's interest in the 33-foot wide section line easement, they will have to petition the State.

State Department of Transportation: DOT will comment when application to the State is made.

Staff Discussion:

The preliminary plat for the Section Line Easement Vacation has not yet been scheduled for Plat Committee review.

Homer Electric Association expressed no objection as long as an easement was reserved 10 feet either side of the overhead electric distribution line. HEA understood that ACS wished to also request an easement in this location and had no objection to joint use of the easement.

KPB Staff cannot make recommendations regarding tree planting on the subject property. Lot 1, Ditton 2014 Replat, is with the City of Homer. Development within the lot must comply with the requirements of the zoning district. Lot 1 is within the city's Rural Residential zone.

Findings for the Proposed Vacation

1. Lot 1, Ditton 2014 Replat, is within the City of Homer.
2. Development within Lot 1, Ditton 2014 Replat, must comply with the requirements of the zoning district.
3. Lot 1, Ditton 2014 Replat, is within the Rural Residential zone.
4. On August 2, 2017, the Homer Advisory Planning Commission approved staff report PL 17-67, section line easement vacation request at 1105 Seascapes Drive, Lot 1 of Ditton 2014 Replat, T6S, R14W, Section 13, S.M. with staff recommendation granting a 30 foot wide sewer line easement to the City of Homer.
5. ENSTAR submitted a statement of no comments, recommendations, or objections.
6. GCI stated there needs to be a 15-foot utility easement centered on the existing overhead facilities.
7. ACS objects due to the existing plant in the section line easement to be vacated. If an easement is granted to the pole line, ACS would have no objections.
8. Per the State Department of Natural Resources, a Section Line Easement Vacation petition has not yet been submitted.
9. The State Department of Transportation will comment when application to the State is made.
10. Per the Homer City staff report, the section line easement is not likely to become a future city street due to the slope.
11. Per the Homer City staff report, the intent is to install an engineered septic system within the section line easement because it is the only area suitably flat enough.
12. KPB GIS 4-foot contours indicate the area south of the section line easement within Lot 1 is subject to steep terrain.
13. Per the submittal for Ditton 2014 Replat, a majority of Lot 1 is subject to slopes greater than 20 percent.
14. Based on 17 findings, the Plat Committee granted an exception to KPB 20.30.030 so the parent plat did not have to provide a fee dedication atop the section line easement during review of Ditton 2014 Replat on June 23, 2014.
15. Sufficient rights-of-way exist to serve the surrounding properties.
16. No surrounding properties will be denied access.

STAFF RECOMMENDATION: Based on Findings 1-16 and KPB 20.25.110 and 20.70.220, staff recommends granting a four-year approval for the vacation as submitted, subject to:

1. Submittal of the preliminary plat for Plat Committee review per KPB Title 20.
2. Grant utility easements recommended by the affected utility providers, such as the City of Homer, ACS, HEA, GCI, and ENSTAR.
3. Compliance with any State requirements for the section line easement vacation.
4. Submittal of a final plat such that it can be recorded within four years of vacation approval.

NOTE:

KPB 20.70.110:

A vacation of a city street, public right-of-way, public area, or public easement located within an incorporated city may not be approved without the consent of the city council. The Homer City Council shall have 30 calendar days from the date of approval in which to veto the planning commission decision. If no veto is received by the planning director within the specified period, the city shall be considered to have given consent to the vacation.

KPB 20.70.120:

- A. Denial of a vacation petition is a final act for which no further consideration shall be given by the Kenai Peninsula Borough.
- B. Upon denial by the planning commission, no reapplication or petition concerning the same vacation may be filed within one calendar year of the date of the final denial action except in the case where new evidence or circumstances exist that were not available or present when the original petition was filed.

END OF STAFF REPORT

Chairman Martin opened the meeting for public comment. Seeing and hearing no one wishing to speak Chairman Martin closed the public comment period and opened discussion among the Commission.

Commissioner Venuti recused himself from voting and commenting due to the possibility of a conflict of interest. He served as an inspector on this project.

MOTION: Commissioner Ruffner moved, seconded by Commissioner Isham to grant the vacation of a portion of the 33-foot Section Line Easement in Homer lying within Lot 1 Ditton 2014 Replat per staff recommendations and based on the following findings of fact.

Findings

1. Lot 1, Ditton 2014 Replat, is within the City of Homer.
2. Development within Lot 1, Ditton 2014 Replat, must comply with the requirements of the zoning district.
3. Lot 1, Ditton 2014 Replat, is within the Rural Residential zone.
4. On August 2, 2017, the Homer Advisory Planning Commission approved staff report PL 17-67, section line easement vacation request at 1105 Seascape Drive, Lot 1 of Ditton 2014 Replat, T6S, R14W, Section 13, S.M. with staff recommendation granting a 30 foot wide sewer line easement to the City of Homer.
5. ENSTAR submitted a statement of no comments, recommendations, or objections.
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8. Per the State Department of Natural Resources, a Section Line Easement Vacation petition has not yet been submitted.
9. The State Department of Transportation will comment when application to the State is made.
10. Per the Homer City staff report, the section line easement is not likely to become a future city street due to the slope.
11. Per the Homer City staff report, the intent is to install an engineered septic system within the section line easement because it is the only area suitably flat enough.
12. KPB GIS 4-foot contours indicate the area south of the section line easement within Lot 1 is subject to steep terrain.
13. Per the submittal for Ditton 2014 Replat, a majority of Lot 1 is subject to slopes greater than 20 percent.
14. Based on 17 findings, the Plat Committee granted an exception to KPB 20.30.030 so the parent plat did not have to provide a fee dedication atop the section line easement during review of Ditton 2014 Replat on June 23, 2014.
15. Sufficient rights-of-way exist to serve the surrounding properties.
16. No surrounding properties will be denied access.

VOTE: The motion passed by unanimous consent.

BENTZ YES	CARLUCCIO YES	ECKLUND YES	ERNST YES	FIKES YES	FOSTER YES	ISHAM YES
LOCKWOOD YES	MARTIN YES	MORGAN YES	RUFFNER YES	VENUTI RECUSED	WHITNEY YES	12 YES 1 RECUSED




The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



Aerial View



 Section Line Easement Vacation

ORDINANCE REFERENCE SHEET
2017 ORDINANCE
ORDINANCE 17-38

Ordinance 17-38, An Ordinance of the City Council of Homer, Alaska, Amending the Official Road Maintenance Map of the City of Homer by Adding Eric Lane as Urban Road.

Sponsor: City Manager/Public Works Director

1. Council Regular Meeting October 9, 2017 Introduction
 - a. Memorandum 17-129 from Public Works Superintendent as backup

1 **CITY OF HOMER**
2 **HOMER, ALASKA**

3 City Manager/
4 Public Works Director

5 **ORDINANCE 17-38**

6
7
8 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
9 AMENDING THE OFFICIAL ROAD MAINTENANCE MAP OF THE CITY
10 OF HOMER BY ADDING ERIC LANE AS URBAN ROAD.

11
12 WHEREAS, The City of Homer has determined that it is necessary to provide minimum
13 standards to regulate design and construction of public streets, roads, and highways within
14 the City of Homer; and

15
16 WHEREAS, Ordinance 85-14, HCC 11.04.055, adopted July 2, 1985 provides appropriate
17 street design and construction standards as well as an official maintenance map to record
18 streets officially accepted for maintenance; and

19
20 WHEREAS, HCC 11.04.055 provides that the City shall not accept maintenance
21 responsibility for any road or street which is not constructed or reconstructed to the adopted
22 standards unless the road is shown on the Official Road Maintenance Map. As amended via
23 Ordinance 02-23(S), adopted June 10, 2002, of the City of Homer; and

24
25 WHEREAS, An additional 1292 lineal feet has been duly inspected, reviewed, approved
26 by the Department of Public Works and recommended for acceptance by the City of Homer as
27 Urban Road.

28
29 NOW THEREFORE, The City of Homer Ordains:

30
31 Section 1: Section 11.04.055 Official Road Maintenance Map adopted is hereby
32 amended per provisions of sections (a) through (e) to include the following additional street as
33 Urban Road by the City of Homer and recorded as amendment #39 on the New Official Road
34 Maintenance Map adopted: the following mileage calculation is to the nearest hundredth.

35

<u>Amend</u>	<u>Subdivision</u>	<u>Roadway Name</u>	<u>Lineal Feet</u>	<u>Mile</u>	<u>Class</u>
36 39.	Lillian Walli	Eric Lane	1292	.25	Urban

37
38

39 Section 2: This is a non code ordinance and of a permanent nature.

40
41 ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER THIS ___ DAY OF _____,
42 2017.

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CITY OF HOMER

BRYAN ZAK, MAYOR

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

First Reading:

Public Hearing:

Second Reading:

Effective Date:

Reviewed and approved as to form:

Mary K. Koester, City Manager

Holly Wells, City Attorney

Date:_____

Date:_____



**CITY OF HOMER
PUBLIC WORKS DEPARTMENT**

Dan Gardner, PW Supt.
3575 Heath St.
Homer, Alaska 99603

Telephone: (907)235-3170
Fax: (907)235-3145

EMAIL : dgardner@ci.homer.ak.us

MEMORANDUM 17-129

To: Melissa Jacobson, City Clerk

Through: Carey S. Meyer, PW Director

From: Dan Gardner, PW Superintendent

Date: September 18, 2017

Subject: Street Improvements – Official Road Maintenance Map
Eric Lane

The Eric Lane road improvements project has been declared substantially complete, and is ready for standard road maintenance. These improvements include bike lanes, and an attached, paved sidewalk. These road improvements were completed in 2017 and this department has inspected and approved the construction.

The location of Eric Lane can be seen on the attached vicinity map. The road improvements begin at the West Hill Road intersection and continue for 1292 lineal feet to a turnaround, for a total of .25 miles of new roadway. The attached sidewalk is 1200 lineal feet, for a total of .23 miles.

In accordance with Ordinance 85.13, Section 11.20.090, and Section 11.20.100, this Department requests that the City Council formally accept the street improvements for operation and maintenance. Upon the Council's approval, please add the additional .25 miles of roadway and .23 miles of sidewalk to the official road maintenance map for year-round maintenance.

See attached map for location.

Fiscal Note – Annual maintenance costs for these improvements is estimated to be \$5840. Depreciation for these improvements over twenty years is estimated to be approximately \$200,000.

C: Carey Meyer, PW Director
Katie Koester, City Manager

**CITY OF HOMER
HOMER, ALASKA**

City Manager

RESOLUTION 17-083

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
ADOPTING UNIFORM ABATEMENT OF WATER AND SEWER PAST
AMOUNTS DUE WHEN CITY HAS MADE A BILLING ERROR.

WHEREAS, the City Manager has authority to implement water and sewer billing procedures with the City Council's approval; and

WHEREAS, it is in the City's best interest to have uniform procedures regarding billing on errors made by the City when calculating billing amounts.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, adopts the following procedure for abating under-billed costs that are the result of an error. The City shall notify a user within 60 days of discovering an error by the City in calculating the amount due for water and sewer services and shall charge for no more than 60 days of the costs that were not billed or calculated as a result of the error.

PASSED AND ADOPTED by the Homer City Council this 9th day of October, 2017.

CITY OF HOMER

BRYAN ZAK, MAYOR

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

Fiscal Note: N/A

**CITY OF HOMER
HOMER, ALASKA**

City Clerk/PW Director

RESOLUTION 17-084

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
ACKNOWLEDGING THAT PREVIOUSLY PAID WATER
ASSESSMENTS WILL BE CREDITED BACK TO EACH PROPERTY
OWNER AT THE TIME ROAD AND SEWER ASSESSMENTS ARE
LEVIED.

WHEREAS, Resolution 15-048(S) provided that “previously paid sewer assessments will
be credited to back each property owner at the time the proposed Lilian Walli road and sewer
assessments are levied; and

WHEREAS, These property owners also paid a water assessment for improvements that
did not provide water service to their lots.

NOW, THEREFORE, BE IT RESOLVED that the Homer City Council acknowledges that the
amount of previously paid water assessments will be credited to back each property owner at
the time the proposed Lilian Walli road and sewer assessments are levied.

PASSED AND ADOPTED by the City Council of Homer, Alaska this 9th day of October,
2017.

CITY OF HOMER

BRYAN ZAK, MAYOR

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

Fiscal Note: Previously paid assessment = \$1,449.46



MEMORANDUM 17-130

To: Katie Koester, City Manager
From: Carey Meyer, PW Director
Date: October 4, 2017
Subject: **Credit for Previously Paid Water Assessments
Eric Lane/Lillian Walli Subdivision Road and Sewer Project**

The property owners in the Lillian Walli Subdivision, in November of 1988, were assessed \$1,499.46 sewer and water assessments for the Sterling Highway water and sewer improvements. These improvements did not provide any service to the Lillian Walli Subdivision. Why these property owners were assessed is unknown, but a good argument can be made that they should not have been assessed for improvements that did not directly benefit them.

The Council approved Resolution 15-048(S), which did note that “previously paid sewer assessments will be credited to back each property owner at the time the proposed Lillian Walli road and sewer assessments are levied”.

The property owners feel they should receive credit for the previously levied water assessments.

Recommendation:

City Council pass a resolution noting that the amount of previously paid water assessments will be credited to back each property owner within the assessment district at the time the proposed Lillian Walli road and sewer assessments are levied.

**CITY OF HOMER
HOMER, ALASKA**

City Manager

RESOLUTION 15-048(S)

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
PROVIDING FOR THE SUBMISSION OF A REVISED PETITION TO
FORM THE LILLIAN WALLI FAIRVIEW AVENUE ROAD
RECONSTRUCTION AND PAVING AND SEWER IMPROVEMENTS
SPECIAL ASSESSMENT DISTRICT.

WHEREAS, A petition for road reconstruction and paving and sewer improvements for property owners within the Lillian Walli Fairview Avenue Subdivision was circulated from October 30, 2014 to December 30, 2014; and

WHEREAS, The lots contained within this proposed special assessment district are covered by a subdivision agreement that stipulates that the costs of the construction of all subdivision improvements are the responsibility of the lot owners; and

WHEREAS, Improvements constructed within this subdivision are not eligible for Homer Accelerated Roads and Trails (HART) funding, but the City nonetheless is willing to finance the cost of constructing the improvements in the proposed district from HART program funds, with 100% of the financed cost being repaid from assessments of the benefitted properties; and

WHEREAS, The properties within the proposed Lillian Walli Sewer Special Assessment District have been previously assessed for sewer improvements that did not provide sewer service to the properties; a credit should be given each benefitted property in the amount of the previous assessment; and

WHEREAS, It is expected that the road improvements that should be constructed within Fairview Avenue will incorporate additional pavement width, curb and gutter, street lighting and pedestrian/bike friendly amenities associated with a "collector" street that are not normally required for a residential road, the cost of which benefits the community as a whole; and

WHEREAS, The petition erroneously stated that the proposed improvements were eligible for HART and Homer Accelerated Water and Sewer Program (HAWSP) funds; and

WHEREAS, This inaccuracy in the petition calls into question the validity of signatures from property owners in favor of the improvements, and to assure the validity of signatures in favor of the improvements, the petition should be resubmitted to the property owners with a correct description of the sources of funding for the improvements.

44 NOW, THEREFORE, BE IT RESOLVED that the petition for the Lillian Walli Fairview
45 Avenue Subdivision Road Reconstruction and Paving and Sewer Improvements Special
46 Assessment District shall be resubmitted to the property owners in the proposed district with a
47 correct description of the sources of funding for the improvements, with further proceedings
48 on the petition to be governed by HCC 17.04.040 – 17.04.050.

49
50 BE IT FURTHER RESOLVED that the Homer City Council supports the creation of the
51 special assessment district once all necessary conditions have been met, with the City
52 financing the cost of constructing the improvements in the proposed district from HART
53 program funds, with 100% of the financed cost being repaid from assessments of the
54 benefitted properties, with the understanding that the amount of previously paid sewer
55 assessments will be credited back to each property owner at the time the proposed Lillian Walli
56 road and sewer assessments are levied; and that any additional cost associated with
57 constructing a "collector" street vs. a normal residential street will be paid for by the City.

58
59 PASSED AND ADOPTED by the Homer City Council on this 29th day of June, 2015.

60

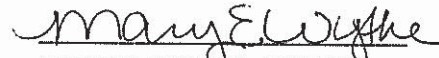
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CITY OF HOMER

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MARY E. WYTHE, MAYOR

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66 ATTEST:

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JO JOHNSON, MMC, CITY CLERK

71

72

Fiscal Note: N/A

73

VISITORS

ANNOUNCEMENTS
PRESENTATIONS
BOROUGH REPORT
COMMISSION REPORTS

PUBLIC HEARING(S)

**CITY OF HOMER
PUBLIC HEARING NOTICE
CITY COUNCIL MEETING**

**2018 Draft Budget
Ordinances 17-34, 17-35, 17-36 & 17-37**

A **public hearing** is scheduled for **Monday, October 9, 2017** during a Regular City Council Meeting. The meeting begins at 6:00 p.m. in the Homer City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

2018 Draft Budget

Ordinance 17-34, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2017 Operation Budget to Provide for Necessary Mid-Year Adjustments by Increasing Revenue Projections and Appropriating and Transferring Funds from the General and Port and Harbor Funds. City Manager/Finance Director.

Ordinance 17-35, An Ordinance of the City Council of Homer, Alaska, Approving the Sale of Lot 47 Homer Spit Subdivision Amended, to Land's End Acquisition Corporation for \$30,000 Cash and Authorizing the City Manager to Execute the Appropriate Documents. City Manager.

Ordinance 17-36, An Ordinance of the City Council of Homer, Alaska, Approving the Sale of Govt. Lot 36, on Kachemak Drive to Betty Gambone for \$25,000.00 Cash, Plus Associated Water and Sewer Assessments, and Authorizing the City Manager to Execute the Appropriate Documents. City Manager.

Ordinance 17-37, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating an FY 2017 State Homeland Security Grant for Upgrading the City's Radio Communication System and Authorizing the City Manager to Execute the Appropriate Documents. City Manager.

All interested persons are welcome to attend and give testimony. Written testimony received by the Clerk's Office prior to the meeting will be provided to Council.

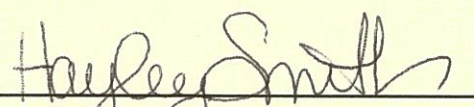
** Copies of proposed Ordinances in entirety, are available for review online at <https://www.cityofhomer-ak.gov/ordinances> and at the Homer City Clerk's Office. Copies of the proposed Ordinances are available for review at City Hall and the Homer Public Library. Contact the Clerk's Office at City Hall if you have any questions. 235-3130, Email: clerk@ci.homer.ak.us

Melissa Jacobsen, MMC, City Clerk
Publish: Homer News October 5, 2017

CLERK'S AFFIDAVIT OF POSTING

I, Hayley Smith, Deputy City Clerk for the City of Homer, Alaska, do hereby certify that a copy of the Public Hearing Notice for **2018 Draft Budget, Ordinance 17-34**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2017 Operation Budget to Provide for Necessary Mid-Year Adjustments by Increasing Revenue Projections and Appropriating and Transferring Funds from the General and Port and Harbor Funds. City Manager/Finance Director, **Ordinance 17-35**, An Ordinance of the City Council of Homer, Alaska, Approving the Sale of Lot 47 Homer Spit Subdivision Amended, to Land's End Acquisition Corporation for \$30,000 Cash and Authorizing the City Manager to Execute the Appropriate Documents. City Manager, **Ordinance 17-36**, An Ordinance of the City Council of Homer, Alaska, Approving the Sale of Govt. Lot 36, on Kachemak Drive to Betty Gambone for \$25,000.00 Cash, Plus Associated Water and Sewer Assessments, and Authorizing the City Manager to Execute the Appropriate Documents. City Manager, **Ordinance 17-37**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating an FY 2017 State Homeland Security Grant for Upgrading the City's Radio Communication System and Authorizing the City Manager to Execute the Appropriate Documents. City Manager, was distributed to the City of Homer kiosks located at City Clerk's Office, and the Homer Public Library on Friday, September 29th, 2017 and posted the same on City of Homer Website on Friday, September 29th, 2017.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal of said City of Homer this 29th day of September, 2017.


Hayley Smith, Deputy City Clerk

ORDINANCE REFERENCE SHEET
2017 ORDINANCE
ORDINANCE 17-34

Ordinance 17-34, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2017 Operation Budget to Provide for Necessary Mid-Year Adjustments by Increasing Revenue Projections and Appropriating and Transferring Funds from the General and Port and Harbor Funds.

Sponsor: City Manager/Finance Director

1. Council Regular Meeting September 25, 2017 Introduction
 - a. Memorandum 17-125 from City Manager
2. City Council Regular Meeting October 9, 2017 Public Hearing & Second Reading
 - a. Memorandum 17-125 from City Manager
 - b. Amendment from Councilmember Smith

1 **CITY OF HOMER**
2 **HOMER, ALASKA**

3 City Manager/
4 Finance Director

5 **ORDINANCE 17-34**

6
7 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
8 AMENDING THE FY 2017 OPERATING BUDGET TO PROVIDE FOR
9 NECESSARY MID-YEAR ADJUSTMENTS BY INCREASING REVENUE
10 PROJECTIONS, AND APPROPRIATING AND TRANSFERRING
11 FUNDS FROM THE GENERAL AND PORT AND HARBOR FUNDS.
12

13 WHEREAS, The City experienced a number of unanticipated expenses in 2017 ranging
14 from a special election to emergency repairs; and
15

16 WHEREAS, Due to changes in the assessment methodology by the Kenai Peninsula
17 Borough real property taxes for 2017 will come in \$278,675 over 2017 budget; and
18

19 WHEREAS, It is necessary to accept the FY2017 and FY2018 Community Assistance
20 payments from the State of Alaska it is no longer included in the operating budget; and
21

22 WHEREAS, It is necessary and appropriate to adopt a mid-year budget amendment in
23 order to fully fund City operations, fund necessary expenditures from reserves and reflect the
24 change in property tax revenue.
25

26 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:
27

28 Section 1. The City Council hereby appropriates and authorizes the expenditure of
29 \$7,380 from the Library Reserves for emergency repairs to the fire alarm system at the Homer
30 Public Library:
31

32 **Expenditure:**

33 <u>Account</u>	<u>Description</u>	<u>Amount</u>
34 156-0390	Repair Library Fire Alarm System	\$7,380

35
36

37 Section 2. The City Council hereby appropriates and authorizes the expenditure of
 38 \$6,235 from City Hall deprecation reserves for emergency repairs to the elevator at City Hall:

39

40 **Expenditure:**

<u>Account</u>	<u>Description</u>	<u>Amount</u>
42 156-0384	Repair City Hall Elevator	\$6,325

43

44 Section 3. The City Council hereby appropriates and authorizes the expenditure of
 45 \$2,000 from Old Middle School deprecation reserves for the purchase and install an automatic
 46 external defibrillator (AED) in the gym at Homer Education and Recreation Complex (HERC):

47

48 **Expenditure:**

<u>Account</u>	<u>Description</u>	<u>Amount</u>
49 156-0396	Purchase and install AED	\$2,000

51

52 Section 4. The City Council hereby increases Real Property Tax Revenue in the 2017 General
 53 Fund budget by \$278,675 and authorizes \$112,100 in increased expenditures in the following
 54 2017 operating budget line items and \$176,575 transfer to City Hall reserves:

55

56 **Revenue**

<u>Account</u>	<u>Description</u>	<u>Original</u>	<u>Amended</u>
58 100-410123	Real Property Tax	\$2,914,354	\$3,193,029

59

60 **Expenditure:**

<u>Account</u>	<u>Description</u>	<u>Original</u>	<u>Amended</u>
62 100-0100-5210	Professional Services (Mayor/ Council)	\$250,000	\$312,000
65 100-0140-5244	Snow Removal (City Hall)	\$7,500	\$17,000
66 100-0145-5244	Snow Removal (Library)	\$10,000	\$15,000
67 100-0150-5244	Snow Removal (Fire)	\$0	\$10,500
68 100-0160-5244	Snow Removal (Police)	\$4,000	\$12,000
69			
70 100-0100-5233	Computer Related Items (Mayor/Council)	\$500	\$8,500
71			
72			
73 100-0102-5103	PT Wages (Elections)	\$1,707	\$2,407

74	100-0102-5107	PT Overtime (Elections)	\$1,700	\$2,600
75	100-0102-5206	Food and Staples (Elections)	\$400	\$550
76	100-0102-5227	Advertising (Elections)	\$1,500	\$2,150
77	100-0102-5238	Printing and Binding	\$4,700	\$11,400
78		(Elections)		

79 **Transfer to:**

80	<u>Account</u>	<u>Description</u>	<u>Amount</u>
81	156-0384	City Hall Reserves	\$166,575

82

83 Section 4. The City Council hereby transfers \$99,824 from General Fund Library debt
 84 service to the Police Station Fund.

85

86 **Transfer from:**

87	<u>Account</u>	<u>Description</u>	<u>Amount</u>
88	100-0145-5607	Library debt service principal	\$50,970
89	100-0145-5608	Library debt service interest	\$48,854

90

91 **Transfer to:**

92	<u>Account</u>	<u>Description</u>	<u>Amount</u>
93	156-0378	Police Station Fund	\$99,824

94

95 Section 5. The City Council hereby accepts \$421,023 from the State of Alaska FY17 and
 96 FY 18 Community Assistance program.

97

98 **Revenue:**

99	<u>Account</u>	<u>Description</u>	<u>Amount</u>
100	100-0030-4501	FY17 SOA Community Assistance	\$215,905
101	100-0030-4501	FY18 SOA Community Assistance	\$205,118

102

103

104 Section 6. The City Council hereby appropriates \$80,000 from the Port and Harbor
 105 Depreciation Reserves for completing funding for replacing the water line under the Fish Dock,
 106 upgrades to the parking lot at Ramp 2, and refurbishing a harbor fire cart:

107

108 **Expenditure:**

109	<u>Account</u>	<u>Description</u>	<u>Amount</u>
110	456-380	Waterline at Fish Dock	\$30,000

111	456-380	Parking Lot at Ramp 2	\$25,000
112	456-380	Fire Cart Refurbish	\$25,000

113

114 Section 7. This is a budget amendment ordinance only, is not permanent in nature,
115 and shall not be codified.

116

117 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this _____ day of
118 _____, 2017.

119

120

CITY OF HOMER

121

122

123

BRYAN ZAK, MAYOR

124

125 ATTEST:

126

127

MELISSA JACOBSEN, MMC, CITY CLERK

129

130 YES:

131 NO:

132 ABSTAIN:

133 ABSENT:

134

135 First Reading:

136 Public Reading:

137 Second Reading:

138 Effective Date:

139

140

141 Reviewed and approved as to form:

142

143

144

Katie Koester, City Manager

146

147

Date: _____

Holly C. Wells, City Attorney

Date: _____



City of Homer

www.cityofhomer-ak.gov

Office of the City Manager

491 East Pioneer Avenue
Homer, Alaska 99603

citymanager@cityofhomer-ak.gov

(p) 907-235-8121 x2222

(f) 907-235-3148

Memorandum 17-125

TO: Mayor Zak and Homer City Council
FROM: Katie Koester, City Manager
DATE: September 20, 2017
SUBJECT: Midyear budget amendments

Ordinance 17-34 makes necessary adjustments to the 2017 operating budget. The purpose of this memo is to explain to Council the changes in the order they are presented in the Ordinance.

Expenditures from General Fund Reserves:

Repair Library Fire Alarm System \$7,380

This authorizes an emergency expenditure from the Library Reserves that was made at the end of August when building maintenance discovered a malfunction with the Library's fire alarm system control panel. The repairs, required by code, are complete and came out of Library Reserves.

Repairs to City Hall Elevator \$6,325

This authorizes an emergency expenditure that was made in July to repair the elevator at City Hall. The State inspector looked at elevator certifications and identified the need to complete a Category 5 inspection (a load test is required every 5 years). He also identified two other minor issues (ADA phone compliance and a faulty key switch). The State inspector gave the City until July 23rd to resolve the load test deficiency, which we met. The expenditure came out of the City Hall Depreciation Reserves.

Purchase and Install Automatic External Defibrillator (AED) at HERC \$2,000

An AED has been requested as a safety measure at the HERC where people of all ages and abilities engage in vigorous exercise. A wall mounted AED will ensure that if a cardiac event happens at the HERC volunteers and Good Samaritans can respond quickly. The expenditure will come out of the Old Middle School Depreciation fund.

General Fund Revenue:

Property Tax \$278,675

The 2017 General Fund Revenue projected \$2,914,354 in revenue from Real Property Taxes. However, with the assessed value for 2017 finalized, the City anticipates receiving approximately \$278,675 more than the 2017 budget projected. As you are aware, the Borough changed the methodology for calculating assessed value in 2017. However, revenue gains are likely mitigated by a general decline in the assessed value of commercial property. Due to the controversy surrounding the 2017 assessed values, it would be prudent to anticipate some changes for 2018. Until the updated methodology settles out, I would recommend using 2016 real property values as the base for estimating revenue for 2018. The following expenditures make prudent use of the extra revenue without depending on it long term.

General Fund Expenditure (from increased property tax revenue)

Mayor/Council Professional Services \$62,000

The City had unexpected legal fees in 2017 due to both the extraordinary amount of legal research that was involved with the certification of the recall petition and the ensuing legal defense from American Civil Liberties Union. This adjustment increases the 2017 legal budget (professional services) to cover those costs.

Snow Removal at City Facilities \$33,000

The City contracts with a third party to remove snow and sand at public facilities (City Hall, Library, Fire Hall and Police Station). The parking lots and sidewalks have to be cleared or sanded by 8am for the workday, and again throughout the day as needed. Due to a particularly icy winter, we are already nearing budget for snow removal with half the winter season still in front of us. Additionally, the Fire Hall used to pay for snow removal out of professional services. I would like to take this opportunity to correct that and more accurately reflect the expense. The contractor and staff will be taking measures to closely monitor snow removal and sanding efforts. However, at a public facility it is essential that potential hazards and slippery areas are properly sanded and cleared, which can be an expensive endeavor during icy and wet winters.

Mayor/Council Computer Related Items \$8,000

On September 19th Apple released iOS 11. The Homer City Council iPads will not support iOS 11. Apple does not release security patches for the older iOS versions. This means that all City Council iPads must be replaced to maintain the security of the City email system and network. This replacement budget will allow for each council member the choice of an Apple iPad or Windows Surface tablet. Future budgets will have a few thousand dollars in this line item to replace Councilmember tablets with their term.

Office of the City Clerk \$9,100

This adjustment includes an amendment to cover a potential special election in October. The City budgets for one special election a year, which has already occurred. A special election will only be necessary in the event of a run off. The printing and binding budget also increased to purchase a bulk supply of envelopes that were necessary to cover absentee voting. This purchase should last the City a few years and the budget can come back down in printing/binding for 2018.

City Hall Reserves \$166,575

I recommend the remainder of the anticipated revenue from property taxes be budgeted to City Hall reserves. This will allow sufficient funds for Council to authorize replacing the roof on City Hall during the 2018 budget cycle.

Reduction in General Fund Budget

Delete Library Loan Payment from Operating budget \$99,824

Ordinance 17-23 liquidated the Permanent Fund to pay off the Library Loan and partially fund the new police station. This means we no longer need to include the \$99,824 payment on the USDA loan for the Library scheduled for September in the 2017 budget. This amendment transfers the \$99,824 to the Police Station Fund to remain consistent with Councils intent in Ordinance 17-23.

Non-operating Revenue

Community Assistance Payments \$421,023

This amendment accepts the FY2017 and FY2018 community assistance payments from the State of Alaska. As you recall, Ordinance 16-21(S) designated the FY2017 payment to reimburse the General Fund for the City's contribution to SPARC. The City is scheduled to receive the FY2018 payment soon. City code prohibits community assistance from being used for operating expenses.

Port and Harbor Projects

Waterline at Fish Dock \$30,000

The Fish Dock potable water line that serves the fishing boats and fish buyers using the dock needs to be replaced this year. The waterline is constructed of galvanized pipe, heat traced and enclosed in an insulated covering. Researching this issue the Port and Harbor has found that 30 years is about the life span of a galvanized waterline in Homer. Fish dock employees have worked for the past few years patching the system together but are running out of options. The plan for this important upgrade is to replace the system with an all new heat traced HDPE pipe that will be professionally installed late this fall so that we will have it in place for the spring start up. If funded, Staff will produce an invitation for bids and solicited bid proposals from Alaskan companies capable of installing a HDPE replacement heat traced waterline system on the fish dock.

Parking Lot at Ramp 2 \$25,000

This project will authorize engineering, build up, drainage, delineation, and signage to turn the parking lot between ramps 1 and 2 into a revenue generating fee lot for the 2018 season. A solution to address the drainage issue is to bring in quality crushed rock and seal it all with a hardening product reputed to be Asphalt like. With the construction of the boat house pavilion and proposed restroom replacement, this project will round out a complete refurbishment of one of the busiest spots for visitors on the Spit.

Harbor Fire Cart Refurbish \$25,000

The Harbor Maintenance department has successfully completed two of seven fire cart refurbishments. These carts are an essential line of first response during boat fires that occur all too frequently during the cold winter months. Funding this project now will allow the maintenance team to order parts and complete a third cart in the fall of 2017.

City of Homer
2015 Operating Budget

2017 Mid year Budget Amendment Form

Fund Name: General Fund

Department Number: Reserves

Account #	Line #	Account name	Increase	Decrease	Balance
156-0384	81	City Hall Reserves		116,575	50000
100-0030-4501	100	FY 17 SOA Comm. Assistance		26,905	189,000
100-0030-4501	101	Fy 18 SOA Comm. Assistance		205,118	0
156-0378	93	Police Station Fund	333,598		433,422

Rationale:

This amendment transfers non-operating revenue - from property taxes and Community Assistance - to the Police Station account. As the number one capital priority for the City, it is prudent that any and all funds possible go towards the new police station. With this amendment and previous funds Council has dedicated to the project, the Police Station fund should have a balance of approximately \$1,630,291.

Requested by: _____
Councilmember Smith

Prepared by: _____
City Manager

ORDINANCE REFERENCE SHEET
2017 ORDINANCE
ORDINANCE 17-35

Ordinance 17-35, An Ordinance of the City Council of Homer, Alaska, Approving the Sale of Lot 47 Homer Spit Subdivision Amended, KPB Parcel No. 18103408 to Land's End Acquisition Corporation for \$30,000 Cash and Authorizing the City Manager to Execute the Appropriate Documents.

Sponsor: City Manager

1. Council Regular Meeting September 25, 2017 Introduction
 - a. Resolution 17-041
 - b. Sewer Locations

2. City Council Regular Meeting October 9, 2017 Public Hearing & Second Reading
 - a. Resolution 17-041
 - b. Sewer Locations

**CITY OF HOMER
HOMER, ALASKA**

City Manager

ORDINANCE 17-35

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, APPROVING THE SALE OF LOT 47 HOMER SPIT SUBDIVISION AMENDED, KPB PARCEL NO. 18103408 TO LAND'S END ACQUISITION CORPORATION FOR \$30,000.00 CASH AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE APPROPRIATE DOCUMENTS.

WHEREAS, HCC 18.12.020 provides that real property that is no longer required for public purpose may be sold; and

WHEREAS, Lot 47 Homer Spit Subdivision is a 3,485 square feet, irregular shaped lot, with the City's sewer main running through the middle of the lot, minimizing the ability to develop the lot; and

WHEREAS, In 2013 the City of Homer granted Land's End Acquisition Corporation the right to fill, landscape and construct a lawful freestanding sign on Lot 47; and

WHEREAS, On April 24, 2017 the Homer City Council passed Resolution 17-041 authorizing the City Manager to enter into negotiations with Land's End Acquisition Corporation for the sale of Lot 47 Homer Spit Subdivision Amended; and

WHEREAS, The City contracted with Homer Real Estate who successfully negotiated a cash sale of \$30,000 with Land's End Acquisition Corporation, the contiguous property owner; and

WHEREAS, Resolution 17-041 stated that the final terms and conditions of the sale be approved by Ordinance.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. That the City Council of Homer, Alaska, approves the sale of Lot 47 Homer Spit Subdivision Amended, Section 1, Township 7 South, Range 13 West, Seward Meridian, KPB Parcel No. 18103408 to Land's End Acquisition Corporation, the contiguous property owner for \$30,000.00 cash and authorizes the City Manager to execute the final documents by Nov. 30, 2017.

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
Land Reserves	Land Reserves – Surplus Properties	\$26,500 net proceeds

44 150-0392-4901

45

46 Section 2. This Ordinance is not permanent in nature, and shall not be codified.

47

48 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA this _____ day of _____, 2017.

49

50

CITY OF HOMER

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BRYAN ZAK, MAYOR

55 ATTEST:

56

57

58 _____
MELISSA JACOBSEN, MMC, CITY CLERK

59

60 YES:

61 NO:

62 ABSTAIN:

63 ABSENT:

64

65 First Reading:

66 Public Hearing:

67 Second Reading:

68 Effective Date:

69

70 Reviewed and Approved as to form and content:

71

72

73

74 _____
Katie Koester, City Manager

Holly Wells, City Attorney

75

76 Date: _____

Date: _____

77

78

79

**CITY OF HOMER
HOMER, ALASKA**

City Manager

RESOLUTION 17-041

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA, DETERMINING THAT A PUBLIC PURPOSE DOES NOT EXIST FOR LOT 47 HOMER SPIT SUBDIVISION AMENDED, SECTION 1, TOWNSHIP 7 SOUTH, RANGE 13 WEST, SEWARD MERIDIAN, KPB PARCEL NO. 18103408, AND AUTHORIZING THE CITY MANAGER TO ENTER INTO NEGOTIATIONS WITH LAND'S END ACQUISITION CORPORATION FOR THE SALE OF LOT 47.

WHEREAS, HCC 18.12.020 provides that real property that is no longer required for public purpose may be sold; and

WHEREAS, Lot 47 Homer Spit Subdivision Amended is a 3,485 square feet irregular shaped lot that does not meet the minimum development standards; and

WHEREAS, On April 10 the Homer City Council reviewed the 2017 Land Allocation Plan and indicated an interest in selling Lot 47; and

WHEREAS, Due to the location, odd shape, and small size of Lot 47 the City has determined that no public purpose exists for this parcel and that it is in the best interest of the City to sell the lot; and

WHEREAS, Land's End Acquisition Corporation is the contiguous property owner and has indicated an interest in purchasing the property; and

WHEREAS, Land's End Acquisition Corporation was granted a right of entry permit by the City of Homer in 2013 to fill, landscape and construct a lawful freestanding sign on Lot 47; and

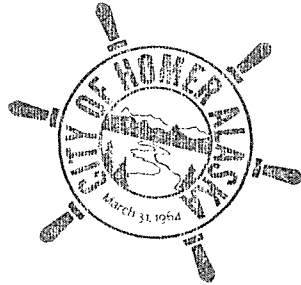
WHEREAS, HCC 18.12.050(d) authorizes the disposal of property to an owner of contiguous property of a parcel that contains an area less than the minimum required for improvements without violating setbacks; and

WHEREAS, Homer Real Estate is currently under contract as the Real Estate Agent for the City of Homer per Resolution 16-053 and has successfully negotiated the sale of several City owned parcels; and

WHEREAS, Approval of the disposal of Lot 47, including final terms and conditions of sale, shall be by Ordinance.

45 NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, determines
46 that a public purpose does not exist for Lot 47 Homer Spit Subdivision Amended and hereby
47 authorizes the City Manager to contract with Homer Real Estate to represent the City in
48 negotiations with Land's End Acquisition Corporation for the sale of Lot 47 at fair market value.
49

50 PASSED AND ADOPTED by the Homer City Council this 24th day of April, 2017.



CITY OF HOMER

Bryan Zak
BRYAN ZAK, MAYOR

57 ATTEST:

58
59
60 *Jo Johnson*
61 JO JOHNSON, MMC, CITY CLERK

62
63 Fiscal Note: 2016 Assessed value \$34,700



4730

HOMER SPT

4755

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ORDINANCE REFERENCE SHEET
2017 ORDINANCE
ORDINANCE 17-36

Ordinance 17-36, An Ordinance of the City Council of Homer, Alaska, Approving the Sale of Govt. Lot 36, Section 14, Township 6 South, Range 13 West, Seward Meridian, KPB Parcel No. 17910001 to Betty Gambone for \$25,000 Cash, Plus Associated Water and Sewer Assessments, and Authorizing the City Manager to Execute the Appropriate Documents.

Sponsor: City Manager

1. Council Regular Meeting September 25, 2017 Introduction
 - a. Land Allocation Plan Map

2. City Council Regular Meeting October 9, 2017 Public Hearing & Second Reading
 - a. Land Allocation Plan Map

**CITY OF HOMER
HOMER, ALASKA**

City Manager

ORDINANCE 17-36

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, APPROVING THE SALE OF GOVT. LOT 36, SECTION 14, TOWNSHIP 6 SOUTH, RANGE 13 WEST, SEWARD MERIDIAN, KPB PARCEL NO. 17910001 TO BETTY GAMBONE FOR \$25,000 CASH, PLUS ASSOCIATED WATER AND SEWER ASSESSMENTS, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE APPROPRIATE DOCUMENTS.

WHEREAS, The Council determined that a public purpose did not exist for Govt. Lot 36 and designated the property for sale in the City's adopted 2015, 2016, and 2017 Land Allocation Plans; and

WHEREAS, Ordinance 16-17(S) reconfirmed that a public purpose did not exist for Govt. Lot 36 and authorized the City Manager to solicit bids to purchase the property; and

WHEREAS, The property was advertised for bid in accordance with HCC 18.12.020(d) and though offers were received, multiple prospective buyers declined to close; and

WHEREAS, When combined, the water and sewer assessments on Govt. Lot 36 total approximately \$34,140.80; and

WHEREAS, After a reasonable time had passed with no successful sale of Govt. Lot 36, the Council adopted Resolution 16-053 authorizing Homer Real Estate to assist the City in selling Govt. Lot 36; and

WHEREAS, The City Administration contracted with Homer Real Estate who successfully negotiated a cash sale of \$25,000 to Betty Gambone who will assume the water and sewer assessments with an approximate balance of \$34,140.80.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. That the City Council of Homer, Alaska, approves the sale of Govt. Lot 36 Section 16, Township 7 South, Range 13 West, Seward Meridian, KPB Parcel No. 17910001 to Betty Gambone for \$25,000.00 cash plus Ms. Gambone to assume the water and sewer assessments with approximate balance \$34,140.80 and authorizes the City Manager to execute the final documents by Nov. 30, 2017.

Revenue:

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
--------------------	--------------------	---------------

44 Transfer to Land Reserves Surplus Properties \$22,075. Approximate net proceeds
45 150-0392-4901

46
47 Section 2. This Ordinance is not permanent in nature, and shall not be codified.

48
49 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA this _____ day of _____, 2017.

50
51
52 CITY OF HOMER

53
54
55 _____
56 BRYAN ZAK, MAYOR

57 ATTEST:
58
59
60 _____
61 MELISSA JACOBSEN, MMC, CITY CLERK

62
63 YES:
64 NO:
65 ABSTAIN:
66 ABSENT:
67
68 First Reading:
69 Public Hearing:
70 Second Reading:
71 Effective Date:

72
73 Reviewed and Approved as to form and content:

74
75
76 _____
77 Katie Koester, City Manager

74
75
76 _____
77 Holly Wells, City Attorney

78
79 Date: _____

78
79 Date: _____



Designated Use: Resolution 15-030(A): Sell	
Acquisition History: No history for Gov't Lot 36. Lot 1: Ordinance 97-06(S) KPB	
Area: Gov't Lot 36: 5 acres Harry Feyer Subdivision Lot 1: 0.39 acres	Parcel Number: 17910001, 17911005
2015 Assessed Value: \$38,100 (lot 36) \$30,900 (lot 1)	
Legal Description: Government Lot 36 HM T06S R13W S14, Harry Feyer Subdivision Lot 1	
Zoning: Rural Residential	Wetlands: Lot 36 is wetland. Lot 1 is not.
Infrastructure: Paved Road access, power.	
<p>Notes: Access to Gov't lot 36 is by public access easement rather than dedicated Right of Way. Future development of this lot would need to address any access concerns.</p> <p>Both lots have water and sewer assessments.</p> <p>Resolution 15-030(A): For sale. During 2016 land sale, there were no bids on Lot 1. Lot 36 had 4 bids, but no sale has been closed. Lot 36 currently listed through the City's real estate agent.</p>	
Finance Dept. Code:	



Kenai Peninsula Borough

Assessing Department
144 N. Binkley Street
Soldotna AK 99669

Sep 19 2017 2:54PM

General Information

HOMER CITY OF 491 E PIONEER AVE HOMER, AK 99603-7624	Property ID	17910001
	Address	
	Document / Book Page	20110025280
	Acreage	5.0000

Owners

Property ID	Display Name	Address
17910001	HOMER CITY OF	491 E PIONEER AVE

Legal Description

Description
T 6S R 13W SEC 14 Seward Meridian HM GOVT LOT 36

Value History

Year	Reason	Assessed		
		Land	Structures	Total
2017	Main Roll Certification	\$76,200	\$0	\$76,200
2016	Main Roll Certification	\$38,100	\$0	\$38,100
2015	Main Roll Certification	\$38,100	\$0	\$38,100
2014	Main Roll Certification	\$38,100	\$0	\$38,100
2013	Main Roll Certification	\$38,100	\$0	\$38,100
2012	Main Roll Certification	\$38,100	\$0	\$38,100
2011	Main Roll Certification	\$72,300	\$0	\$72,300
2010	Main Roll Certification	\$72,300	\$0	\$72,300
2009	Main Roll Certification	\$72,300	\$0	\$72,300
2008	Main Roll Certification	\$68,600	\$0	\$68,600
2007	Main Roll Certification	\$52,800	\$0	\$52,800
2006	Main Roll Certification	\$52,800	\$0	\$52,800
2005	Main Roll Certification	\$48,000	\$0	\$48,000
2004	Main Roll Certification	\$14,000	\$0	\$14,000
2003	Main Roll Certification	\$14,000	\$0	\$14,000
2002	Main Roll Certification	\$14,000	\$0	\$14,000
2001	Main Roll Certification	\$14,000	\$0	\$14,000

Land Details

Primary Use	Land Type	Acres	Eff Frontage	Eff Depth	Asd Value
	Residential B/Residential City	5.0000	0.00	0.00	\$76,200

**CITY OF HOMER
HOMER, ALASKA**

City Manager

ORDINANCE 16-17(S)

AN ORDINANCE OF THE HOMER CITY COUNCIL DETERMINING THAT A PUBLIC PURPOSE DOES NOT EXIST FOR CITY PROPERTIES DESCRIBED AS LOT 1, HARRY FEYER SUBDIVISION, AND THE FOLLOWING LOCATED IN SECTION 14, TOWNSHIP 6, RANGE 13, SEWARD MERIDIAN: GOVT. LOT 3 LYING EAST OF KACHEMAK DRIVE, S. ½ OF GOVT. LOT 30 LYING WEST OF KACHEMAK DRIVE, AND GOVT. LOTS 10, 21, 24, 25 AND 36; AND AUTHORIZING THEIR SALE.

WHEREAS, The following properties were conveyed to the City of Homer ("City") by Clerk's Deed:

Lot 1, according to the Plat of Harry Feyer Subdivision, filed under Plat 4712, Homer Recording District, Third Judicial District, State of Alaska (KPB Parcel No. 179-110-05); and

Govt. Lot 3 lying east of Kachemak Drive, Section 14, Township 6 South, Range 13 West, Seward Meridian (KPB Parcel No. 179-150-03); and

WHEREAS, The following property was conveyed to the City by the Kenai Peninsula Borough:

S. ½ of Govt. Lot 30 lying west of Kachemak Drive, Section 14, Township 6 South, Range 13 West, Seward Meridian (KPB Parcel No. 179-80-50); and

WHEREAS, The following properties were conveyed to the City by Patent from the State of Alaska:

Govt. Lots 10, 21, 24, 25 and 36, Section 14, Township 6 South, Range 13 West, Seward Meridian (KPB Parcel Nos. 179-080-09, 179-080-15, 179-080-25, 179-080-26 and 179-100-01); and

WHEREAS, The Council has determined that a public purpose does not now exist for the properties described above and designated the properties for sale in the City's 2015 Land Allocation Plan adopted by Resolution 15-030(A) on April 27, 2015.

43 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:
44

45 Section 1. Pursuant to AS 29.45.460(b) and Homer City Code 18.06.042, the City hereby
46 determines that a public purpose does not exist for the following tax-foreclosed property:
47

48 Lot 1, according to the Plat of Harry Feyer Subdivision, filed under Plat 4712,
49 Homer Recording District, Third Judicial District, State of Alaska (KPB Parcel
50 No. 179-110-05)
51

52 Section 2. Pursuant to AS 29.45.460(b) and Homer City Code 18.06.042, the City hereby
53 determines that a public purpose does not exist for the following tax-foreclosed property:
54

55 Govt. Lot 3 lying east of Kachemak Drive, Section 14, Township 6 South, Range
56 13 West, Seward Meridian (KPB Parcel No. 179-150-03)
57

58 Section 3. Notwithstanding Homer City Code 18.12.020(b), because the close of the
59 redemption period for each of the properties described in Sections 1 and 2 occurred more
60 than 10 years ago, this ordinance shall not be subject to the requirements of Homer City Code
61 18.06.042(d) and (e).
62

63 Section 4. The Council confirms its determination in Resolution 15-030(A) that a
64 public purpose does not exist for the following properties:
65

66 S. ½ of Govt. Lot 30 lying west of Kachemak Drive, Section 14, Township 6
67 South, Range 13 West, Seward Meridian (KPB Parcel No. 179-80-50)
68

69 Govt. Lots 10, 21, 24, 25 and 36, Section 14, Township 6 South, Range 13 West,
70 Seward Meridian (KPB Parcel Nos. 179-080-09, 179-080-15, 179-080-25, 179-
71 080-26 and 179-100-01)
72

73 Section 5. The City Manager is authorized to offer the property described in Section 1
74 for sale, and that property may be sold, for less than fair market value, in consideration of its
75 development constraints and large water and sewer assessment. Pursuant to Homer City
76 Code 18.12.020(d) and 18.12.040, the Council finds that if a time not exceeding one year that
77 the City Manager determines to be reasonable has passed without the City receiving any
78 acceptable bid for this property, it is in the best interest of the City for the City Manager to
79 offer to convey the property for nominal consideration to any owner of adjacent property that
80 will bear the expense of replatting the property into a combined lot with the owner's adjacent
81 property.
82

83 Section 6. The City Manager is authorized to offer the properties described in Sections
84 2 and 4 for sale in accordance with Chapter 18.12 of the Homer City Code. The City Manager

85 initially shall solicit bids to purchase each property. Pursuant to Homer City Code
86 18.12.020(d), the Council finds that if a time that the City Manager determines to be
87 reasonable has passed without the City receiving any acceptable bid for one or more of these
88 properties it is advantageous to the City for the City Manager to dispose of those properties
89 through sole source negotiations.

90

91 Section 7. This Ordinance is not permanent in nature, and shall not be codified.

92

93 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 11th day of April,
94 2016.

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98

99



CITY OF HOMER

Mary E. Wythe
MARY E. WYTHE, MAYOR

100 ATTEST:

101

102

103 Jo Johnson
JO JOHNSON, MMC, CITY CLERK

104

105 YES: 6

106 NO: 4

107 ABSTAIN: 4

108 ABSENT: 4

109

110

111 First Reading: 3/29/16

112 Public Hearing: 4/11/16

113 Second Reading: 4/11/16

114 Effective Date: 4/12/16

115

116 Reviewed and approved as to form:

117

118 Mary K. Roester

119 Mary K. Roester, City Manager

120

121 Date: 4.14.16

122

Thomas F. Klinkner

Thomas F. Klinkner, City Attorney

Date: 4-15-16

ORDINANCE REFERENCE SHEET
2017 ORDINANCE
ORDINANCE 17-37

Ordinance 17-37, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating an FY 2017 State Homeland Security Grant for Upgrading the City's Radio Communication System and Authorizing the City Manager to Execute the Appropriate Documents.

Sponsor: City Manager

1. Council Regular Meeting September 25, 2017 Introduction
 - a. Memorandum 17-124 from Special Projects & Communications Director
2. City Council Regular Meeting October 9, 2017 Public Hearing & Second Reading
 - a. Memorandum 17-124 from Special Projects & Communications Director

**CITY OF HOMER
HOMER, ALASKA**

City Manager

ORDINANCE 17-37

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, ACCEPTING AND APPROPRIATING AN FY 2017 STATE HOMELAND SECURITY PROGRAM GRANT FOR UPGRADING THE CITY’S RADIO COMMUNICATION SYSTEM AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE APPROPRIATE DOCUMENTS.

WHEREAS, The City’s entire radio communication system is aging and must be replaced soon to keep up with technological advances in order to support the City of Homer’s ability to prevent, protect against, respond to and recover from all hazard events ; and

WHEREAS, Radio communication system upgrades is a in the City of Homer Capital Improvement Plan 2017-2022; and

WHEREAS, the City is pleased to have been awarded \$92,552.00 from the Division of Homeland Security and Emergency Management (DSH&EM); \$15,282.00 to purchase two backup emergency dispatch radios; \$44,770.00 to replace two City of Homer repeaters with upgraded models; and \$32,500.00 to replace some of the Homer Police Department Mobile Radio units;

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The Homer City Council hereby accepts and appropriates a 2017 State Homeland Security Program Grant to the City of Homer from the DHS&EM in the amount of \$92,552.00 for the purpose of upgrading the City’s radio communication system as follows:

Revenue:

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
	State Homeland Security Grant Program	\$92,552.00

Expenditure:

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
	Backup Emergency Dispatch Radios	\$15,282.00
	Replace/Upgrade Two City of Homer Repeater	\$44,770.00
	Homer Police Dept. Mobile Radio Replacements	\$32,500.00

Section 2. The City Manager is authorized to execute the appropriate documents.

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Section 3. This is a budget amendment ordinance, is temporary in nature, and shall not be codified.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this __ day of _____, 2017.

CITY OF HOMER

BRYAN ZAK, MAYOR

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

Introduction:

Public Hearing:

Second Reading:

Effective Date:

Reviewed and approved as to form:

Mary K. Koester, City Manager

Holly Wells, Attorney

Date: _____

Date: _____



City of Homer

www.cityofhomer-ak.gov

Administration

491 East Pioneer Avenue
Homer, Alaska 99603

(p) 907-235-8121 x2222

(f) 907-235-3148

Memorandum 17-124

TO: Mayor and the City Council
FROM: Jenny Carroll, Special Projects & Communications Coordinator
THROUGH: Katie Koester, City Manager
DATE: September 20, 2017
SUBJECT: 2017 Homeland Security Program Grant Award

Alaska Division of Homeland Security and Emergency Management recently announced recipients of FY2017 State Homeland Security Program grant funds. The City of Homer was awarded \$92,552.00, which fully funds one project and partially funds two projects related to upgrading the City's radio communication system.

\$15,282.00 was awarded to purchase and install two emergency backup dispatch radios. Backup communication capability makes our communications system resilient, and our emergency responders more readily able to respond when other elements in the primary communication system fail due to an emergency event.

\$44,770.00 was awarded to replace two City of Homer repeaters. This Homeland Security award is timely. The current repeaters need to be upgraded to maintain compliance and interoperability with other Alaska-based agencies.

\$32,500.00 was awarded to begin replacing the Homer Police Department Mobile Radio units. These units are in heavy use on a daily basis by the police officers to sustain field communications in support of operations. The units currently in use are fourteen years old, are aging out of their expected function life span and aging out of their manufacturer support.

State Homeland Security Program funding greatly assists in maintaining the integrity of City of Homer's operational communication for local incident response and broader emergency response in the event of a natural or manmade disaster. Funding is dependent the City Council formally accepting the grant award.

ORDINANCE(S)

CITY MANAGER'S REPORT



City of Homer

www.cityofhomer-ak.gov

Office of the City Manager

491 East Pioneer Avenue
Homer, Alaska 99603

citymanager@cityofhomer-ak.gov

(p) 907-235-8121 x2222

(f) 907-235-3148

Memorandum

TO: Mayor Zak and Homer City Council
FROM: Katie Koester, City Manager
DATE: October 4, 2017
SUBJECT: October 9 City Manager's Report

Police Station Timeline

I wanted to provide a brief update to the Council on the timeline for presenting the 10% preliminary conceptual design authorized in Resolution 17-074(S)(A). The architect, Chief Robl, and Public Works Director Meyer spent a full day developing a schematic floor plan and civil site plan for the Waddell site. They will meet again on October 11th to review a draft conceptual plan. Final product (floor plan, civil site plan and \$6 million cost estimate) will be available at the next City Council meeting. At that time, Council can discuss next steps, including scheduling a facilitated work session.

Walk Through at Fire Hall

Renovations to the Fire Hall are complete. After cost estimates for a planned second story addition came in over budget, the project was downsized to include renovations only. Improvements included converting from electricity to natural gas, installing an air handling system for vehicle exhaust, replacing concrete slab in Bay 2 and 3, paving and drainage of the back parking lot, covered storage for vehicles, repainting and staining the façade, reinforcing the emergency exit, painting the interior, remodeled bathrooms, new flooring, kitchen cabinets and appliances. The Fire Hall has a fresh new look that will extend the life of the facility and be a space the volunteers can take pride in. The Fire Chief would love to show members around. If Tuesday October 17 at 4pm works for members, I will have the City Clerk advertise it.

City Manager Out to ICMA Next Week

Just a reminder I will be out of the office October 19-27 attending the International City Manager Association conference in San Antonio Texas. I will be available by phone and email for packet preparation and questions on the budget, so please feel free to keep them coming. The international conference is a great opportunity to broaden my horizons and learn best practices from other municipalities. It is literally thousands of City Manager's in one conference together – that is a scary thought! I hope to come back energized with great ideas to keep Homer moving forward.

State Assessor Audit

The Office of the State Assessor released a performance audit of the Kenai Peninsula Borough's Assessor's office on September 26. The audit includes a number of recommendations to improve the model the Borough uses for assessing values. It also recommends holding off on implementing Borough-wide the new land modeling rolled out in Homer for 2017. The attached memo by KPB Mayor Chief of Staff Persily summarizes the audit and the KPB Assessor's response. Contact the City Clerk for a copy of the original

document if you would like a more in-depth review of the findings and the Borough's response (38 and 17 pages each, respectively).

Public Comment on HCA Feasibility Study

At the last meeting, Council directed me to prepare a public comment on the results of a study the State funded to explore the feasibility of a State Wide Health Care Authority. At this time, there are many unanswered questions regarding the cost and nature of health care plans under a consolidated system. Luckily, legislation that creates an authority will require legislation with significant public process and additional opportunities for the City to weigh in. The attached letter that acknowledges the pressing need to reduce health care expenditures while emphasizing the importance of local control.

Enc:

Letter of support for Stream Hill trail grant application (and map)

Memo to Mayor Navarre regarding state assessor audit

Flyer for Faith Forum in Homer

Employee Anniversaries

Public comment on HCA feasibility study and white paper on study



City of Homer

www.cityofhomer-ak.gov

491 East Pioneer Avenue
Homer, Alaska 99603

(p) 907-235-8121

(f) 907-235-3140

October 10, 2017

Division of Parks and Outdoor Recreation
c/o Tom Dearlove
PO Box 881
Kenai, Alaska 99611

Re: Stream Hill Park Trails Grant

Mr. Dearlove,

I am writing to express the City of Homer's support for the Stream Hill Park Homeowner's Association (SHPHOA) application for a Recreational Trails Grant through the State of Alaska.

Since 2006, the SHPHOA continues to maintain and manage the 1.5 mile trail that is actively used by the community. The trail provides unique amenities such as parking for the public, gardens, benches and foot bridges, as it weaves and climbs through the forest. This grant will provide a fresh gravel top, replace culverts and a foot bridge, and clear deadfall which in turn provides mulch for the garden areas.

The City of Homer is encouraged to see the private sector taking responsibility to manage a trail that is cherished by public and we are glad support this important project.

Sincerely,

Katie Koester
City Manager
907-435-3102

Att: Stream Hill Park trail map



Green lines- existing trail approximately 1.5 miles to be graveled 6-foot wide X 4-inches deep

Red lines- existing culverts will be replaced by galvanized steel in various sizes

Blue lines- existing garden area that needs to have hemlock bark mulch laid down over existing weed barrier fabric

Brown line- placement area of a new foot bridge similar in style to the existing bridge at the beginning of the trailhead



KENAI PENINSULA BOROUGH

144 North Binkley Street • Soldotna, Alaska 99669-7520

Toll-free within the borough: 1-800-478-4441

PHONE: (907) 262-4441 • FAX: (907) 262-1892

www.kpb.us

MIKE NAVARRE
BOROUGH MAYOR

MEMORANDUM

TO: Kelly Cooper, Assembly President
Kenai Peninsula Borough Assembly Members

THRU: Mike Navarre, Mayor *MN*

FROM: Larry Persily, Chief of Staff *LP*

DATE: Sept. 27, 2017

SUBJECT: State audit of borough assessor's office

The Office of State Assessor (OSA) on Sept. 26 released its performance audit of the Kenai Peninsula Borough assessor's office. The audit recommends several actions the borough could take to improve its assessments (consistency and quality), which is the purpose (and benefit) of any such outside review. Borough Assessor Tom Anderson agrees with most of the audit's recommendations, and will work with the mayor's office to present a plan for changes in department practices that would best serve the public — within the constraints of what is feasible and affordable — and will share that work plan with the assembly.

In particular, the state audit offers several recommendations to improve the borough's efforts to establish and maintain a comprehensive land-value model for considering each parcel's variables and determining its assessed value. Acknowledging the critical importance of a workable and uniform land model, Tom, in his detailed response to the state audit (the audit and Tom's responses accompany this memo), reports that he and his staff "will continue to focus resources on improving the land descriptions and the land models."

Tom acknowledges in his memo: "Development and implementation of new land models resulted in some very big changes in land value in the Homer area in 2017, both upward and downward. We understand that property owners don't expect dramatic changes in their assessed values from one year to the next, and this caused consternation within the community. It also resulted in a much higher number of appeals than we had seen in recent years. Our goal is to implement accurate and uniform land models borough-wide that can be maintained and updated annually, which will eliminate volatility from year to year."

The state conducted its last such audit of the Kenai Borough in 2008. Although the 2017 audit started out as a routine review of the borough's practices, the state assessor's office expanded the depth and time of its review after receiving multiple inquiries from Kenai Peninsula property owners dissatisfied with their 2017 assessments, particularly from property owners in Homer affected by the borough's use of a new land-value model. The state review of borough practices is not unique to the Kenai Peninsula — the state assessor conducts performance audits of all local assessing offices in Alaska. The state office explains: "A performance audit is an analysis of an organization to determine whether or not the quantity and quality of work performed meets standards. ... A primary objective of the Office of the State Assessor is to maintain equity among jurisdictions and taxpayer confidence in a fair and equitable property tax system."

The audit recommends several areas where the borough could improve its efforts toward fair and equitable assessments of all property in the borough, in accordance with Alaska Statute 29.45.110 which requires: "The assessor shall assess property at its full and true value as of January 1 of the assessment year. ... The full and true value is the estimated price that the property will bring in the open market and under the then prevailing market conditions in a sale between a willing seller and a willing buyer both conversant with the property and with prevailing general price levels."

Though "full and true value" is a short, understandable requirement, it is difficult in Alaska, which is among about a dozen states nationwide that do not require disclosure of the sales price to assessing authorities. Lacking accurate, timely information on sales, the borough assessor has to work with an assortment of other data, including the minimal number of sales transactions that are voluntarily reported to the borough each year. This limited data makes it particularly difficult to assess land values.

The state audit raises particular concerns with the borough's land-value modeling. Its summary statement explains: "It appears that land valuation models do not sufficiently explain market behavior. It is suggested that more market segments are needed to explain land value. It is also suggested that more variables are needed to explain value in each market segment. Lacking specific documented sale prices, more attention should be placed on the listed price as a substitute for sales in each market segment. ... Greater effort is indicated in quality control of the land value attributes. The need for training and experience within the assessment staff is evident."

Tom agrees with the importance of reliable land values: "We will continue to focus resources on improving the land descriptions and the land models." He further explains that "adding additional variables, especially view factors, to our land models is warranted and necessary in order to improve the accuracy and uniformity of the modeled land values. This is a big project that requires a lot of training, data collection, analysis and testing. In retrospect, given the fact that the Homer area contains so many individual parcels over such a large geographical area, perhaps it would have caused less of an adverse reaction in the community and a less burdensome workload for the Assessing Department ... if we had done the land revalue over two years instead of one."

The audit suggests the assessing department rethink its timeline to address land valuation and land modeling on a borough-wide basis, possibly scaling back or postponing the area-wide reappraisal cycle so as to devote more time to updating the land-valuation database borough-wide. Tom sees potential in that recommendation and will look further to determine if it is feasible and practical.

The assessing department further agrees with the audit that land-value ratings should be defined as objectively as possible, explaining that all field staff have been trained to collect them as consistently as possible. And where the audit recommends staff training to ensure consistency — “all members of the team must be trained to classify the same property in the same manner and with the same rating, to the highest degree of conformity possible” — Tom agrees, and commits to reviewing procedures “to identify where staff training and practice in land classification might be further improved.” He further concurs with the audit: “We will review our procedures to identify where the consistency of land amenity classifications might be further improved.”

The audit presents several examples of inconsistent land data descriptions in the Homer area, to which Tom concurs: “We agree that there are some errors and inconsistencies in our land data descriptions, especially resulting from the collection of new land influences in the Homer canvass area, and we agree that wherever these are found they present a root cause of non-uniform valuation of land.” He further pledges to “review our quality control procedures to identify areas where they can be improved.” Tom’s response also includes looking for greater efficiencies and improvements in collecting land attributes to input into the model.

Continuing its review of the borough’s land-valuation process, the audit notes: “The most acute area of concern is in land description and land valuation. Land values are not at a consistent level and have a high amount of dispersion due to what appear to be insufficiently developed land models. The methodology under development is acceptable, however, additional resources, detail and development are required to bring it to a successful conclusion. It appears that staff needs training on the specification and calibration of valuation models in order to use the existing system effectively and improve the quality of the appraisals.”

Tom concurs: “Land description and valuation is our most acute area of concern, and that land models are insufficiently developed. We will continue to focus resources on improving our land data descriptions, model specification and calibration, and additional staff training.”

The audit expresses some concern that the assessing department’s mission statement, goals and performance measures are not established in borough code. Tom will discuss those issues with the borough legal department.

The audit clearly stresses the importance of staff training: “The budgeted amount of training does not appear to be sufficient to support a one-week class of instruction for all appraisal personnel and there was no established plan for the continuing education of staff found in the departmental records.” Tom notes that it is difficult to budget for training “because we do not know which appraisal courses might be offered in Alaska in any given year,” adding, “we occasionally send staff to classes outside Alaska as needed, budget and authorization permitting.”

Tom agrees with the value of training: “Ideally, we would like to see professional designation or certification made mandatory in Alaska Statutes for all assessing appraisal staff, made possible through a regular schedule of the required appraisal classes and a reliable source of funding to pay for appraisal staff to attend those classes. We believe this would improve the function of assessing departments across the state and would result in increased public confidence in their work.”

The Alaska Governor's Office, MAPP, and
SKP Resilience Coalition

present



Safe Children and Healthy Families

With a special appearance by First Lady Donna Walker

Thursday, October 12th, 2017 from 6:30pm to 9:00pm
at the Homer High School Commons.

Please invite those working with children and youth
(Youth Directors, Sunday School Teachers, Children's Programming Directors)

*Potluck Dessert. Please bring one of your favorites to share.





City of Homer

www.cityofhomer-ak.gov

Office of the City Manager

491 East Pioneer Avenue
Homer, Alaska 99603

citymanager@cityofhomer-ak.gov

(p) 907-235-8121 x2222

(f) 907-235-3148

Memorandum

TO: MAYOR ZAK AND CITY COUNCIL
FROM: Katie Koester
DATE: October 9, 2017
SUBJECT: October Employee Anniversaries

I would like to take the time to thank the following employees for the dedication, commitment and service they have provided the City and taxpayers of Homer over the years.

Richard Klopp,	Public Works	15	Years
Claudia Haines,	Library	7	Years
Brad Somers,	Port	6	Years
Paul Raymond,	Public Works	4	Years
Kim Gilbert,	Finance	2	Years



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October 9, 2017

Attention: Department of Administration, Commissioners Office
550 W. 7th Avenue
Suite 1970
Anchorage, Alaska 99501

Re: SB 74

To Whom It May Concern,

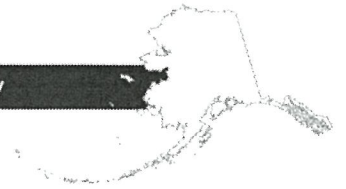
The City of Homer appreciates the State's willingness to tackle the ever rising cost of healthcare. The recommendation that the State establish a Health Care Authority with three separate pools: one for retirees, one for school district employees, and one for governmental employees may very well be a step in the right direction. The City of Homer supports the open dialogue and the State's vision, but has specific concerns regarding the possibility of mandatory participation.

The implementation of an HCA could help the State, and individual municipalities such as Homer save money on health care costs. This is an exciting opportunity and we are thankful that the State is looking for solutions. However at this point, there are simply too many unknowns to require mandatory participation. There is another scenario addressed in which the State develops legislation establishing an HCA but does not require mandatory participation. This would be preferred.

The City of Homer remains optimistic regarding the possibility of an alternative to rising health care costs - but we urge the State to allow us the choice to participate, rather than making participation mandatory through legislation.

Respectfully,

Katie Koester
City Manager, City of Homer



OBSERVATIONS AND RECOMMENDATIONS

OBSERVATIONS

Alaska's geography and relatively low population density create challenges for the delivery of professional services – and unique challenges for health care services. As noted in the Phase I report, in the absence of significant competition among health care providers, the state can expect to achieve only modest savings through pooled purchasing alone. This document examines opportunities for additional savings if the state coordinated plan management activities in the delivery of health care benefits for the various entities identified in S.B. 74 (i.e. School Districts, Political Subdivisions, University of Alaska, and the health plans funded directly by the State of Alaska). We examined a range of different approaches (models) for coordinating health plan management, including models similar to those that have been implemented in other states. For each of the models, we quantified the expected savings relative to the status quo, with a focus on the long-term savings when all entities would be able to participate (i.e. after the expiration of existing collective bargaining agreements (CBAs)).

RECOMMENDATIONS

1. We recommend that the State of Alaska establish a Health Care Authority with three separate pools: one pool for retirees and two pools for employees, with separate pools for school district employees and all other governmental employees.
2. We recommend that all entities be required to participate in the HCA when first feasible and no later than upon the expiration of the current CBA.
3. We recommend that the HCA develop multiple plan options for medical, prescription drugs, dental, and vision benefits to provide a wide range in health plan choices to meet the recruitment and retention needs of the various employers and the health plan needs of their employees. Tables 18 and 19 describe illustrations of plan options that could be offered for medical and prescription drug coverage and Tables 23 and 24 provide illustrations of dental and vision plans.
4. We recommend the HCA establish standard premium rates for the plans that reflect the expected costs of each plan option taking into account the covered population and expected health care utilization. Rates for individual employers should be determined initially taking into account the current premium rates, size of the employer, and the standard premium rates.
5. We recommend the HCA establish a tiered premium rate structure, with separate rates that vary with the size and composition of the household.
6. We recommend a Health Care Committee or Board be established to provide insight and oversight to the HCA.

CITY ATTORNEY REPORT

COMMITTEE REPORTS

PENDING BUSINESS



City of Homer

www.cityofhomer-ak.gov

Homer City Council

491 East Pioneer Avenue
Homer, Alaska 99603

(p) 907-235-3130

(f) 907-235-3143

Memorandum 17-122

TO: MAYOR ZAK AND CITY COUNCIL

FROM: DONNA ADERHOLD, COUNCIL MEMBER

DATE: SEPTEMBER 20, 2017

SUBJECT: APPROVAL OF SUBMITTING A LETTER TO THE MARIJUANA CONTROL BOARD TO OPPOSE SMOKING OF MARIJUANA ONSITE BUT ALLOW ONSITE CONSUMPTION OF MARIJUANA TO INCLUDE THE METHOD OF VAPING.

At the September 11, 2017 Regular Meeting, the Cannabis Advisory Commission forwarded a memorandum requesting City Council approve their recommendation to oppose smoking of marijuana onsite but allow onsite consumption of marijuana to include the method of vaping and forward it to the Marijuana Control Board before the stated deadline of October 27, 2017.

Attached for Council approval is a letter forwarding this recommendation to the Marijuana Control Board.

Recommendation: Approve the letter from the City Council to the Marijuana Control Board providing the recommendation from the Cannabis Advisory Commission.



City of Homer

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Homer City Council

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Homer, Alaska 99603

(p) 907-235-3130

(f) 907-235-3143

September 25, 2017

Marijuana Control Board
Alcohol Marijuana Control Office
550 W. 7th Avenue, Suite 1600
Anchorage, AK 99501
Email: amco.regs@alaska.gov

Chair Mlynarik and Board Members,

The City of Homer Cannabis Advisory Commission reviewed the current proposed changes to the regulations of the Marijuana Control Board and submitted their recommendation regarding onsite consumption to the Homer City Council for consideration.

After reviewing the information provided by the Commission, the Homer City Council supports their recommendation to oppose smoking of marijuana onsite but allow onsite consumption of marijuana to include the method of vaping, and submits it to the Board for consideration.

Regards,

Bryan Zak, Mayor
On behalf of the Homer City Council

Encl.
Memorandum from City of Homer Cannabis Advisory Commission



CITY OF HOMER

POLICE DEPARTMENT

4060 HEATH STREET HOMER, AK 99603-7609

EMERGENCY 911
TELEPHONE (907) 235-3150
TELECOPIER (907) 235-3151

MEMORANDUM

DATE: September 29, 2017
TO: Katie Koester, City Manager
FROM: Mark Robl, Chief of Police
SUBJECT: Vaping Cannabis

There are some significant differences between vaping cannabis and smoking it. I will keep most of my comments focused on the area of potential risks to first responders at a scene where vaping or smoking is occurring, versus the risk of either activity to users. Dabbing is another form of consumption that is essentially the same as vaping for the purposes of this memo.

Please realize there are no reliable scientific studies of vaping or dabbing to refer to. These activities have not been subject to studies due to their long time illegal status and continuing prohibition by the federal government.

Vaping involves placing raw cannabis or THC oil in a pen, plug in device or pipe of some type. (Dabbing uses similar devices but typically concentrated cannabis oil such as butane hash oil is preferred by users.) The cannabis or oil is then heated to a temperature cooler than the point of combustion and is turned into a vapor. The users don't inhale smoke, they inhale vapor instead. They also exhale water vapor. No second hand smoke is produced by vaping or dabbing. It is believed that prolonged exposure by non-users to secondhand vapor can damage the throat, eyes and nose. The vapor is relatively short lived and tends to settle in a room versus rising on air currents like smoke does. There are no known cases of people becoming high as a result of exposure to second hand vapors. Based on everything I have read and my discussions with police officers from areas where cannabis consumption has been legal for some time, I am against allowing the smoking of cannabis as a form of on-site consumption. I will not oppose allowing vaping or dabbing but I would prefer to see some firm scientific data supporting the safety of our first responders to vapors before it is allowed as a form of on-site consumption in Homer.

Policy makers should consider that vaping and especially dabbing is a way for users to get the quickest and longest lasting high. Novice users have been known to become extremely high from a few quick hits while vaping or dabbing. Allowing vaping and dabbing as a form of on-site consumption may result in some highly intoxicated users. Some users will disagree strongly with this statement but the consensus of what I've read about the subject supports it. Law enforcement in California would like to see all marijuana concentrates banned because of the problems they perceive to be associated with vaping and dabbing.



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Homer City Council

491 East Pioneer Avenue
Homer, Alaska 99603

(p) 907-235-3130

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October 9, 2017

Marijuana Control Board
Alcohol Marijuana Control Office
550 W. 7th Avenue, Suite 1600
Anchorage, AK 99501
Email: amco.regs@alaska.gov

Chair Mlynarik and Board Members,

The City of Homer Cannabis Advisory Commission reviewed the current proposed changes to the regulations of the Marijuana Control Board and submitted their recommendation regarding onsite consumption to the Homer City Council for consideration.

After reviewing the information provided by the Commission and the Homer Police Department, the Homer City Council concurs with the Homer Cannabis Commission and supports the prohibition of the onsite consumption of smoking due to the hazardous effects of second hand smoke on emergency personnel that may have to respond to an establishment. However, we also recommend prohibiting onsite vaping and dabbing based on the lack of scientific studies of the effects of secondhand vapors on first responders.

Regards,

Bryan Zak, Mayor
On behalf of the Homer City Council

Encl.

Memorandum from City of Homer Cannabis Advisory Commission

NEW BUSINESS

RESOLUTIONS

1 **CITY OF HOMER**
2 **HOMER, ALASKA**

3 City Clerk/Canvass Board

4 **RESOLUTION 17-085**

5
6 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA, ACKNOWLEDGING
7 THE RESULTS OF THE CITY OF HOMER REGULAR ELECTION HELD OCTOBER 3,
8 2017 TO DECIDE BALLOT PROPOSITION 1 “SHALL THE CITY OF HOMER, ALASKA,
9 BE AUTHORIZED TO USE THE REVENUE FROM THE THREE FOURTHS PERCENT
10 (3/4%) HOMER ACCELERATED ROADS AND TRAILS DEDICATED SALES TAX FOR
11 THE MAINTENANCE OF LOCAL ROADS AND TRAILS?” AND ELECT TWO CITY
12 COUNCILMEMBERS.

13
14 WHEREAS, In compliance with Homer City Code 4.35, the Canvass Board of the City of
15 Homer has opened, counted, and tallied the votes on absentee ballots including special needs
16 ballots, and question ballots found to be valid, that were cast in the City of Homer Regular
17 Election held on October 3, 2017; and

18
19 WHEREAS, The total number of voters voting in the City Regular Election was _____
20 and reflects the number of voters, not the number of votes cast or ballots counted; and

21
22 WHEREAS, In accordance with Homer City Code 4.35, the Canvass Board of the City of
23 Homer had inspected the precinct reports, Election Central Logs and entered the the results of
24 the absent and questioned ballots on the Certification of Election along with the results of the
25 precinct counts; and

26
27 WHEREAS, The results of the City Regular Election held October 3, 2017, attached as
28 Exhibit A, is presented in the Canvass Board’s Certificate of Election in accordance with the
29 Homer City Code.

30
31 NOW, THEREFORE, BE IT RESOLVED that the City Council hereby certifies the results of
32 the City Regular Election held October 3, 2017, as presented in the Canvass Boards Certificate
33 of Election, attached as Exhibit A, in accordance with the Homer City Code.

34
35 BE IT FURTHER RESOLVED the result of Proposition 1 are:

36 **PROPOSITION NO. 1**

37 **AUTHORIZE THE USE OF REVENUE FROM THE 0.75% OF THE EXISTING CITY**
38 **SALES TAX DEDICATED TO THE HOMER ACCELERATED ROADS AND TRAILS**
39 **(H.A.R.T.) PROGRAM TO INCLUDE MAINTENANCE OF LOCAL ROADS AND**
40 **TRAILS**

41
42 Shall the City of Homer, Alaska, be authorized to use the revenue from the three

43 fourths percent (3/4%) Homer Accelerated Roads and Trails dedicated sales tax
44 for the maintenance of local roads and trails?

45
46 _____ Yes _____ No

47
48 BE IT FURTHER RESOLVED that the following candidates are declared elected to office
49 of City Councilmember, having received at least 35% of the votes cast for a three-year term of
50 office:

51
52 COUNCILMEMBERS (TWO THREE-YEAR TERMS)

53
54 _____
55 _____

56
57 BE IT FURTHER RESOLVED that the Canvass Board's Certificate of Election (Exhibit A)
58 be attached permanently as part of this Resolution.

59
60 PASSED AND ADOPTED by the City Council of Homer, Alaska, this 9th day of October,
61 2017.

62
63
64 CITY OF HOMER

65
66
67 _____
68 BRYAN ZAK, MAYOR

69
70 ATTEST:
71
72 _____
73 MELISSA JACOBSEN, MMC, CITY CLERK

74
75 Fiscal Note: N/A

We, the Election Canvass Board, duly appointed, of the City of Homer, Alaska hereby certify that the validated absentee and validated questioned ballots were opened, counted, and recorded at a legally authorized and convened meeting of the City of Homer Canvass Board, held October 3, 2017 and that the results of that count are hereon entered with the certified results of the votes counted for the precinct polling places via Accu-Vote Ballot Tabulation System and that the total results are recorded hereon.

	31-350 Homer #1	31-360 Homer #2	Absentee/ Questioned/ Special Needs	Total Regular Votes	% of Votes
<i>CITY COUNCIL 3 Year Term</i>					Total Votes Cast 2409 ÷ 2 seats = 1204.5 x 35% = 422 votes
Sarah Vance	183	148		331	28%
Kimberly M. Ketter	13	9		22	2%
Caroline Venuti	450	326		776	64%
Anne Poso	16	15		31	3%
Rachel Lord	433	330		773	64%
Stephen M. Mueller	100	78		178	15%
Dwayne G. Nustvold, JR	108	121		229	19%
Andrew Kita	33	28		61	5%
Write In	4	4		8	00.66%
<i>Proposition 1</i>					
Yes	541	430		971	78%
No	152	128		280	22%
Registered Voters	2631	2112			

We further certify that there were 1283 Regular voters and Absentee voters, Special Needs Voters, and Questioned voters for a total of voters that voted in this election. Percentage of voter turnout is 27%. Total registered voters for the City of Homer are as of September 3, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand this 6th day of October, 2017.

Canvass Board: Jane Swain Alice Krivitsky

Staff: Renee Krause, CMC, Deputy City Clerk I Attest: Melissa Jacobsen, MMC, City Clerk

COMMENTS OF THE AUDIENCE
COMMENTS OF THE CITY ATTORNEY
COMMENTS OF THE CITY CLERK
COMMENTS OF THE CITY MANAGER
COMMENTS OF THE MAYOR
COMMENTS OF THE CITY COUNCIL
ADJOURNMENT

