

City Council

Monday, January 28, 2019

Special Meeting 4:00 p.m.
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

January-February 2019

- Monday 28th:** **City Council**
Special Meeting 4:00 p.m. Committee of the Whole 5:00 p.m. Regular Meeting 6:00 p.m.
- Monday 4th:** **New Police Station Building Open House at City Hall**
4:30 p.m. to 6:00 p.m.
- Tuesday 5th:** **Library Advisory Board**
Regular Meeting 5:30 p.m.
- Economic Development Advisory Commission**
Worksession 12:00 p.m.
- Wednesday 6th:** **Planning Commission**
Worksession 5:30 p.m. Regular Meeting 6:30 p.m.
- Monday 11th:** **City Council**
Committee of the Whole 5:00 p.m. 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. except January, April, August, November
Economic Development Advisory Commission 2nd Tuesday 6:00 p.m.
Parks Art Recreation and Culture Advisory Commission 3rd Thursday 5:30 p.m. except July, December, January
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.)

MAYOR AND CITY COUNCILMEMBERS AND TERMS

KEN CASTNER, MAYOR – 20
SHELLY ERICKSON, COUNCILMEMBER – 19
TOM STROOZAS, COUNCILMEMBER – 19
RACHEL LORD, COUNCILMEMBER – 20
CAROLINE VENUTI, COUNCILMEMBER – 20
DONNA ADERHOLD, COUNCILMEMBER – 21
HEATH SMITH, COUNCILMEMBER – 21

<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



SPECIAL MEETING
4:00 P.M. MONDAY
JANUARY 28, 2019
COWLES COUNCIL CHAMBERS

MAYOR KEN CASTNER
COUNCIL MEMBER DONNA ADERHOLD
COUNCIL MEMBER HEATH SMITH
COUNCIL MEMBER TOM STROOZAS
COUNCIL MEMBER SHELLY ERICKSON
COUNCIL MEMBER CAROLINE VENUTI
COUNCIL MEMBER RACHEL LORD
CITY ATTORNEY HOLLY WELLS
CITY MANAGER KATIE KOESTER
CITY CLERK MELISSA JACOBSEN

SPECIAL MEETING AGENDA

1. CALL TO ORDER, 4:00 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. PUBLIC COMMENT ON MATTERS ALREADY ON THE AGENDA
4. NEW BUSINESS
 - A. Memorandum 19-018, from City Clerk Re: 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 Government Unit and Attorney Client Privilege. (Griswold v. City of Homer, 3HO-14-00243CI; Griswold v. City of Homer, 3HO-15-00009CI; Griswold v. City of Homer, 3HO-15-00021; and Griswold v. Homer Planning Commission, 3HO-18-00240CI) Page 7
5. COMMENTS OF THE AUDIENCE
6. ADJOURNMENT NO LATER THAN 4:50 P.M.
Next Regular Meeting is Tuesday, February 11, 2019 at 6:00 p.m., Committee of the Whole at 5:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.



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 19-018

TO: MAYOR CASTNER AND HOMER CITY COUNCIL

FROM: MELISSA JACOBSEN, MMC, CITY CLERK

DATE: JANUARY 23, 2019

SUBJECT: 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 GOVERNMENT UNIT AND ATTORNEY CLIENT PRIVILEGE.

Pursuant to Council's Operating Manual – "Any Councilmember, the Mayor or City Manager may place consideration of an executive session on the agenda..."

City Manager Koester requested an Executive Session regarding *Griswold v. City of Homer*, 3HO-14-00243CI; *Griswold v. City of Homer*, 3HO-15-00009CI; *Griswold v. City of Homer*, 3HO-15-00021; and *Griswold v. Homer Planning Commission*, 3HO-18-00240CI for the Special Meeting of January 28, 2019. This has been publicly and internally noticed since that time.

Attorney Wells will be present and staff will participate.

RECOMMENDATION:

Approve the request for Executive Session and conduct immediately in the Conference Room.

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



COMMITTEE OF THE WHOLE
5:00 P.M. MONDAY
JANUARY 28, 2019
COWLES COUNCIL CHAMBERS

MAYOR KEN CASTNER
COUNCIL MEMBER DONNA ADERHOLD
COUNCIL MEMBER HEATH SMITH
COUNCIL MEMBER TOM STROOZAS
COUNCIL MEMBER SHELLY ERICKSON
COUNCIL MEMBER CAROLINE VENUTI
COUNCIL MEMBER RACHEL LORD
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.

Councilmember Aderhold requests telephonic participation.

2. AGENDA APPROVAL (Only those matters on the noticed agenda may be considered, pursuant to City Council's Operating Manual, pg. 6)
3. UPDATE ON THE HERC COMMUNITY CONVERSATION HELD JANUARY 22ND AND RESOLUTION 19-006, A RESOLUTION OF THE CITY COUNCIL OF HOMER, ISSUING A REQUEST FOR LETTERS OF INTEREST FOR TENANTS TO OCCUPY THE HOMER EDUCATION AND RECREATION COMPLEX (HERC 1). ADERHOLD/ERICKSON.

Page 223

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, February 11, 2019 at 6:00 p.m., Committee of the Whole at 5:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

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
JANUARY 28, 2019
COWLES COUNCIL CHAMBERS

MAYOR KEN CASTNER
COUNCIL MEMBER DONNA ADERHOLD
COUNCIL MEMBER HEATH SMITH
COUNCIL MEMBER TOM STROOZAS
COUNCIL MEMBER SHELLY ERICKSON
COUNCIL MEMBER CAROLINE VENUTI
COUNCIL MEMBER RACHEL LORD
CITY ATTORNEY HOLLY WELLS
CITY MANAGER KATIE KOESTER
CITY CLERK MELISSA JACOBSEN

REGULAR MEETING AGENDA

Special Meeting 4:00 p.m. and Committee of the Whole 5:00 p.m. in Homer City Hall Cowles Council Chambers.

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE

Councilmember Aderhold requests telephonic participation.

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
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 Regular Meeting Minutes of January 14, 2019. City Clerk. Recommend adoption.

Page 27

- B. Memorandum 19-012 from Mayor Re: Reappointment of Mark Zeiset and Steve Zimmerman to the Port and Harbor Advisory Commission. Recommend approval. Page 39
- C. Memorandum 19-013 from City Clerk Re: Liquor License Renewal for the Kannery Grill. Recommend approval. Page 49
- D. Memorandum 19-014 from Homer City Council Re: Planning Commission Review of Updates to Homer Transportation Plan. Recommend approval. Page 63
- E. Memorandum 19-015 from Mayor Appointing Councilmember Aderhold to the KPB Election Stakeholder’s Group. Recommend approval. Page 69
- F. Memorandum 19-016 from Councilmembers Smith and Erickson Re: Planning Commission Review of Regulatory Requirements for Flood Elevation on the Homer Spit. Recommend approval. Page 73
- G. Memorandum 19-017 from City Clerk Re: Vacation of a Portion of Eric Lane right-of-way West of West Hill Road as dedicated on Lillian Walli Estate Plat HM 88-16. Recommend approval. Page 75

7. VISITORS

- A. Opioid Task Force Quarterly Update (10 minutes)
 - B. Set Free Alaska, Substance Abuse Treatment (10 minutes)
8. ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/
COMMISSION/COMMITTEE REPORTS
- A. Mayor Pro Tem Report on Committee of the Whole Discussion
 - B. Councilmember Report on Worksession Discussion (when applicable)
 - C. Borough Report
 - D. Commissions/Board/Committee Reports (5 minute limit per report)

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. Americans with Disabilities Act Compliance Committee
9. PUBLIC HEARING(S)
- A. Ordinance 19-01, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2019 Capital Budget to Provide for Replacement of the Water Treatment Plant Chlorine Generation Cell by Appropriating Funds from the Water Reserve Fund in the Amount of \$23,600. City Manager/Public Works Director. Introduction January 14, 2019, Public Hearing and Second Reading January 28, 2019. Page 145
- Memorandum 19-005 from Public Works Director as backup Page 149
- B. Ordinance 19-02, An Ordinance of the City Council of Homer, Alaska, Amending the 2019 Capital Budget to Provide for Rehabilitation of the Spit Fish Grinding Lift Station by Appropriating Funds from the Harbor Reserve Fund in the Amount of \$31,275. City Manager/Harbormaster. Introduction January 14, 2019, Public Hearing and Second Reading January 28, 2019. Page 151
- Memorandum 19-006 from Public Works Director as backup Page 155
- C. Ordinance 19-03, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2019 Revolving Energy Fund to Provide for Lighting Upgrades at Six City Buildings in the Amount of \$69,175. Stroozas. Introduction January 14, 2019, Public Hearing and Second Reading January 28, 2019. Page 157
- Memorandum 19-007 from Public Works Director as backup Page 161
- D. Ordinance 19-04, An Ordinance of the City Council of Homer, Alaska, Repealing Homer City Code Chapter 2.96, Civil Defense. Mayor. Introduction January 14, 2019, Public Hearing and Second Reading January 28, 2019. Page 163

- E. Ordinance 19-05(A), An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.08.100-2.08.120 Regarding Telephonic Participation at Meetings. Erickson. Introduction January 14, 2019, Public Hearing and Second Reading January 28, 2019. Page 167

- 10. ORDINANCE(S)
 - A. Ordinance 19-06, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2019 Operating Budget to Fund Anticipated Repairs to the Seawall by Establishing Authority in the 2019 Budget for Emergency Repairs to the Seawall. City Manager. Recommended dates Introduction January 28, 2019, Second Reading and Public Hearing February 11, 2019. Page 183

 - B. Ordinance 19-07, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2019 Capital Budget by Appropriating FY2019 Community Assistance in the Amount of \$177,172.05 from the Police Station Fund to Set Free Alaska for the Purpose of Securing Matching Funds to Establish an Addiction Treatment Center in Homer. Smith/Erickson. Recommended dates Introduction January 28, 2019, Second Reading and Public Hearing February 11, 2019. Page 189

 - Letters of Support Page 195

- 11. **CITY MANAGER'S REPORT**
 - A. City Manager's Report Page 207

 - B. Bid Report Page 215

- 12. PENDING BUSINESS

- 13. NEW BUSINESS

- 14. RESOLUTIONS
 - A. Resolution 19-006, A Resolution of the City Council of Homer, Alaska, Issuing a Request for Letters of Interest for Tenants to Occupy the Homer Education and Recreation Complex (HERC 1). Aderhold/Erickson. Page 223

 - B. Resolution 19-007, A Resolution of the City Council of Homer, Alaska, Establishing a Transportation Advisory Task Force with the Expressed Purpose of Advising the Advisory Planning Commission on the Homer Area Transportation Plan. Erickson. Page 225

15. COMMENTS OF THE AUDIENCE
16. COMMENTS OF THE CITY ATTORNEY
17. COMMENTS OF THE CITY CLERK
18. COMMENTS OF THE CITY MANAGER
19. COMMENTS OF THE MAYOR
20. COMMENTS OF THE CITY COUNCIL

21. ADJOURNMENT

Next Regular Meeting is Monday, February 11, 2019 at 6:00 p.m., Committee of the Whole at 5:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

MAYORAL PROCLAMATIONS
AND RECOGNITIONS

PUBLIC COMMENTS
UPON MATTERS
ALREADY ON THE AGENDA

RECONSIDERATION

CONSENT AGENDA

Session 19-01 a Regular Meeting of the Homer City Council was called to order on January 14, 2019 at 6:00 p.m. by Mayor Ken Castner 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, LORD, SMITH, STROOZAS, VENUTI

STAFF: CITY MANAGER KOESTER
CITY CLERK JACOBSEN
HARBORMASTER HAWKINS
PUBLIC WORKS DIRECTOR MEYER

Council met for a Worksession at 4:00 p.m. and discussed the Homer Education and Recreation Complex (HERC) next steps, and as Committee of the Whole at 5:00 p.m. for a presentation of the new Police Station 35% Design, and discussion of consent agenda and regular 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 change was made: **CONSENT AGENDA Memorandum 19-003** from City Clerk, Re: Travel Authorization for Councilmembers to Attend the Alaska Municipal League/Alaska Conference of Mayors Winter Legislative Conference Held February 19-21, 2019 in Juneau, Alaska. Draft with corrected memorandum subject line.

Mayor Castner asked for a motion for the approval of the agenda as amended.

ERICKSON/VENUTI SO MOVED

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

A. Alaska Legislative Recognitions

Representative Paul Seaton presented Legislative Recognitions to Roberta Highland for her community involvement, conservation efforts, and activism working to protect our community; and to Robert Archibald for his efforts to promote and preserve recreational opportunities and appreciation of art, history, and natural surroundings of Kachemak Bay.

Mayor Castner and City Manager Koester read and presented a City of Homer Recognition to Representative Paul Seaton for his sixteen years of service on the Alaska State Legislature.

PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

Malcolm Milne, President of the North Pacific Fisheries Association, commented in support of Resolution 19-004 supporting the reappointment of Robert Ruffner to the Alaska Board of Fisheries. He noted Mr. Ruffner's qualities including his scientific background and objectivity, and he makes decisions for the fish. He's always prepared, asks appropriate questions, is approachable, and explains his point of view and backs up his decisions with factual evidence.

Matthew Alward, commented in support of Resolution 19-004. In his opinion Mr. Ruffner is the ideal board member. He comes from a scientific background, meets with everyone on all sides of the issues, does his homework, and always looks out for the fish, which is number one. He noted Mr. Ruffner would be here tonight, but he's at a Board of Fish meeting.

Tim Moore, commercial fisherman, small business owner, and city resident, commented in support of Resolution 19-004. He's participated at Board of Fish meetings with Mr. Ruffner and his real qualification is his strong interest in supporting habitat issues which is important to the sustainability to our fisheries and the people of Alaska. That's what sets him apart from others.

Steve Zimmerman, city resident, posed a question on Resolution 19-003, if it would also mean any other businesses in the state, such as people sending stuff down from Anchorage, will also be subject to collection sales tax for the Borough or is it just for the online people. He hopes the Council will have some discussion on this resolution.

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 December 10, 2018. City Clerk. Recommend adoption.
- B. **Memorandum 19-001** from Mayor Re: Appointment of Connor Schmidt to the Library Advisory Board. Recommend approval.
- C. **Memorandum 19-002** from City Clerk Re: Liquor License Renewals for the Best Western Bidarka Inn/Otter Room, Land's End, Alice's Champagne Palace, Fat Olives, and Wild Honey Bistro. Recommend approval.
- D. **Memorandum 19-003** from City Clerk, Re: Travel Authorization for Councilmembers to Attend the Alaska Municipal League/Alaska Conference of Mayors Winter Legislative Conference Held February 19-21, 2019 in Juneau, Alaska. Recommend approval.

- E. **Memorandum 19-004** from City Clerk Re: Approval of a letter from City Council to the Commissioner of AKDOT&PF Addressing Drainage Concerns in Baycrest Subdivision, Homer, Alaska. Requested by Erickson. Recommend approval.

- F. **Ordinance 19-01**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2019 Capital Budget to Provide for Replacement of the Water Treatment Plant Chlorine Generation Cell by Appropriating Funds from the Water Reserve Fund in the Amount of \$23,600. City Manager/Public Works Director. Recommended dates Introduction January 14, 2019, Public Hearing and Second Reading January 28, 2019.

Memorandum 19-005 from Public Works Director as backup

- G. **Ordinance 19-02**, An Ordinance of the City Council of Homer, Alaska, Amending the 2019 Capital Budget to Provide for Rehabilitation of the Spit Fish Grinding Lift Station by Appropriating Funds from the Harbor Reserve Fund in the Amount of \$31,275. City Manager/Harbor Master. Recommended dates Introduction January 14, 2019, Public Hearing and Second Reading January 28, 2019.

Memorandum 19-006 from Public Works Director as backup

- H. **Ordinance 19-03**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2019 Revolving Energy Fund to Provide for Lighting Upgrades at Six City Buildings in the Amount of \$69,175. Strozgas. Recommended dates Introduction January 14, 2019, Public Hearing and Second Reading January 28, 2019.

Memorandum 19-007 from Public Works Director as backup

- I. **Ordinance 19-04**, An Ordinance of the City Council of Homer, Alaska, Repealing Homer City Code Chapter 2.96, Civil Defense. Mayor. Recommended dates Introduction January 14, 2019, Public Hearing and Second Reading January 28, 2019.

- J. **Resolution 19-001**, A Resolution of the City Council of Homer, Alaska, Approving a Lease Assignment from Homer Enterprises LLC to AKSnowgrl Rentals, LLC and Authorizing the City Manager to Execute the Appropriate Documents for a new Twenty Year Lease with Options for Two Consecutive Five Year Renewals for a Portion of Lot 5, as Shown on the Subdivision Plat Entitled Homer Spit Filed as Amended Plat Number 89-34, at an Annual Rate of \$16,590.48. City Manager. Recommend adoption.

Memorandum 19-008 from Port Commission as backup

- K. **Resolution 19-002**, A Resolution of the City Council of Homer, Alaska, Approving a Lease Assignment from Lee and Kim LLC to Y&C LLC and Authorizing the City Manager to Execute the Appropriate Documents for a new Twenty Year Lease with Options for Two Consecutive Five Year Renewals for Lot 32, of the Amended Plat of the Homer Spit, According to Plat No. 89-34,

at and Initial Annual Rate of \$19,888.68. City Manager. Recommend adoption.

Memorandum 19-009 from Port Commission as backup

- L. **Resolution 19-003**, A Resolution of the City Council of Homer, Alaska, Supporting Efforts of the Alaska Municipal League (AML) to Establish a Municipal Driven, Independent Arm of AML to Conduct all Online Sales Tax Administration on Behalf of Municipalities, and Approving the Appropriate Contribution Based on the City of Homer's Annual Sales Tax Revenue. City Manager. Recommend adoption.

Memorandum 19-010 from City Manager as backup

Moved to Resolutions A. Lord

- M. **Resolution 19-004**, A Resolution of the City Council of Homer, Alaska, Supporting Robert Ruffner's Reappointment to the Alaska Board of Fisheries. Aderhold/Smith. Recommend adoption.
- N. **Resolution 19-005**, A Resolution of the City Council of Homer, Alaska, Adopting an Alternative Allocation Method for the FY19 Shared Fisheries Business Tax Program and Certifying that this Allocation Method Fairly Represents the Distribution of Significant Effects of Fisheries Business Activity in the Cook Inlet Fisheries Management Area. City Manager. Recommend adoption.

Resolution 19-003 moved to Resolutions A. Lord

Mayor Castner asked for a motion to approve the recommendation of the consent agenda.

ERICKSON/VENUTI SO MOVED

There was no discussion.

VOTE: NON OBJECTION UNANIMOUS CONSENT

Motion carried.

VISITORS

ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION/COMMITTEE REPORTS

- A. Mayor Pro Tem Report on Committee of the Whole Discussion

Mayor Pro Tem Smith reported Council met with Project Manager Pat McNary, Public Works Director Meyer, and Police Chief Robl and they presented the 35% plan for the new police station. They discussed some elements of the plan.

B. Councilmember Report on Worksession Discussion

Councilmember Aderhold reported Council discussed the recommendations of the HERC Task Force. They came to some general consensus on a way forward including resolution at the next meeting, working toward a public, private partnership. To do this the City will request letters of interest from the public and different organizations of how they might be interested in using the building as a lessee. Based on those responses they may then look for a private partner to take on the lease from the City to take on the management and direction of the building. There will be a public forum on January 22nd from 4:00 to 5:30 p.m.

C. Borough Report

D. Commissions/Board/Committee Reports (5 minute limit per report)

1. Library Advisory Board

Library Advisory Boardmember Kate Finn reported the Board met for a worksession in January where they focused on upcoming changes at the library with the retirement of Library Director Dixon. The Board did some visioning of the library's future and the kinds of qualities they'd like in the next director to bring those vision to fruition. Ms. Finn also noted there is a job posting for a Library Technology Specialist and with the appointment of the new Board member tonight they now have a full board. She also thanked the Homer Bookstore, Spenards, and the public for their Giving Tree contributions, and reported on Flipster Digital Magazines and the upcoming Big Read events at the Library.

2. Homer Advisory Planning Commission

A. Memorandum from City Planner Re: Update of Transportation Plan

Planning Commissioner Roberta Highland reported the Commission approved a conditional use permit amendment to a site plan and two preliminary plats at their last meeting. She noted their memo to council to start work on a Transportation Plan update. The Commission is working on a coastal bluff analysis, and they've provided support to the Department of Geological and Geophysical Survey for the submission of a two page project summary for FEMA's Cooperative Technical Partners Grant. This will assist the City in reviewing and making policy recommendations regarding development near Homer's coastal bluff. They are also working on a medical district, and will be reviewing their worklist on Wednesday.

Councilmember Lord commented in reference to the Transportation Plan, noting a letter Council received from AKDOT regarding the intersection at Lake and Pioneer on the driveway positioning and its relation to the current plan. She questions if some of the underlying assumptions of traffic engineering changed in the last 15 years or remained the same.

3. Economic Development Advisory Commission

Councilmember Smith reported the Commission continues their work on the Streetscapes and Wayfinding project. They also have talked about the Transportation Plan update and recognize its

importance to the economic development and flow of how things happen around here. They would like to see it move forward.

4. Parks Art Recreation and Culture Advisory Commission

Parks Art Recreation and Culture Advisory Commissioner Robert Archibald, reported the Commission had their last meeting in November. He noted they discussed the two new porta potties on the Spit Trail and additional ADA accessible porta potties will be placed at Mariner Park in the summer, the City taking over lawn maintenance at the parks, and an event to highlight the improvements at Ben Walter's Park on February 8th. More details will be forth coming on that.

He noted he spoke to Public Works Director Meyer about the re-routing of Mariner Park Lagoon outfall so hopefully the Mariner Park beach will improve itself over the rest of the winter.

5. Port and Harbor Advisory Commission

Port and Harbor Advisory Commissioner Steve Zimmerman thanked Council for introducing the ordinance on the LED light improvements, noting the cost savings that will benefit the harbor, and approving the resolutions for lease transfers for the Sport Shed and Happy Face. The Commission discussed both of the leases and support the transfers.

6. Americans with Disabilities Act Compliance Committee

Councilmember Aderhold reported at their last meeting the Committee heard presentations on the new Police Station and gave feedback on accessibility features of the project; and on the universally accessible Poopdeck Trail project. They also discussed timelines for the Transition Plan and hope to review a final draft in March.

PUBLIC HEARING(S)

- A. **Ordinance 18-52**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 4.35.020, Votes Required to be Elected, to more Clearly Define how a Plurality of Votes is Calculated in Councilmember Elections. Smith/Aderhold. Introduction December 10, 2018, Public Hearing and Second Reading January 14, 2019.

Mayor Castner opened the public hearing. There were no comments and the hearing was closed.

Mayor Castner called for a motion for the adoption of Ordinance 18-52 by reading of title only for second and final reading.

ERICKSON/VENUTI SO MOVED

There was no discussion.

VOTE: YES: VENUTI, SMITH, ADERHOLD, LORD, STROOZAS, ERICKSON

Motion carried.

ORDINANCE(S)

- A. **Ordinance 19-05**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.08.100-2.08.120 Regarding Telephonic Participation at Meetings. Erickson. Recommended dates Introduction January 14, 2019, Public Hearing and Second Reading January 28, 2019.

Mayor Castner asked for a motion for the introduction of Ordinance 19-05 by reading of title only.

ERICKSON/VENUTI SO MOVED

LORD/ADERHOLD MOVED TO AMEND AND STRIKE LINES 72 TO 74, LINE 78, AND LINE 137 THROUGH THE WORD TRAVEL.

Councilmember Lord commented this will maintain the components that clarify that there is some recourse for Council to be able to cut off telephonic participation if there is a bad connection, and will strike the language that requiring Council disclose their reason for telephonic participation.

There were comments in support of the amendment and noting other lines relevant to the amendment that could be deleted as well.

ADERHOLD/LORD MOVED TO STRIKE LINES 13 AND 14.

There was brief comment related to the motion.

VOTE (secondary amendment): NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

There was no further discussion on the amendment as amended.

VOTE (primary amendment): NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

STROOZAS/ADERHOLD MOVED TO AMEND LINE 135 TO REMOVE MAXIMUM OF TWO AND GO BACK TO THE MAXIMUM OF THREE.

Councilmember Stroozas commented that allowing three opportunities to participate telephonically has seemed to work. He doesn't feel anyone on this body has abused it and there can be consequences when a member has to miss a meeting.

Councilmember Erickson shared her concern that it's important that members be here. She also has concerns that it costs more when an IT person has to be here on overtime, it's harder when you can't see the person, and sometimes it's hard to hear the person on the phone and she doesn't feel

comfortable cutting them off. It's made the meetings longer because of the telephonic process. She wants to use telephonic as a tool, but not an easy way to be gone.

Councilmembers Aderhold and Lord both commented that they have participated telephonically, they agree that it's challenging to be the one calling in as well so it isn't something members typically do unless they have to. They both commented in support of maintaining the allowance of three.

VOTE (amendment): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Councilmember Erickson thanked everyone for the good discussion.

VOTE (main motion as amended): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

CITY MANAGER'S REPORT

A. City Manager's Report

City Manager Koester commented on two items that were not in her report. First, the Borough has requested City participation in an Election Stake Holders Group. City Clerk Jacobsen will be participating and they've requested a Councilmember participate. She encouraged anyone interested to contact her or Mayor Castner. Second, she reported on legislative updates she's received from AML and encouraged Councilmembers to reach out to her about what they'd like to officially comment on by resolution before traveling to Juneau.

City Manager Koester noted a change in the location of the Senior Officials Workshop & Crisis Leadership and Decision Making Seminar from the college to the council chambers on February 21st.

Councilmember Venuti asked about the City noticing that federal employees who are having difficulty paying their water bill due to the shutdown can contact the city about working with them on deferring payment and not being assessed late fees or shut off fees. City Manager Koester commented the City has been approached by a federal organization and will work with any customer on payment and will post something on the website.

Councilmember Aderhold commented she's willing to participate on the Election Stake Holder's Group unless someone else is interested in taking it on.

PENDING BUSINESS

NEW BUSINESS

RESOLUTIONS

- A. **Resolution 19-003**, A Resolution of the City Council of Homer, Alaska, Supporting Efforts of the Alaska Municipal League (AML) to Establish a Municipal Driven, Independent Arm of AML to Conduct all Online Sales Tax Administration on Behalf of Municipalities, and Approving the Appropriate Contribution Based on the City of Homer's Annual Sales Tax Revenue. City Manager. Recommend adoption.

Memorandum 19-010 from City Manager as backup

LORD/VENUTI MOVED TO ADOPT RESOLUTION 19-003 BY READING OF TITLE ONLY.

Councilmember Lord noted this was also on the Borough Assembly agenda and she appreciates AML's proactive step forward on this, it's something we've talked about a lot. She asked City Manager Koester if she had any feedback on question raised earlier during public comments.

City Manager Koester commented the scope of this project is broad and has to do the the Wayfair decision and how the state can collect from online retailers. She understood the comment to be related to a circumstance where the Borough would be the regulatory body regarding outside city retailers retailing goods inside city limits.

In response to a question on local representation with the AML group, City Manager Koester explained she has participated in the teleconferences and they are meeting at the AML meetings. She can look at other possibilities as the working group develops and report back.

There were further comments in support of AML moving forward looking at state online sales tax.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

COMMENTS OF THE AUDIENCE

Robert Roth commented he heard discussion on the radio that federal workers don't have to pay their water bill if they have trouble, but when other people have trouble that isn't offered. He also questioned why are they are trying to raise taxes on Amazon and other things when they are offering for people not have to pay their bills.

Debbie Speakman, Homer Chamber of Commerce Executive Director, said she's encouraged by the discussion on sales tax for online sales. She reported the Chamber is working hard on the Winter Carnival coming up on February 9th. With the current government shut down, they are hoping the 50th anniversary of the Coast Guard being here in Homer can go on as planned. She invited organizations and community members to submit their events to the Chamber. The theme this year is Coasting into Winter. She invited everyone to come celebrate and honor the Coast Guard.

Robert Archibald, Prince William RCAC representative, commented they will be holding their board meeting on January 23rd in Anchorage, and will be going to Washington DC and Juneau in March. He encouraged people to contact him if they have any questions about PWRCAC and opportunities available through the organization. He will report back after the Board meeting.

Steve Zimmerman, city resident, clarified his earlier question that he's more concerned about sales in general that come down from outside the Borough that don't get taxes charged on them. It may not fit into the AML project, but it might be something that needs to be addressed. He has a small business in town and has been caught up in some of this as he consolidates freight in Washington and they have a sales tax. People are trying to charge him 10% sales tax on things he's having delivered to a freight forwarder in Washington. It's a lot of money and if the City is giving suggestions to AML, he'd like to suggest they make sure that re-sale is addressed. They have Borough re-sale cards and it's important as it's a hassle on the vendor's side.

COMMENTS OF THE CITY ATTORNEY

City Attorney Wells was not in attendance.

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 Castner commented five weeks seemed like a long stretch without having a Council meeting. He has an upcoming speaking engagement with the Kachemak Board of Realtors on Wednesday. He thanked everyone for a very nice meeting.

COMMENTS OF THE CITY COUNCIL

Councilmember Stroozas commented he is unable to attend the AML Winter Conference as noted in Memo 19-003. He also commented that Saturday, January 26th from 5:30 to 8:00 p.m., Kachemak Bay Masonic Club is hosting the 4th Annual Spaghetti Feed at the Elks Lodge to benefit Hospice of Homer. Its \$10 in advance \$15 at the door and there will be a silent auction.

Councilmember Aderhold commented she attended Lunch with a Councilmember today. Assembly member Willy Dunn was there as well along with 2 members of the public and they had good conversation about the HEA power line arc fire and City response, Ordinance 19-05, and moving forward with HERC and its benefit to the community. She thanked KPEDD for holding the Industry Outlook Forum in Homer and also the businesses that presented, it was great information and she wished more people had attended. Councilmember Aderhold also congratulated Nita Reardon, a Homer resident who received a 2019 Governor's Arts and Humanities Award for Arts Education. It's a privilege to get to live in a community of people who are so interested in sharing their cultural knowledge through art.

Councilmember Erickson commented she recently worked with Port and Harbor staff on EMT and First Aid type training and our Port employees are really impressive. Not only was it a lot of fun but it's great to know we have such qualified people at the end of the spit. It was great getting to know the staff and

see what they do. She enjoyed the Industry Outlook Forum, it was informative looking at what's going on within our state, and great to watch the next generation taking hold of their own businesses and moving Homer forward in some really exciting ways. She shared how much she appreciates what people are bringing to our community, it's an exciting time to be living and being a part of what's going on.

Councilmember Lord thanked KPEDD for the Industry Outlook Forum, it was fun, interesting, and diverse. Next weekend the Alaska Peony Grower Association Winter Conference will be in Homer at Land's End. There will be some pre and post events, she'll be teaching a floral design class, and there will be Lean Farming Management workshop. Council got to see the 35% design of the Police Station tonight and she encouraged the public to take a look at the information and reach to Council or staff with questions or comments. Councilmember Lord commented about her grandmother having a severe stroke over a year ago and passing away recently and the significance of the family caregiving effort. The Big Read book this year, *Can't We Talk About Something more Pleasant?*, is directly related and is an amazing read. The events the Friends of the Library have planned over the next two months addressing these topic are really amazing. She's realizing how common it is for people in our society to be caring for family members at home and appreciates this subject.

Councilmember Smith commented the KPEDD Industry Outlook Forum was enjoyable and also wished they'd had better attendance. He thanked Representative Seaton for his years of service to the community and for the recognitions for Roberta Highland and Robert Archibald. He congratulated Chris Perk for being elected into the Alaska State Sports Hall of Fame. Councilmember Smith also recognized people in Anchorage who were impacted by the recent earthquake. In talking with co-workers who live up there, there are people who have been severely traumatized by the experience and whose homes are no longer safe to live in. These are things we didn't see here, but that may not be the case next time. He gave a shout of support to those impacted by the earthquake encouraged that we need to be prepared to come together when things like this happen.

Councilmember Venuti commented she's happy for the recognitions of Roberta Highland, Robert Archibald, and Representative Seaton. She also commented about the Big Read and that there is so much to do here in the winter. She thanked the people who come to the meetings and those who comment, she appreciates them.

ADJOURN

There being no further business to come before the Council Mayor Castner adjourned the meeting at 7:35 pm. The next Regular Meeting is Monday, January 28, 2019 at 6:00 p.m., Committee of the Whole at 5:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

Melissa Jacobsen, MMC, City Clerk

Approved: _____



City of Homer

www.cityofhomer-ak.gov

Office of the Mayor

491 East Pioneer Avenue
Homer, Alaska 99603

mayor@ci.homer.ak.us

(p) 907-235-3130

(f) 907-235-3143

Memorandum 19-012

TO: HOMER CITY COUNCIL
FROM: KEN CASTNER, MAYOR
DATE: JANUARY 22, 2019
SUBJECT: REAPPOINTMENT OF MARK ZEISET AND STEVE ZIMMERMAN TO THE PORT & HARBOR ADVISORY COMMISSION

Mark Zeiset and Steve Zimmerman are reappointed to the Port & Harbor Advisory Commission. Their terms will expire February 1, 2022.

RECOMMENDATION:

Confirm the reappointment of Mark Zeiset and Steve Zimmerman to the Port & Harbor Advisory Commission.



Advisory Body Application For Reappointment to Committees, Commissions, Board & Task Forces

Office of the City Clerk

491 East Pioneer Avenue

Homer, Alaska 99603

Phone: (907) 235-3130

Fax: (907) 235-3143

clerk@cityofhomer-ak.gov

The information provided on this form will provide the basic information to the Mayor and City Council on your interest in serving on the selected Advisory Body. It is considered public and will be included in the City Council meeting packet. This information will be published in the City Directory and within city web pages if you are reappointed by the Mayor and your reappointment is confirmed by the City Council.

APPLICANT INFORMATION

Full Name: Mark A Zeiset Jr

Physical Address Where you Claim Residency: 4646 South Slope Dr Homer

Mailing Address: PO Box 2145 City: Homer State: AK Zip: 99603

Phone: _____ Email: mark@southcentralradar.com

Cell#: 351-1610 Work #: 235-8008

ADVISORY BODY YOU ARE REQUESTING REAPPOINTMENT TO:

- ADVISORY PLANNING COMMISSION
- PARKS, ART, RECREATION & CULTURE ADVISORY COMMISSION
- PORT & HARBOR ADVISORY COMMISSION
- ECONOMIC DEVELOPMENT ADVISORY COMMISSION
- LIBRARY ADVISORY BOARD
- OTHER - PLEASE INDICATE _____

CITY OF HOMER PUBLIC OFFICIAL CONFLICT OF INTEREST DISCLOSURE STATEMENT

Do you have a current Public Official Conflict of Interest Disclosure Statement on file with the City Clerk as required by HCC 1.18.043? Yes No

PLEASE PROVIDE THE FOLLOWING

Do you fill a seat for a City Resident or Non Resident

Has your residency changed since your last appointment? Yes No

PLEASE PROVIDE THE FOLLOWING

How long have you served on the advisory body?

Three years

Please briefly explain why you wish to be reappointed to the Advisory Body to which you currently serve. This may include information on accomplishments or projects completed, future goals for the body, or any additional information that may assist the Mayor in the decision making process. (You may attach an additional page if needed)

See attached page.

Please list any current memberships or organizations that you belong to related to the advisory body you serve on:

President of The Homer Marine Trades Assoc.

I would like to be reappointed to the Port and Harbor Advisory Body. I feel that I have great input on Port and Harbor issues. I am a business owner and Marine Tradesman that is in the Harbor daily. Also my business is on Port and Harbor leased property. I feel that I have a good insight to the daily happenings in the harbor and I have a personal interest in seeing the Port and Harbor as well as the City of Homer be successful. I love that our Port and Harbor is one of the nicer ones in the state and I want to see our harbor continue to grow and be the best it can be.

Thanks for your consideration

Mark Zeiset



Advisory Body Application For Reappointment to Committees, Commissions, Board & Task Forces

JAN 18 2019 PM 04:19 RT
Office of the City Clerk
491 East Pioneer Avenue
Homer, Alaska 99603
Phone: (907) 235-3130
Fax: (907) 235-3143
clerk@cityofhomer-ak.gov

The information provided on this form will provide the basic information to the Mayor and City Council on your interest in serving on the selected Advisory Body. It is considered public and will be included in the City Council meeting packet. This information will be published in the City Directory and within city web pages if you are reappointed by the Mayor and your reappointment is confirmed by the City Council.

APPLICANT INFORMATION

Full Name: Steven K. Zimmerman

Physical Address Where you Claim Residency: 925 Jeffrey Ave

Mailing Address: PO Box 1291 City: Homer State: AK Zip: 99603

Phone: _____ Email: SKZimm@gmail.com

Cell#: 907 399 3003 Work #: 907 226 3003

ADVISORY BODY YOU ARE REQUESTING REAPPOINTMENT TO:

- ADVISORY PLANNING COMMISSION
- PARKS, ART, RECREATION & CULTURE ADVISORY COMMISSION
- PORT & HARBOR ADVISORY COMMISSION
- ECONOMIC DEVELOPMENT ADVISORY COMMISSION
- LIBRARY ADVISORY BOARD
- OTHER - PLEASE INDICATE _____

CITY OF HOMER PUBLIC OFFICIAL CONFLICT OF INTEREST DISCLOSURE STATEMENT

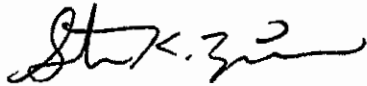
Do you have a current Public Official Conflict of Interest Disclosure Statement on file with the City Clerk as required by HCC 1.18.043? Yes No

PLEASE PROVIDE THE FOLLOWING

Do you fill a seat for a City Resident or Non Resident
Has your residency changed since your last appointment? Yes No

I would like to remain on the Port and Harbor Commission to help make decisions to keep the port economically viable yet fair and affordable for all users. Having worked around the Harbor for over 40 years, as a fisherman and marine services business owner, I feel I have some insight to help and advise on keeping the port and harbor on an even keel. In my time on the commission I have brought forward some proposals that have worked and some that have been shot down. Over all I feel I have been a positive asset to the commission and look forward to working for the betterment of port and harbor in the future.

Thank you for your consideration,

A handwritten signature in black ink, appearing to read "Steven Zimmerman". The signature is fluid and cursive, with a prominent initial "S" and a long, sweeping underline.

Steven Zimmerman



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 19-013

TO: MAYOR CASTNER AND HOMER CITY COUNCIL

FROM: MELISSA JACOBSEN, MMC, CITY CLERK

DATE: JANUARY 23, 2019

SUBJECT: LIQUOR LICENSE RENEWAL KANNERY GRILL

We have been notified by the Alcohol Marijuana Control Office of liquor license renewals in the City of Homer for the following:

Lic. #	Doing Business As	License Type	Licensee	Premises Address
5546	Kannery Grill	Beverage Dispensary/Tourism Seasonal	Ocean Shores Inc.	451 Sterling Hwy

RECOMMENDATION: Voice non objection and approval for the liquor license renewals.

Fiscal Note: Revenues.



CITY OF HOMER

POLICE DEPARTMENT

4060 HEATH STREET HOMER, AK 99603-7609

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

MEMORANDUM

DATE: January 23, 2019
TO: Renee Krause, Deputy City Clerk I
FROM: Mark Robl, Chief of Police
SUBJECT: Liquor License Renewal

The Homer Police Department has no objection to the liquor license amendment for the following business:

License Type: Beverage Dispensary/Tourism-Seasonal
License #: 5546
DBA Name: Kannery Grill
Service Location: 451 Sterling Hwy, City of Homer
Licensee: Ocean Shores Inc.
Contact Person: Michael J. Warburton (299-1400)



Office of the Borough Clerk

144 North Binkley Street, Soldotna, Alaska 99669 • (907) 714-2160 • (907) 714-2388 Fax

Johni Blankenship, MMC
Borough Clerk

1/18/2019

Ms. Melissa Jacobsen
City of Homer Clerk
Homer City Hall
491 E Pioneer Ave.
Homer, AK 99603

RE: Non-Objection of Application

Licensee/Applicant	:	Ocean Shores Inc.
Business Name	:	Kannery Grill
License Type	:	Beverage Dispensary/Tourism-Duplicate
License Location	:	451 Sterling Hwy, City of Homer
License No.	:	5546
Application Type	:	License Renewal

Dear Ms. Jacobsen,

This serves to advise that the Kenai Peninsula Borough has reviewed the above referenced application and has no objection.

Should you have any questions, or need additional information, please do not hesitate to let us know.

Sincerely,

Johni Blankenship, MMC
Borough Clerk

JB/TS

Encl.

cc: mjwarburton77@gmail.com; clerk@ci.homer.ak.us; DHenry@kpb.us;
JRodgers@kpb.us



January 18, 2019

City of Homer

Attn: City Clerk

Via Email: clerk@cityofhomer-ak.gov

Cc: joanne@borough.kenai.ak.us

jblankenship@borough.kenai.ak.us

tshassetz@kpb.us

Re: Notice of 2019/2020 Liquor License Renewal Application

License Type:	Beverage Dispensary – Tourism Seasonal	License Number:	5546
Licensee:	Ocean Shores Inc.		
Doing Business As:	Kannery Grill		

We have received a completed renewal application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under AS 04.11.480.

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable.

To protest the application referenced above, please submit your written protest within 60 days, and show proof of service upon the applicant and proof that the applicant has had a reasonable opportunity to defend the application before a meeting of the local governing body.

Sincerely,

Erika McConnell, Director

amco.localgovernmentonly@alaska.gov



Alaska Alcoholic Beverage Control Board

Master Checklist: Renewal Liquor License Application

Doing Business As:	Kannery Grill	License Number:	5546
License Type:	Beverage Dispensary - Tourism Seasonal		
Examiner:	John	Transaction #:	996504

Document	Received	Completed	Notes
AB-17: Renewal Application	12/18/18	1/8/19	
App and License Fees	12/18/18	12/18/18	

Supplemental Document	Received	Completed	Notes
Tourism/Rec Site Statement	12/18/18	1/8/19	
AB-25: Supplier Cert (WS)			
AB-29: Waiver of Operation			
AB-30: Minimum Operation			
AB-33: Restaurant Affidavit			
COI / COC / 5 Star			
FP Cards & Fees / AB-08a			
Late Fee			

Names on FP Cards:	
--------------------	--

	Yes	No
Selling alcohol in response to written order (package stores)?	<input type="checkbox"/>	<input type="checkbox"/>
Mailing address and contact information different than in database (if yes, update database)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
In "Good Standing" with CBPL (skip this and next question for sole proprietor)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Officers and stockholders match CBPL and database (if "No", determine if transfer necessary)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

LGB 1 Response:

Waive Protest Lapsed

LGB 2 Response:

Waive Protest Lapsed



Alaska Alcoholic Beverage Control Board
Beverage Dispensary – Tourism License
Form AB-17d: 2019/2020 Renewal License Application

What is this form?

This renewal license application form is required for all individuals or entities seeking to apply for renewal of an existing beverage dispensary – tourism liquor license that will expire on December 31, 2018. All fields of this form must be complete and correct, or the application will be returned to you in the manner in which it was received, per AS 04.11.270 and 3 AAC 304.105. The Community Council field only should be verified/completed by licensees whose establishments are located within the Municipality of Anchorage or outside of city limits within the Matanuska-Susitna Borough.

This form must be completed correctly and submitted to the Alcohol & Marijuana Control Office (AMCO)'s main office, along with all other required documents and fees, before any renewal license application will be considered complete. Receipt and/or processing of renewal payments by AMCO staff neither indicates nor guarantees that an application will be considered complete, or that a license will be renewed.

Section 1 – Establishment and Contact Information

Enter information for the business seeking to have its license renewed. If any populated information is incorrect, please contact AMCO.

Licensee:	Ocean Shores Inc.	License #:	5546
License Type:	Beverage Dispensary - Tourism Seasonal	Statute:	AS 04.11.400(d)
Doing Business As:	Kannery Grill		
Premises Address:	451 Sterling Hwy		
Local Governing Body:	City of Homer (Kenai Peninsula Borough)		
Community Council:	Homer City Council		

Mailing Address:	3500 Crittenden Dr.		
City:	Homer	State:	AK
ZIP:	99603		

Enter information for the individual who will be designated as the primary point of contact regarding this application. This individual must be a licensee who is required to be listed in and authorized to sign this application.

Contact Licensee:	Michael J Warburton	Contact Phone:	907-299-1400
Contact Email:	mjwarburton77@gmail.com		

Optional: If you wish for AMCO staff to communicate with individual who is not a licensee named on this form (eg: legal counsel) about this application and other matters pertaining to the license, please provide that person's contact information in the fields below.

Name of Contact:		Contact Phone:	
Contact Email:			





Form AB-17d: 2019/2020 Tourism Renewal License Application

Section 2 – Entity or Community Ownership Information

This top subsection must be completed by any licensee that is a corporation or LLC. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations, Business & Professional Licensing (CBPL). This number is neither your EIN/tax ID number, nor your business license number. You may view your entity's status or find your CBPL entity number by visiting the following site: https://www.commerce.alaska.gov/cbp/main/search/entities

General partnerships and local governments should skip to the second half of this page. Licensees who directly hold a license as an individual or individuals should skip to Section 3.

Alaska CBPL Entity #: 76190D

You must ensure that you are able to certify the following statement before signing your initials in the box to the right: Initials

I certify that this entity is in good standing with CBPL and that all current entity officials and stakeholders (listed below) are also currently and accurately listed with CBPL.

[Handwritten initials]

This subsection must be completed by any community or entity, including a corporation, limited liability company, partnership, or limited partnership, that is applying for renewal. If more space is needed, please attach additional completed copies of this page.

- If the applicant is a corporation, the following information must be completed for each stockholder who owns 10% or more of the stock in the corporation, and for each president, vice-president, secretary, and managing officer.
• If the applicant is a limited liability organization, the following information must be completed for each member with an ownership interest of 10% or more, and for each manager.
• If the applicant is a partnership, including a limited partnership, the following information must be completed for each partner with an interest of 10% or more, and for each general partner.

Important Note: The information provided in the below fields (including spelling of names, specific titles, and percentages held) must match that which is listed with CBPL. If one individual holds multiple titles mentioned in the bullets above, all titles must be listed for that individual on this application and with CBPL. Failure to list all required titles constitutes an incomplete application.

Name of Official: Michael J Warburton
Title(s): Pres, Dir, Treas, VP, Sec, mgr
Phone: 907-294-1400
% Owned: 100
Mailing Address: 3500 Crittendon Dr
City: Homer State: AK ZIP: 99603

Name of Official:
Title(s):
Phone:
% Owned:
Mailing Address:
City:
State:
ZIP:

Name of Official:
Title(s):
Phone:
% Owned:
Mailing Address:
City:
State:
ZIP:



Form AB-17d: 2019/2020 Tourism Renewal License Application

Section 3 – Sole Proprietor Ownership Information

This section must be completed by any licensee who directly holds the license as an **individual or multiple individuals** and is applying for license renewal. If more space is needed, please attach a separate sheet that includes all of the required information. Entities should skip to Section 4. The following information must be completed for each licensee and each affiliate (spouse).

This individual is an: applicant affiliate (spouse)

Name:				Contact Phone:		
Mailing Address:						
City:		State:		ZIP:		
Email:						

This individual is an: applicant affiliate (spouse)

Name:				Contact Phone:		
Mailing Address:						
City:		State:		ZIP:		
Email:						

Section 4 – Alcohol Server Education

Read the line below, and then sign your initials in the box to the right of the statement:

Initials

I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check identification of a patron have completed an alcohol server education course approved by the ABC Board and keep current, valid copies of their course completion cards on the licensed premises during all working hours, as set forth in AS 04.21.025 and 3 AAC 304.465.

Section 5 – License Operation

Check a single box for each calendar year that best describes how this liquor license was operated:

2017 2018

The license was regularly operated continuously throughout each year.

The license was regularly operated during a specific season each year.

The license was only operated to meet the minimum requirement of 240 total hours each calendar year.

If this box is checked, a complete copy of Form AB-30: Proof of Minimum Operation Checklist, and all necessary documentation must be provided with this application.

The license was not operated at all or was not operated for at least the minimum requirement of 240 total hours each year, during one or both of the calendar years.

If this box is checked, a complete copy of Form AB-29: Waiver of Operation Application and corresponding fees must be submitted with this application for each calendar year during which the license was not operated for at least the minimum requirement, unless a complete copy of the form (including fees) has already been submitted for that year.



Form AB-17d: 2019/2020 Tourism Renewal License Application

Section 6 – Violations and Convictions

Applicant violations and convictions in calendar years 2017 and 2018:

	Yes	No
Have any notices of violation (NOVs) been issued to this licensee in the calendar years 2017 or 2018?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Has any person or entity named in this application been convicted of a violation of Title 04, of 3 AAC 304, or a local ordinance adopted under AS 04.21.010 in the calendar years 2017 or 2018?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If "Yes" to either of the previous two questions, attach a separate page to this application listing all NOVs and/or convictions.

Section 7 – Certifications

Read each line below, and then sign your initials in the box to the right of each statement: Initials

I certify that all current licensees (as defined in AS 04.11.260) and affiliates have been listed on this application, and that in accordance with AS 04.11.450, no one other than the licensee(s) has a direct or indirect financial interest in the licensed business.

I certify that I have not altered the functional floor plan or reduced or expanded the area of the licensed premises, and I have not changed the business name or the ownership (including officers, managers, general partners, or stakeholders) from what is currently approved and on file with the Alcoholic Beverage Control (ABC) Board.

I certify on behalf of myself or of the organized entity that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued.

I am submitting as part of this application a written statement that meets the attached Tourism Statement Guidelines, for review by the Alcoholic Beverage Control Board.

As an applicant for a liquor license renewal, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 304, and that this application, including all accompanying schedules and statements, is true, correct, and complete. I agree to provide all information required by the Alcoholic Beverage Control Board or AMCO staff in support of this application and understand that failure to do so by any deadline given to me by AMCO staff will result in this application being returned to me as incomplete.

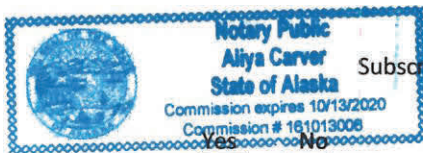
Michael Warburton
Signature of licensee

Aliya Carver
Signature of Notary Public

Michael Warburton
Printed name of licensee

Notary Public in and for the State of Alaska

My commission expires: 10-13-2020



Subscribed and sworn to before me this 18 day of December, 2018.

Seasonal License?

If "Yes", write your six-month operating period: May 1 → Sept 30

License Fee:	\$ 1250.00	Application Fee:	\$ 300.00	TOTAL:	\$ 1550.00
Miscellaneous Fees:					
GRAND TOTAL (if different than TOTAL):					

Tourism Statement

Ocean Shores Inc.

1. The Ocean Shores advertises in State, Borough and Homer travel planners. We also do abundant marketing on the Internet through both non paid links and paid appearances on travel sites (Booking.com, Travelocity, Tripadvisor, etc). Our website has links to many other tourism businesses such as the Alaska Railroad, Ravn Air, Alaska State Ferry, local art galleries etc. Our front desk employees assist guests with fishing charters, sea kayaking, bear viewing, restaurant selection etc.
2. The Ocean Shores has 38 overnight hotel rooms all of which are equipped with microwaves and refrigerators. 4 of the rooms are full kitchenettes with 4 burner stove/oven combinations and cooking and eating utensils.
3. Our full service restaurant opened in June 2016 with a seating capacity for 75 to 100 guests.

Michael J Warburton, Owner and President

 December 10, 2018

AMCO
DEC 18 2018

2018 Tourism Statement
Ocean Shores, Inc.

1. Explain how the issuance of a liquor license at your establishment has/will encourage tourism.

The central focus of the business plan for the Ocean Shores involves catering to out of town tourists, local, and regional guests. The licensee will continue to run advertising on the internet with both non paid links and paid appearances on travel sites (Booking.com, Travelocity, Tripadvisor, etc.). The hotel has and continues to develop relationships with the Alaska railroad, and Ravn Air, Alaska State Ferry and the local art galleries to enhance, cater to, and expand tourism opportunities.

2. Explain how the facility was/will be constructed or improved in accordance with this application.

This facility is located at 451 Sterling Hwy in Homer. The hotel has microwave ovens and mini refrigerators in every guest room. As such it is ideal for travelers who want an overnight stay in a beautiful location conveniently located between regular tourist destinations such as Valdez, Talkeetna, Anchorage and Denali.

3. Who operates the facility for which a liquor license is being applied?

Ocean Shores, Inc. operates the liquor license. Mr. Michael Warburton is the President of the entity.

4. Do you offer room rentals to the traveling public? Yes.

5. If so, how many of these rooms are available? Do any of the rental rooms have kitchen facilities (defined as: a separate sink for food preparation along with refrigeration and cooking appliance devices, including a microwave)? If yes, how many of the rental rooms have kitchen facilities that meet this definition? Do you stock alcoholic beverages in guest rooms?

There are 38 rooms for rent at the hotel. The hotel rooms are equipped with microwaves and mini refrigerators. Four of the rooms are equipped with full kitchen facilities. No we do not stock alcoholic beverages in the room rentals.



AMCO
DEC 18 2018

6. Does your establishment include a dining facility?

Yes. The Ocean Shores has a fine dining restaurant. The name of the restaurant is The Kannery Grill. The facility serves lunch and dinner daily.

7. Are additional amenities available to your guests through your establishment (eg: guided tours or trips, rental equipment for guests, other activities that attract tourists)?

Yes, the Ocean Shores provides tourist type amenities to its guests such as sea kayaking, fishing charters, bear viewing, and restaurant selection. The resort is ideal for travelers who want an overnight stay in a beautiful beachfront setting. Ocean Shores will continue to operate the facility as a tourist facility. In short, all of those things, which are routinely done by hotels in Alaska to encourage tourism, will continue to be done by the operators of the Ocean Shores.

Michael Warburton

Addendum Ocean Shores Tourism Statement

Having a liquor license at the Ocean Shoes Resort should increase the hotel occupancy as much as 10% (statistics show a total of 18% for restaurant and bar).

We bought the adjacent RV park last year and it will also see a growth because of the restaurant and bar.

Now that we are a full service resort we will become a destination and attract even more visitors to the Homer area.

The Kannery Bar, using this license, is operated by Michael J Warburton who is President, Secretary and Treasurer of Ocean Shores Inc. He also is holder of 100% of the corporation.

Michael Warburton

Michael J Warburton 1/8/19



Details

ENTITY DETAILS

Name(s)

Type	Name
Legal Name	THE OCEAN SHORES, INC.

Entity Type: Business Corporation

Entity #: 76190D

Status: Good Standing

AK Formed Date: 4/15/2002

Duration/Expiration: Perpetual

Home State: ALASKA

Next Biennial Report Due: 1/2/2020

Entity Mailing Address: 3500 CRITTENDEN DR, HOMER, AK 99603

Entity Physical Address: 3500 CRITTENDEN DR, HOMER, AK 99603

Registered Agent

Agent Name: ROBERT REIMAN

Registered Mailing Address: 3500 CRITTENDEN DR, HOMER, AK 99603

Registered Physical Address: 3500 CRITTENDEN DR, HOMER, AK 99603

Officials

Show Former

AK Entity #	Name	Titles	Owned
	Mike Warburton	Director, President, Shareholder, Secretary, Treasurer, Vice President	100

Filed Documents

Date Filed	Type	Filing	Certificate
4/15/2002	Creation Filing	Click to View	
7/12/2004	Biennial Report	Click to View	
2/06/2007	Biennial Report	Click to View	



Memorandum 19-014

TO: HOMER ADVISORY PLANNING COMMISSION
FROM: HOMER CITY COUNCIL
DATE: JANUARY 28, 2019
SUBJECT: PLANNING COMMISSION REVIEW OF UPDATES TO HOMER TRANSPORTATION PLAN

The purpose of this memo is to authorize the Homer Advisory Planning Commission to spend up to \$5,000 in consulting/engineering services for developing a scope of work and eventual request for proposal for updates to the Homer Transportation Plan.

The Planning Commission reported at the January 14th City Council meeting that they would like access to some of the scoping funds approved in the FY2019 City of Homer Budget to explore different scenarios related to the level of the update including cost estimates. These funds would be used to assess recommended updates and will take into consideration variables such as:

- How transportation planning engineering has changed since the adoption of the plan and how that might influence the plan
- In what ways the plan has outlived its usefulness
- Ability to partner with ADOT and/or KPB with plan updates

The requested funds will be used to present Council with different scenarios that vary on level of effort and cost for a full update of the plan. Every effort will be made to minimize costs associated with this work. Engineering and consulting services will be provided by one of the two firms that has the City of Homer term contract for transportation engineering, Kenny Engineering or HDL Engineering.

Enc:
Planning Memo dated January 4, 2019
Budget amendment for scoping



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

MEMORANDUM

TO: MAYOR CASTNER AND HOMER CITY COUNCIL
THROUGH: KATIE KOESTER, CITY MANAGER
FROM: RICK ABBOUD, CITY PLANNER
DATE: JANUARY 4, 2019
SUBJECT: UPDATE OF TRANSPORTATION PLAN

The Planning Commission spoke to Mayor Castner about their desire to update the 2005 Homer Area Transportation Plan and added the item to their worklist. Mayor Castner proposed and received approval for funding of scoping activities that could further efforts to update the plan.

The Planning Commission has found that the plan has outlived most of its usefulness. Estimates of population used for the plan have not been accurate and some of the recommendations of the plan have lost support. They would also like to have the plan make more pointed recommendations regarding the usefulness of setbacks on specific streets found in the Central Business District. An updated classification of streets would also be useful for future Right-of-way design.

The undertaking of updating the plan will require an understanding of the costs associated with the levels of work that may be proposed. Initially, the scoping funds might be used to work up cost estimates for likely scenarios. After a recommendation is made about the extent of the plan, funds will needs to be identified to support the update efforts.

Scoping can incorporate funding sources and other opportunities. Our scoping efforts will have to consider the ability to partner with AKDOT. The AKDOT intersection study is of the same time frame and could benefit from updated data and a joint effort to recognize future transportation needs. Funding for the document (a component of the comprehensive plan) may also be available from the borough. In consideration of the likely costs, several methods of funding may have to be considered including accumulation and appropriation of future planning reserves. We may want to plan around the results of the 2020 census and work on funding until the data is available.

I suggest that we utilize funds to scope the costs of the project and develop a timeframe that will be most beneficial for project development and funding.



City of Homer

www.cityofhomer-ak.gov

Office of the Mayor

491 East Pioneer Avenue
Homer, Alaska 99603

mayor@ci.homer.ak.us

(p) 907-235-3130

(f) 907-235-3143

Memorandum

TO: HOMER CITY COUNCIL
FROM: KEN CASTNER
DATE: NOVEMBER 20, 2018
SUBJECT: BUDGET AMENDMENT

Since my election, I have met with each of the Boards and Commissions. The following are requests I received that will require a policy determination from the Council and some supported funding. There will be a small fiscal note for 2019, but, depending on the Council's will (which may be a topic for the "retreat" that has been discussed) the resulting expense for outside expertise would be far greater in the year or two ahead.

I am requesting \$18,000 for the following planning/scoping studies, conducted primarily in-house, to be included in the 2019 budget. The areas of study are:

1. An updated Transportation Plan;
2. An updated policy directive on signage;
3. An Updated Climate Action Plan;
4. A Port Services Plan;
5. An examination of the trade-offs in modeling a plan for private participation for projects that involve City-owned land or City-owned structures; and
6. A general policy concerning the repurposing of City-owned Structures.

**City of Homer
2018 Capital Budget**

2019 Proposed Budget Amendment Form

Fund Name: General Fund

Project Name: Preliminary Planning and Scoping Studies

Account #	Account name	Page #	Increase	Decrease	
100-0100-5990	Transfers to Reserves (Fire Fleet)	49		\$18,000	
100-0100-5210	Professional Services	49	\$18,000		

Rationale:

The \$18,000 would assist in preliminary work with boards, commissions, and staff to flush out some or all of the following planning/scoping in order to be able to fully understand the time, need, resources required and priority level of moving forward with updates or preparations of complete plans/policies.

- An updated Transportation Plan;
- An updated policy directive on signage;
- An Updated Climate Action Plan;
- A Port Services Plan;
- An examination of the trade-offs in modeling a plan for private participation for projects that involve City-owned land or City-owned structures; and
- A general policy concerning the repurposing of City-owned Structures.

Direction by Council, either by memo or resolution, will be required to authorize the expenditure of funds for specific scoping projects.

Requested By:
Mayor

Prepared By:
Mayor



City of Homer

www.cityofhomer-ak.gov

Office of the Mayor

491 East Pioneer Avenue
Homer, Alaska 99603

mayor@ci.homer.ak.us

(p) 907-235-3130

(f) 907-235-3143

Memorandum 19-015

TO: HOMER CITY COUNCIL
FROM: KEN CASTNER, MAYOR
DATE: JANUARY 22, 2019
SUBJECT: APPOINTMENT OF COUNCIL MEMBER ADERHOLD TO THE KENAI PENINSULA
BOROUGH ELECTION STAKEHOLDER'S GROUP

Councilmember Donna Aderhold is appointed to the Kenai Peninsula Borough Election Stakeholder's Group.

RECOMMENDATION:

Confirm the appointment of Councilmember Aderhold to the Kenai Peninsula Borough Election Stakeholder's Group

Published on *City of Homer Alaska Official Website* (<https://www.cityofhomer-ak.gov>)

[Home](#) > [Application for Appointment to an Advisory Body](#) > [Webform results](#) > Application for Appointment to an Advisory Body

Submission information

Form: [Application for Appointment to an Advisory Body](#) [1]

Submitted by Visitor (not verified)

Tue, 01/15/2019 - 6:07pm

172.16.64.19

Applicant Information

Name of Organization

Donna Aderhold

Physical Address

353 Grubstake Ave, Homer

Mailing Address

353 Grubstake Ave, Homer

Email

DonnaAderhold@ci.homer.ak.us

Phone

907-244-4388

Please select the bodies you are interested in serving on

Advisory Bodies

Other: Please indicate

Other - Please Describe

KPB Election Stakeholders Group

I have been a resident of the city for

10 years

I have been a resident of the area for

10 years

Special Training & Education

Please list any special training, education or background you may have which is related to your choice of advisory body

My recent training in meeting facilitation through the Alaska Humanities Forum is directly related to working with diverse groups to discuss difficult topics and develop common ground for decision-making.

Prior Service

Have you ever served on a similar advisory body? If so please list when, where and how long:

I am currently a elected to the Homer City Council. One of the seats on the stakeholders group is intended to be an elected official of Homer.

I also currently serve on the city of Homer's ADA Compliance Committee with is tasked with developing a transition plan to make city facilities are compliant with ADA requirements and are accessible to all. This is directly related to the stakeholders group because the group is being formed to address an ADA accessibility issue related to the ability of one person to independently cast a ballot.

Why are you interested?

Please briefly state why you are interested in serving on the advisory body selected

Through my participation on the ADA Compliance Committee, I have developed a depth of knowledge, understanding, and empathy related to the need for government facilities to be accessible to all and the barriers to access that exist to individuals who experience disabilities. I also believe that voting is a basic right of US citizenship and every eligible voter should have equal access to independent voting. The stakeholders group is a great opportunity for the borough to evaluate current voting access and practices and make improvements well into the future. I look forward to being part of this process.

Other memberships

Do you currently belong to any organizations specifically related to the area of the advisory body you selected?

My roles as a community council member for the Kachemak Bay National Estuarine Research Reserve, board member of the Kachemak Heritage Land Trust, and Alaska Salmon Fellow are relevant in that each involves working with a diverse group of stakeholders to evaluate problems and develop solutions.

Additional related information

Please include any additional information that may assist the Mayor in his/her decision making:

Finish

When you have completed this application please review all the information and hit the submit button. Thank you for applying!

Source URL: <https://www.cityofhomer-ak.gov/node/9051/submission/26971>

Links

[1] <https://www.cityofhomer-ak.gov/cityclerk/application-appointment-advisory-body>



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 19-016

TO: HOMER ADVISORY PLANNING COMMISSION
FROM: COUNCILMEMBERS SMITH AND ERICKSON
THROUGH: HOMER CITY COUNCIL
DATE: JANUARY 28, 2019
SUBJECT: PLANNING COMMISSION REVIEW OF REGULATORY REQUIREMENT FOR FLOOD
ELEVATION ON HOMER SPIT

It has come to our attention that structures subject to increasing regulatory requirements for flood elevation may become noncompliant with height requirements due to circumstances out of their control.

Homer's participation in Federal Emergency Management Association (FEMA) Flood Insurance Program requires that new and rebuilt structures must elevate the bottom floor. This elevation is subject to change and is subject to increases in the future. Compliance with FEMA's Flood Insurance Program is critical for area wide insurance ratings and eligibility for FEMA funding.

The purpose of this memo is to request that the Planning Commission review the topic and consider a height allowance based on FEMA elevation requirements and prepare a draft Ordinance for review by City Council.



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 19-017

TO: MAYOR CASTNER AND HOMER CITY COUNCIL

FROM: MELISSA JACOBSEN, MMC, CITY CLERK

DATE: JANUARY 23, 2019

SUBJECT: VACATE THAT PORTION OF ERIC LANE RIGHT OF WAY WEST OF WEST HILL ROAD AS DEDICATED ON LILLIAN WALLI ESTATE PLAT HM 88-16

At their January 7, 2019 meeting, the Kenai Peninsula Borough Planning Commission approved to vacate a portion of the Eric Lane Right of Way west of the West Hill Road as dedicated on Lillian Walli Estate Plat HM 88-16

The right-of-way being vacated is unconstructed and located within the E1/2 NE1/4 of Section 24, Township 6 South, Range 14 West, Seward Meridian, Alaska, off of West Hill Road, City of Homer and the Kenai Peninsula Borough. KPB File 2018-149V

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 January 7, 2019 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 December 5, 2018 meeting included in the staff report provided by Max Best.

Recommendation

Voice non-objection and consent to vacating that portion of the Eric Lane Right of Way west of the West Hill Road as dedicated on Lillian Walli Estate Plat HM 88-16 located within the E1/2 NE1/4 of Section 24, Township 6 South, Range 14 West, Seward Meridian, Alaska, off of West Hill Road, City of Homer and the Kenai Peninsula Borough. KPB File 2018-149V



Planning Department

144 N. Binkley Street, Soldotna, Alaska 99669 • (907) 714-2200 • (907) 714-2378 Fax

Charlie Pierce
Borough Mayor

January 9, 2019

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

RE: Vacate a portion of Eric Lane right-of-way west of West Hill Road as dedicated on Lillian Walli Estate, Plat HM 88-16; located within the E1/2 NE1/4 of Section 24, Township 6 South, Range 14 West, Seward Meridian, Alaska, off West Hill Road, City of Homer and the Kenai Peninsula Borough; KPB File 2018-149V

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 right-of-way vacation during their regularly scheduled meeting of January 7, 2019. This petition is being sent to you for your consideration and action.

The City Council has 30 days from January 7, 2019 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:jah

Attachments



Planning Department

144 N. Binkley Street, Soldotna, Alaska 99669 • (907) 714-2200 • (907) 714-2378 Fax

Charlie Pierce
Borough Mayor

January 9, 2019

**KENAI PENINSULA BOROUGH PLANNING COMMISSION
NOTICE OF DECISION
MEETING OF JANUARY 7, 2019**

RE: Vacate a portion of Eric Lane right-of-way west of West Hill Road as dedicated on Lillian Walli Estate, Plat HM 88-16; located within the E1/2 NE1/4 of Section 24, Township 6 South, Range 14 West, Seward Meridian, Alaska, off West Hill Road, City of Homer and the Kenai Peninsula Borough; KPB File 2018-149V

During their regularly scheduled meeting of January 7, 2019, the Kenai Peninsula Borough Planning Commission granted approval of a portion of the Eric Lane right-of-way vacation based on the following findings of fact and conditions.

Findings

1. The proposed vacation is within the City of Homer.
2. Development within the property must comply with the requirements of the zoning district.
3. The property is zoned Rural Residential.
4. Homer Advisory Planning Commission conditionally approved the proposed vacation on December 5, 2018.
5. Three parcels front the portion of Eric Lane proposed to be vacated (Lot 37 and Lot 38, HM 88-16 and a 11.5-acre deed parcel).
6. Lot 37 and Lot 38, HM 88-16, front paved, State maintained West Hill Road.
7. The 11.5-acre deed parcel fronts Hillside Place, which is maintained by the City of Homer.
8. The 11.5-acre deed parcel fronts Robert Avenue, a 60-foot-wide right of way, in the southeast corner and a 25-foot alley along the south border.
9. The 11.5-acre deed parcel that abuts the terminus of Eric Lane, which is proposed to be vacated, is subject to a conservation easement that prohibits subdivision, construction of roads and trails, construction of structures, installation of utilities, etc. per HM 2009-000301-0.
10. Per the submittal, the right-of-way proposed for vacation has not been constructed.
11. Per the submittal, the right-of-way proposed for vacation is not in use for access.
12. ENSTAR submitted a statement of no comments, recommendations, or objections.
13. ACS submitted a statement of no objections.
14. Homer Electric Association submitted a statement of no objection to the proposed vacation solicited by the petitioner for the Homer Advisory Planning Commission meeting packet.
15. GCI submitted a statement of no objection, as long as a 10-foot utility easement is provided centered in existing right-of-way, to the proposed vacation solicited by the petitioner for the Homer Advisory Planning Commission meeting packet.
16. Sufficient rights-of-way exist to serve surrounding properties.
17. No surrounding properties will be denied access

Conditions

1. Consent by Homer City Council.
2. Grant utility easements requested by the utility providers
3. Grant utility easements requested by the City of Homer.

4. Grant utility easements as shown on the proposed lot configuration drawing submittal.
5. Submittal of a preliminary plat in accordance with Chapter 20 of the KPB Code.
6. Submittal of a final plat in accordance with Chapter 20 of the KPB Code within a timeframe that will allow recordation of the plat within one year of vacation consent.

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 January 7, 2019 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 January 9, 2019 to:

Loren and Susie Myhill Living Trust
1059 Santa Cruz Cir
Costa Mesa, CA 92626-1618

Jones Development Company Inc.
36777 Saint Theresa Rd
Soldotna, AK 99669-8681

Homer City Council
491 East Pioneer Avenue
Homer, AK 99603

AGENDA ITEM F. PUBLIC HEARINGS

1. Vacate a portion of Eric Lane right-of-way west of West Hill Road as dedicated on Lillian Walli Estate, Plat HM 88-16; located within the E1/2 NE1/4 of Section 24, Township 6 South, Range 14 West, Seward Meridian, Alaska, off West Hill Road, City of Homer and the Kenai Peninsula Borough; KPB File 2018-149V

Staff Report given by Scott Huff

PC Meeting: 1/7/19

Purpose as stated in petition: No present or future use exists for this right-of-way extension of Eric Lane. All utilities and lot access thereof is from east and west side of Lots 37 and 38.

Petitioners: Loren and Susie Myhill Living Trust and Jones Development Inc., of Homer, Alaska.

Notification: Public notice appeared in the December 27, 2018 issue of the Homer News as a separate ad. The public hearing notice was published in the January 3, 2019 issue of the Homer News as part of the Commission's tentative agenda.

Eleven certified mailings were sent to owners of property within 300 feet of the proposed vacation. Seven receipts have been returned.

Public hearing notices were sent by regular mail to 17 owners within 600 feet of the proposed vacation.

Nineteen public notices were emailed to agencies and interested parties.

Notices were emailed or made available to nine KPB staff/Departments.

Notices were mailed to the Homer Post Office and Homer Community Library with a request to be posted in public locations.

The notice and maps were posted on the Borough bulletin board and Planning Department public hearing notice web site.

Comments Received:

ACS: No objections

ENSTAR: No comments, recommendations, or objections.

Homer Advisory Planning Commission recommended:

1. Provide a 15-foot utility easement centered over the existing underground electric line that provides service to our PRV station.
2. Provide a statement from ADOT approving the driveway approach in relation to the Eric Lane intersection across the street. The state issued the driveway permit based on Eric Lane being dedicated ROW. (*Platting Staff Comments: DOT's review was not available when the staff report was prepared. Per the City of Homer's road maintenance map, DOT maintains West Hill Road.*)

Homer Fire Department had no comments.

Homer Planning and Zoning Department: The proposed vacation is within Flood Zone D, flood hazards undetermined. City plans do not identify this portion of Eric Lane as a public access corridor.

KPB Planner: Proposed vacation is within city limits. No review conducted.

Staff Discussion:

A preliminary plat that would finalize the proposed vacation if approved has not yet been submitted.

Per KPB GIS, the proposed vacation is not affected by the Anadromous Habitat Protection District, and no anadromous streams flow through or adjacent to the subject property.

Addresses have been assigned to Lot 37 and Lot 38, HM 88-16. The Homer Planning and Zoning Department can answer questions about the effect of the proposed vacation on the addresses.

The 11.5-acre deed parcel to the west is subject to a conservation easement that prohibits subdivision; construction of structures, roads, trails, and boardwalks; commercial use; installation of utility structures; disturbance of top soil/slope that could result in topographical changes, etc., per HM 2009-000301-0. The conservation easement was granted in favor of the Kachemak Heritage Land Trust. Extinguishment of the conservation easement can only be accomplished through a court action.

Findings:

1. The proposed vacation is within the City of Homer.
2. Development within the property must comply with the requirements of the zoning district.
3. The property is zoned Rural Residential.
4. Homer Advisory Planning Commission conditionally approved the proposed vacation on December 5, 2018.
5. Three parcels front the portion of Eric Lane proposed to be vacated (Lot 37 and Lot 38, HM 88-16 and a 11.5-acre deed parcel).
6. Lot 37 and Lot 38, HM 88-16, front paved, State maintained West Hill Road.
7. The 11.5-acre deed parcel fronts Hillside Place, which is maintained by the City of Homer.
8. The 11.5-acre deed parcel fronts Robert Avenue, a 60-foot-wide right of way, in the southeast corner and a 25-foot alley along the south border.
9. The 11.5-acre deed parcel that abuts the terminus of Eric Lane, which is proposed to be vacated, is subject to a conservation easement that prohibits subdivision, construction of roads and trails, construction of structures, installation of utilities, etc. per HM 2009-000301-0.
10. Per the submittal, the right-of-way proposed for vacation has not been constructed.
11. Per the submittal, the right-of-way proposed for vacation is not in use for access.
12. ENSTAR submitted a statement of no comments, recommendations, or objections.
13. ACS submitted a statement of no objections.
14. Homer Electric Association submitted a statement of no objection to the proposed vacation solicited by the petitioner for the Homer Advisory Planning Commission meeting packet.
15. GCI submitted a statement of no objection, as long as a 10-foot utility easement is provided centered in existing right-of-way, to the proposed vacation solicited by the petitioner for the Homer Advisory Planning Commission meeting packet.
16. Sufficient rights-of-way exist to serve surrounding properties.
17. No surrounding properties will be denied access.

STAFF RECOMMENDATION: Based on the above findings, staff recommends approval of the vacation as petitioned, subject to:

1. Consent by Homer City Council.
2. Grant utility easements requested by the utility providers
3. Grant utility easements requested by the City of Homer.
4. Grant utility easements as shown on the proposed lot configuration drawing submittal.
5. Submittal of a preliminary plat in accordance with Chapter 20 of the KPB Code.
6. Submittal of a final plat in accordance with Chapter 20 of the KPB Code within a timeframe that will allow recordation of the plat within one year of vacation consent.

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.

KPB 20.70.130:

THE FINAL PLAT MUST BE RECORDED WITHIN ONE YEAR OF THE VACATION CONSENT IN KPB 20.70.110.

END OF STAFF REPORT

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

MOTION: Commissioner Ecklund moved, seconded by Commissioner Carluccio to approve the vacation of a portion of Eric Lane right-of-way west of West Hill Road as dedicated on Lillian Walli Estate.

MOTION PASSED: Seeing and hearing no discussion or objection the motion passed by unanimous consent.

UNAPPROVED

F. PUBLIC HEARINGS

- 1. Vacate portion of Eric Lane right-of-way in the City of Homer. Petitioners: Loren and Susie Myhill Living Trust and Jones Development Inc. of Homer, Alaska.**

KPB File: 2018-149V

AGENDA ITEM F. PUBLIC HEARINGS

1. Vacate a portion of Eric Lane right-of-way west of West Hill Road as dedicated on Lillian Walli Estate, Plat HM 88-16; located within the E1/2 NE1/4 of Section 24, Township 6 South, Range 14 West, Seward Meridian, Alaska, off West Hill Road, City of Homer and the Kenai Peninsula Borough; KPB File 2018-149V

STAFF REPORT

PC Meeting: 1/7/19

Purpose as stated in petition: No present or future use exists for this right-of-way extension of Eric Lane. All utilities and lot access thereof is from east and west side of Lots 37 and 38.

Petitioners: Loren and Susie Myhill Living Trust and Jones Development Inc., of Homer, Alaska.

Notification: Public notice appeared in the December 27, 2018 issue of the Homer News as a separate ad. The public hearing notice was published in the January 3, 2019 issue of the Homer News as part of the Commission's tentative agenda.

Eleven certified mailings were sent to owners of property within 300 feet of the proposed vacation. Seven receipts have been returned.

Public hearing notices were sent by regular mail to 17 owners within 600 feet of the proposed vacation.

Nineteen public notices were emailed to agencies and interested parties.

Notices were emailed or made available to nine KPB staff/Departments.

Notices were mailed to the Homer Post Office and Homer Community Library with a request to be posted in public locations.

The notice and maps were posted on the Borough bulletin board and Planning Department public hearing notice web site.

Comments Received:

ACS: No objections

ENSTAR: No comments, recommendations, or objections.

Homer Advisory Planning Commission recommended:

1. Provide a 15-foot utility easement centered over the existing underground electric line that provides service to our PRV station.
2. Provide a statement from ADOT approving the driveway approach in relation to the Eric Lane intersection across the street. The state issued the driveway permit based on Eric Lane being dedicated ROW. (*Platting Staff Comments: DOT's review was not available when the staff report was prepared. Per the City of Homer's road maintenance map, DOT maintains West Hill Road.*)

Homer Fire Department had no comments.

Homer Planning and Zoning Department: The proposed vacation is within Flood Zone D, flood hazards undetermined. City plans do not identify this portion of Eric Lane as a public access corridor.

KPB Planner: Proposed vacation is within city limits. No review conducted.

Staff Discussion:

A preliminary plat that would finalize the proposed vacation if approved has not yet been submitted.

Per KPB GIS, the proposed vacation is not affected by the Anadromous Habitat Protection District, and no anadromous streams flow through or adjacent to the subject property.

Addresses have been assigned to Lot 37 and Lot 38, HM 88-16. The Homer Planning and Zoning Department can answer questions about the effect of the proposed vacation on the addresses.

The 11.5-acre deed parcel to the west is subject to a conservation easement that prohibits subdivision; construction of structures, roads, trails, and boardwalks; commercial use; installation of utility structures; disturbance of top soil/slope that could result in topographical changes, etc., per HM 2009-000301-0. The conservation easement was granted in favor of the Kachemak Heritage Land Trust. Extinguishment of the conservation easement can only be accomplished through a court action.

Findings:

1. The proposed vacation is within the City of Homer.
2. Development within the property must comply with the requirements of the zoning district.
3. The property is zoned Rural Residential.
4. Homer Advisory Planning Commission conditionally approved the proposed vacation on December 5, 2018.
5. Three parcels front the portion of Eric Lane proposed to be vacated (Lot 37 and Lot 38, HM 88-16 and a 11.5-acre deed parcel).
6. Lot 37 and Lot 38, HM 88-16, front paved, State maintained West Hill Road.
7. The 11.5-acre deed parcel fronts Hillside Place, which is maintained by the City of Homer.
8. The 11.5-acre deed parcel fronts Robert Avenue, a 60-foot-wide right of way, in the southeast corner and a 25-foot alley along the south border.
9. The 11.5-acre deed parcel that abuts the terminus of Eric Lane, which is proposed to be vacated, is subject to a conservation easement that prohibits subdivision, construction of roads and trails, construction of structures, installation of utilities, etc. per HM 2009-000301-0.
10. Per the submittal, the right-of-way proposed for vacation has not been constructed.
11. Per the submittal, the right-of-way proposed for vacation is not in use for access.
12. ENSTAR submitted a statement of no comments, recommendations, or objections.
13. ACS submitted a statement of no objections.
14. Homer Electric Association submitted a statement of no objection to the proposed vacation solicited by the petitioner for the Homer Advisory Planning Commission meeting packet.
15. GCI submitted a statement of no objection, as long as a 10-foot utility easement is provided centered in existing right-of-way, to the proposed vacation solicited by the petitioner for the Homer Advisory Planning Commission meeting packet.
16. Sufficient rights-of-way exist to serve surrounding properties.
17. No surrounding properties will be denied access.

STAFF RECOMMENDATION: Based on the above findings, staff recommends approval of the vacation as petitioned, subject to:

1. Consent by Homer City Council.
2. Grant utility easements requested by the utility providers
3. Grant utility easements requested by the City of Homer.
4. Grant utility easements as shown on the proposed lot configuration drawing submittal.
5. Submittal of a preliminary plat in accordance with Chapter 20 of the KPB Code.
6. Submittal of a final plat in accordance with Chapter 20 of the KPB Code within a timeframe that will allow recordation of the plat within one year of vacation consent.

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.

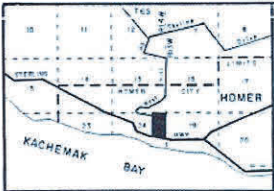
KPB 20.70.120:

- 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.

KPB 20.70.130:

THE FINAL PLAT MUST BE RECORDED WITHIN ONE YEAR OF THE VACATION CONSENT IN KPB 20.70.110.

END OF STAFF REPORT



Lillian Walli Estate

LOCATED IN E1/2NE1/4 SEC. 24, T6S, R14W, S.M., HOMER REC. DISTRICT
SCALE 1" = 100' AREA-76.277 AC 4-30-1987
BY ERO STEVE WALLI P.O.B. 1266 HOMER, ALASKA 99603

- ### LEGEND
- 1917 state map monument by G.L.D. found
 - Best top map by 265-5, found
 - 1976 aluminum map by 1501-5, found
 - Aluminum map by 265-5, set
 - 1/2" x 4" record, set
 - Best top map by S.D.T., found
 - 20' drainage easement
 - Utility easement, 20' unless otherwise noted
 - Point of curvature, 1/2" x 4" record set

PLAT APPROVAL

This plat was approved by the Homer Peninsula Borough Planning Commission at the meeting of DEC. 1 1987
KEMAL PENINSULA BOROUGH
By Richard J. Taylor 5-16-88
Mayor

SPECIAL NOTE

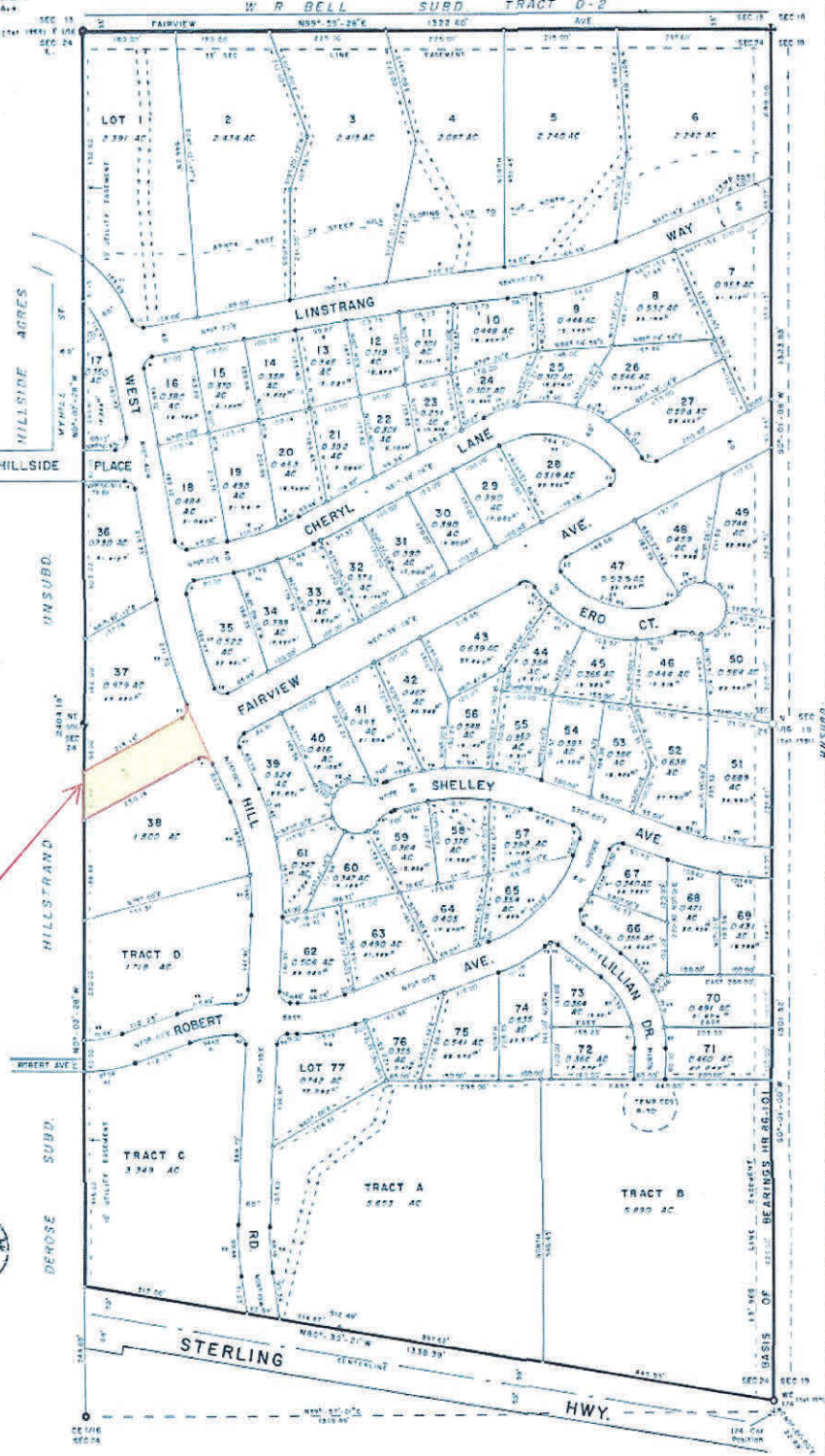
The purpose of this plat is to resolve ownership of Lillian Walli Estate. Any development of this subdivision will require a signed agreement between respective owner(s) and the City of Homer, Alaska.

NOTES

- Building setback of 20' from all street walls is required unless a lesser setback is approved by a resolution of the appropriate governing commission.
- Front 10' of building setback is also in utility easement and also the entire setback within 5' of side lot lines for gas wires.
- All lots are to be served by the City of Homer municipal water and sewer systems.
- There are 20' utility easements on both sides of Hillside Rd. See Fairview Ave. plan direct access to water maintained row's provided unless approved by the State of Alaska Dept. of Transportation.
- Utility lines including Potable Water and Sewer will be subject to 40' build-out back for ROW widening.
- Lots 18 through 22 front on Cheryl Lane. Lots 23 through 40 front on Shelley Ave. Lots 41 through 49 and Lot 51 front on Ero Ct. Lots 52 and 77 front on Robert Ave. Tracts A and B front on Hillside Place.

CURVES

Curve No.	Stationing	Radius	Chord	Angle	Area
1	100+00 to 100+50	1000	100.00	18.00	15708.00
2	100+50 to 101+00	1000	100.00	18.00	15708.00
3	101+00 to 101+50	1000	100.00	18.00	15708.00
4	101+50 to 102+00	1000	100.00	18.00	15708.00
5	102+00 to 102+50	1000	100.00	18.00	15708.00
6	102+50 to 103+00	1000	100.00	18.00	15708.00
7	103+00 to 103+50	1000	100.00	18.00	15708.00
8	103+50 to 104+00	1000	100.00	18.00	15708.00
9	104+00 to 104+50	1000	100.00	18.00	15708.00
10	104+50 to 105+00	1000	100.00	18.00	15708.00
11	105+00 to 105+50	1000	100.00	18.00	15708.00
12	105+50 to 106+00	1000	100.00	18.00	15708.00
13	106+00 to 106+50	1000	100.00	18.00	15708.00
14	106+50 to 107+00	1000	100.00	18.00	15708.00
15	107+00 to 107+50	1000	100.00	18.00	15708.00
16	107+50 to 108+00	1000	100.00	18.00	15708.00
17	108+00 to 108+50	1000	100.00	18.00	15708.00
18	108+50 to 109+00	1000	100.00	18.00	15708.00
19	109+00 to 109+50	1000	100.00	18.00	15708.00
20	109+50 to 110+00	1000	100.00	18.00	15708.00
21	110+00 to 110+50	1000	100.00	18.00	15708.00
22	110+50 to 111+00	1000	100.00	18.00	15708.00
23	111+00 to 111+50	1000	100.00	18.00	15708.00
24	111+50 to 112+00	1000	100.00	18.00	15708.00
25	112+00 to 112+50	1000	100.00	18.00	15708.00
26	112+50 to 113+00	1000	100.00	18.00	15708.00
27	113+00 to 113+50	1000	100.00	18.00	15708.00
28	113+50 to 114+00	1000	100.00	18.00	15708.00
29	114+00 to 114+50	1000	100.00	18.00	15708.00
30	114+50 to 115+00	1000	100.00	18.00	15708.00
31	115+00 to 115+50	1000	100.00	18.00	15708.00
32	115+50 to 116+00	1000	100.00	18.00	15708.00
33	116+00 to 116+50	1000	100.00	18.00	15708.00
34	116+50 to 117+00	1000	100.00	18.00	15708.00
35	117+00 to 117+50	1000	100.00	18.00	15708.00
36	117+50 to 118+00	1000	100.00	18.00	15708.00
37	118+00 to 118+50	1000	100.00	18.00	15708.00
38	118+50 to 119+00	1000	100.00	18.00	15708.00
39	119+00 to 119+50	1000	100.00	18.00	15708.00
40	119+50 to 120+00	1000	100.00	18.00	15708.00
41	120+00 to 120+50	1000	100.00	18.00	15708.00
42	120+50 to 121+00	1000	100.00	18.00	15708.00
43	121+00 to 121+50	1000	100.00	18.00	15708.00
44	121+50 to 122+00	1000	100.00	18.00	15708.00
45	122+00 to 122+50	1000	100.00	18.00	15708.00
46	122+50 to 123+00	1000	100.00	18.00	15708.00
47	123+00 to 123+50	1000	100.00	18.00	15708.00
48	123+50 to 124+00	1000	100.00	18.00	15708.00
49	124+00 to 124+50	1000	100.00	18.00	15708.00
50	124+50 to 125+00	1000	100.00	18.00	15708.00
51	125+00 to 125+50	1000	100.00	18.00	15708.00
52	125+50 to 126+00	1000	100.00	18.00	15708.00
53	126+00 to 126+50	1000	100.00	18.00	15708.00
54	126+50 to 127+00	1000	100.00	18.00	15708.00
55	127+00 to 127+50	1000	100.00	18.00	15708.00
56	127+50 to 128+00	1000	100.00	18.00	15708.00
57	128+00 to 128+50	1000	100.00	18.00	15708.00
58	128+50 to 129+00	1000	100.00	18.00	15708.00
59	129+00 to 129+50	1000	100.00	18.00	15708.00
60	129+50 to 130+00	1000	100.00	18.00	15708.00
61	130+00 to 130+50	1000	100.00	18.00	15708.00
62	130+50 to 131+00	1000	100.00	18.00	15708.00
63	131+00 to 131+50	1000	100.00	18.00	15708.00
64	131+50 to 132+00	1000	100.00	18.00	15708.00
65	132+00 to 132+50	1000	100.00	18.00	15708.00
66	132+50 to 133+00	1000	100.00	18.00	15708.00
67	133+00 to 133+50	1000	100.00	18.00	15708.00
68	133+50 to 134+00	1000	100.00	18.00	15708.00
69	134+00 to 134+50	1000	100.00	18.00	15708.00
70	134+50 to 135+00	1000	100.00	18.00	15708.00
71	135+00 to 135+50	1000	100.00	18.00	15708.00
72	135+50 to 136+00	1000	100.00	18.00	15708.00
73	136+00 to 136+50	1000	100.00	18.00	15708.00
74	136+50 to 137+00	1000	100.00	18.00	15708.00
75	137+00 to 137+50	1000	100.00	18.00	15708.00
76	137+50 to 138+00	1000	100.00	18.00	15708.00
77	138+00 to 138+50	1000	100.00	18.00	15708.00
78	138+50 to 139+00	1000	100.00	18.00	15708.00
79	139+00 to 139+50	1000	100.00	18.00	15708.00
80	139+50 to 140+00	1000	100.00	18.00	15708.00



OWNER'S CERTIFICATE

We hereby certify that we are the owners of the property shown and described herein, and that we hereby agree that this plan of subdivision, and definite all E.D.M.'s to public use, and grant all easements to users shown.

Ero Steve Walli
Ero Steve Walli, Executor for Estate of Lillian M. Walli
John Robert Gibson
John Robert Gibson, Co-Executor for Estate of Lillian M. Walli

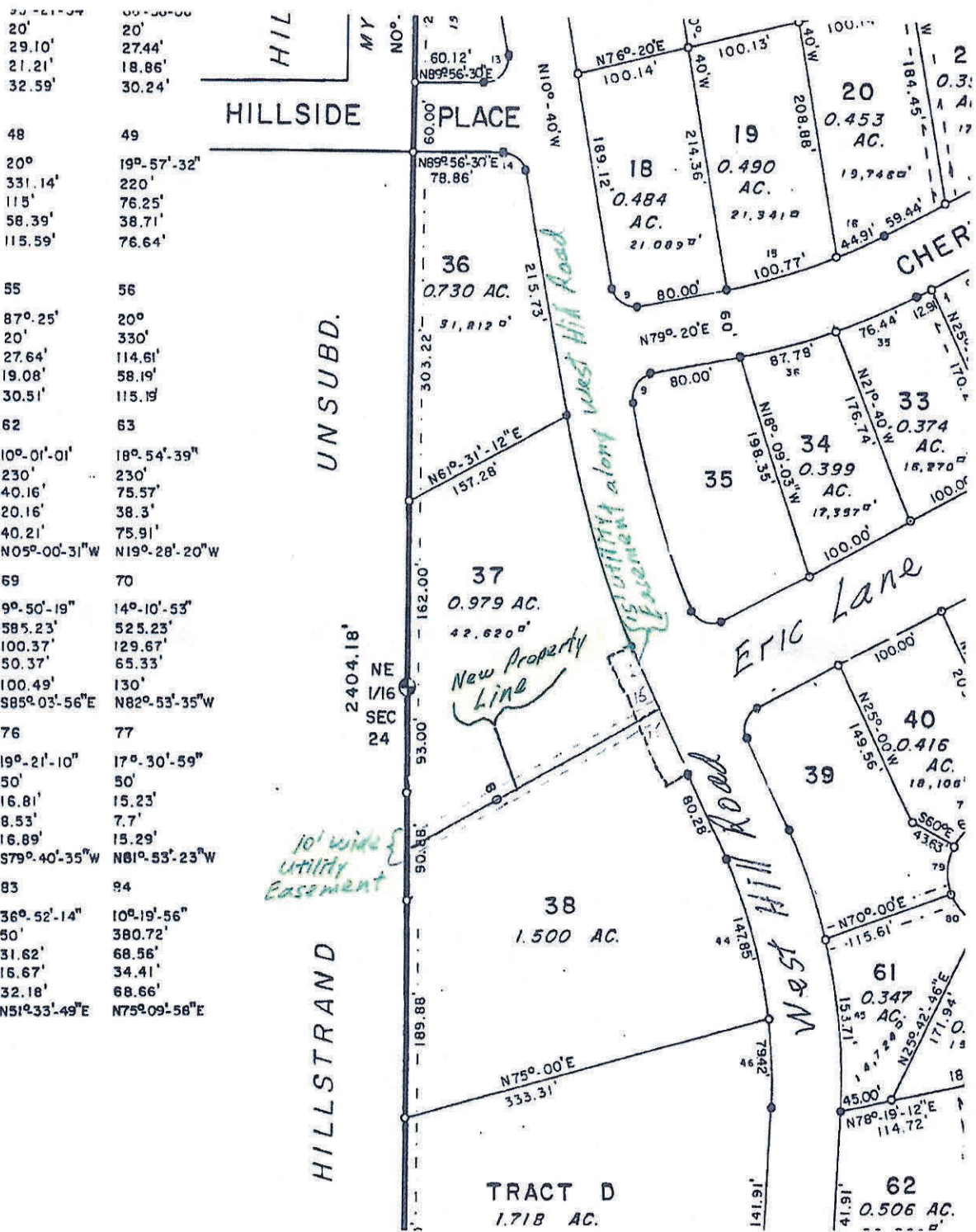
NOTARY'S CERTIFICATE

Subscribed and sworn to before me this 18 day of May, 1987.

Card Jones
Notary Public, Alaska
for Ero Steve Walli and John Robert Gibson
My commission expires *12/31/88*

88-16
RECORDS FILED 20
HOMER
MAY 17 1988
2:21 P.M.
H. Johnson
Clem Swick

Proposed Lot Configuration



20'	20'
29.10'	27.44'
21.21'	18.86'
32.59'	30.24'
48	49
20°	19°-57'-32"
331.14'	220'
115'	76.25'
58.39'	38.71'
115.59'	76.64'
55	56
87°-25'	20°
20'	330'
27.64'	114.61'
19.08'	58.19'
30.51'	115.19'
62	63
10°-01'-01"	18°-54'-39"
230'	230'
40.16'	75.57'
20.16'	38.3'
40.21'	75.91'
N05°-00'-31"W	N19°-28'-20"W
69	70
9°-50'-19"	14°-10'-53"
585.23'	525.23'
100.37'	129.67'
50.37'	65.33'
100.49'	130'
S85°-03'-56"E	N82°-53'-35"W
76	77
19°-21'-10"	17°-30'-59"
50'	50'
16.81'	15.23'
8.53'	7.7'
16.89'	15.29'
S79°-40'-35"W	N81°-53'-23"W
83	94
36°-52'-14"	10°-19'-56"
50'	380.72'
31.62'	68.56'
16.67'	34.41'
32.18'	68.66'
N51°-33'-49"E	N75°-09'-56"E



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.

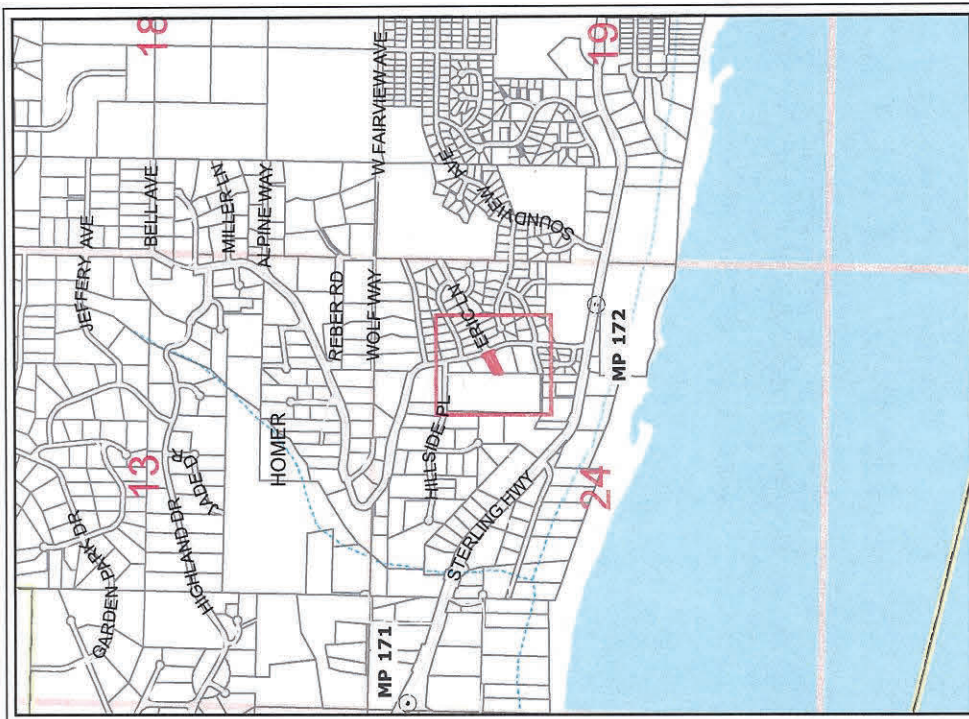


Aerial View

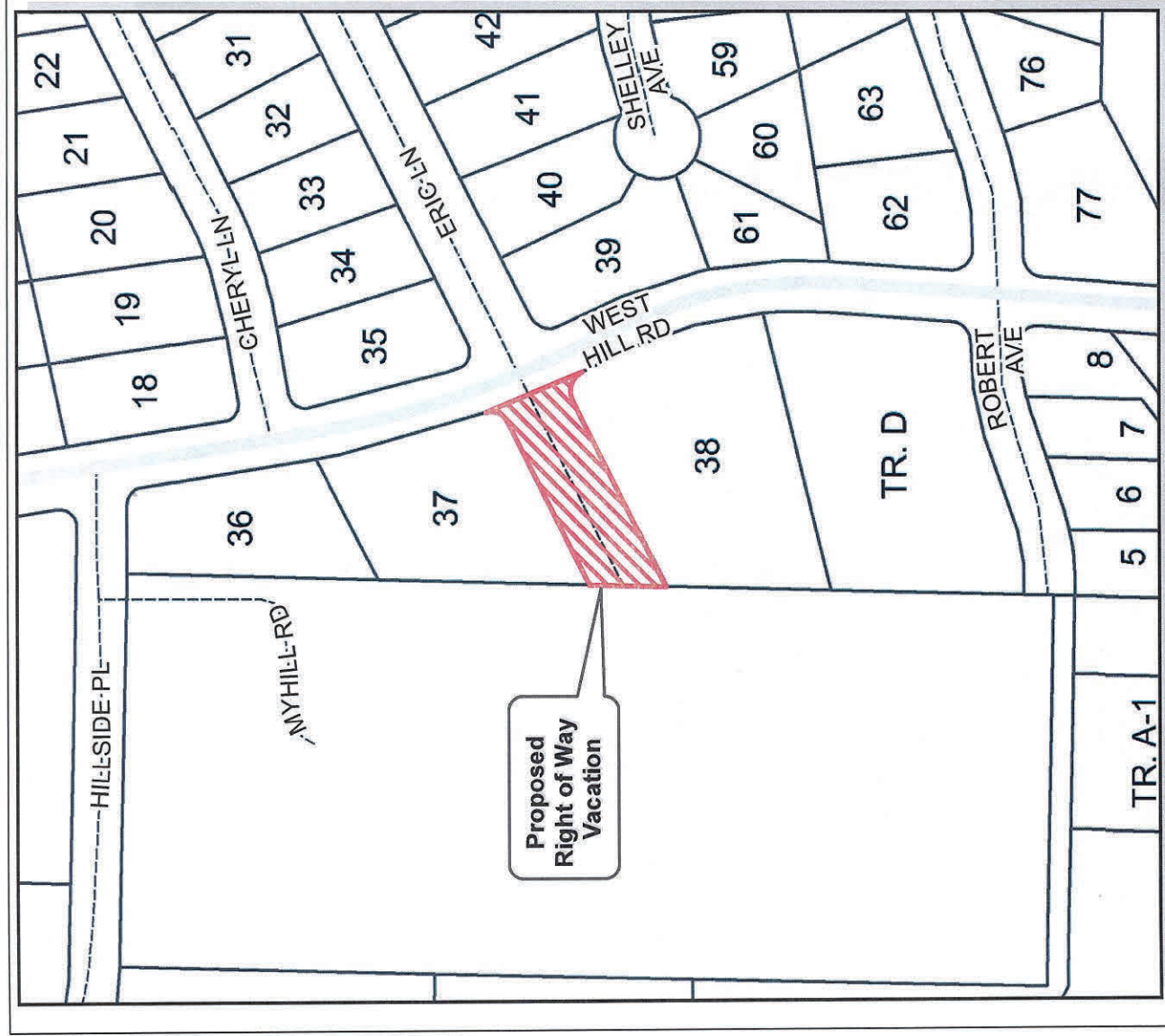


 Right of Way Vacation

JReif, KPB
Date: 12/7/2018



**KPB 2018-149V
T06S R14W S24
HOMER**



**Proposed
Right of Way
Vacation**

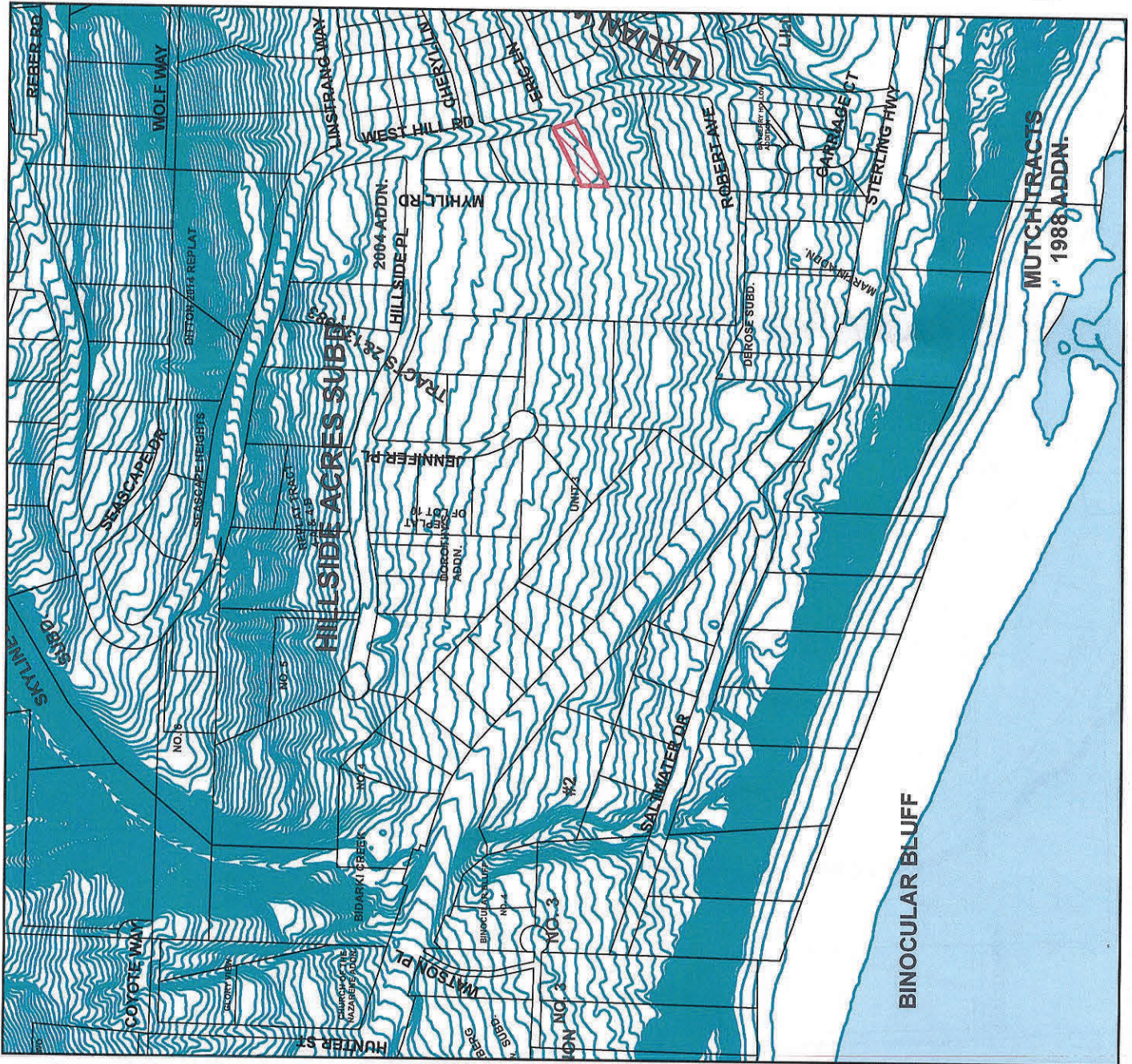
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



JReif, KPB
Date: 12/7/2018

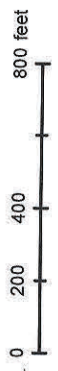
Kenai Peninsula Borough
Planning Department

4-foot contours



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.

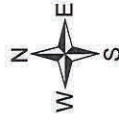
Date: 12/27/2018



National Wetlands Inventory

WETLAND_TYPE

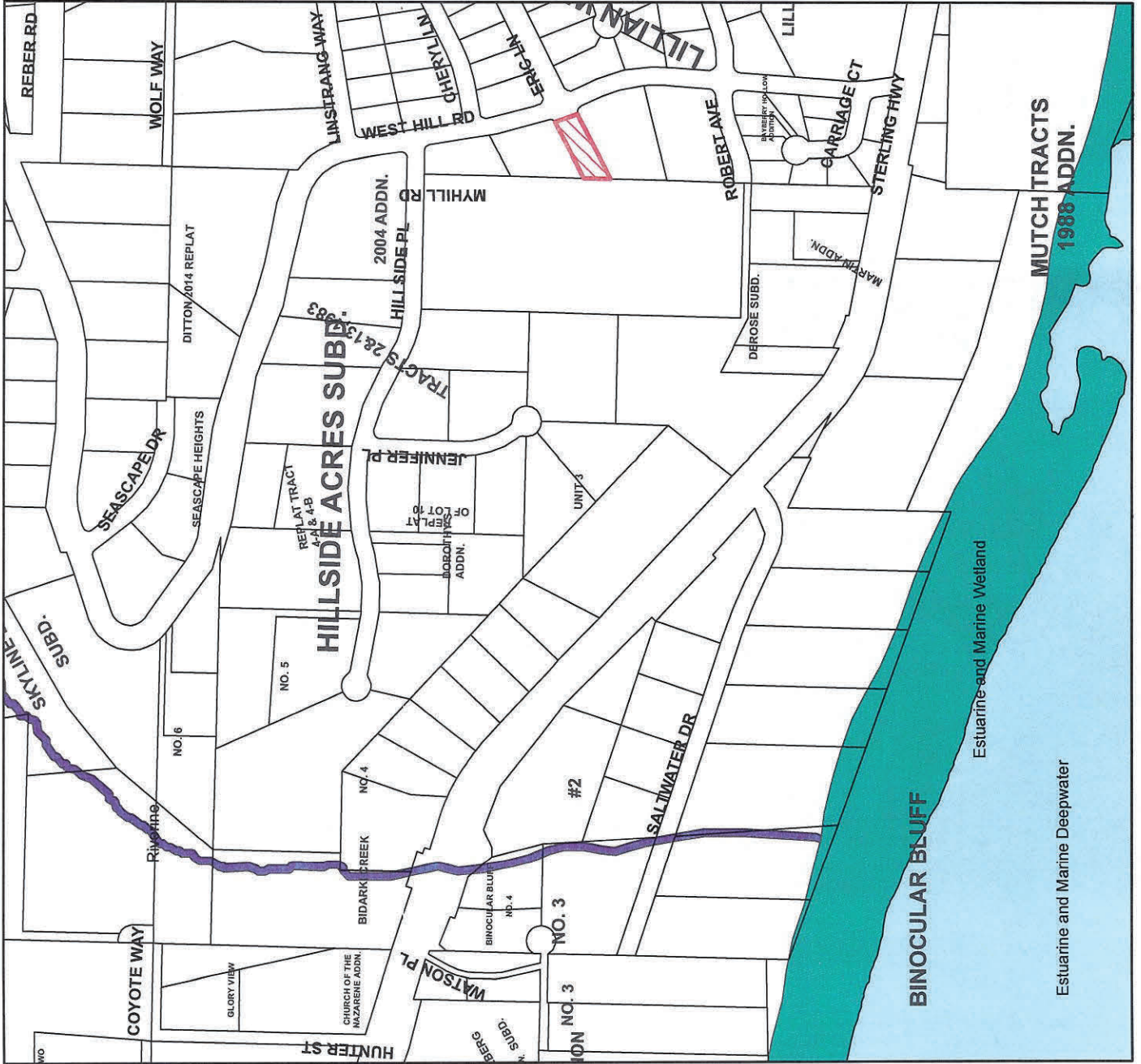
-  Estuarine and Marine Deepwater
-  Estuarine and Marine Wetland
-  Freshwater Emergent Wetland
-  Freshwater Forested/Shrub Wetland
-  Freshwater Pond
-  Lake
-  Other
-  Riverine



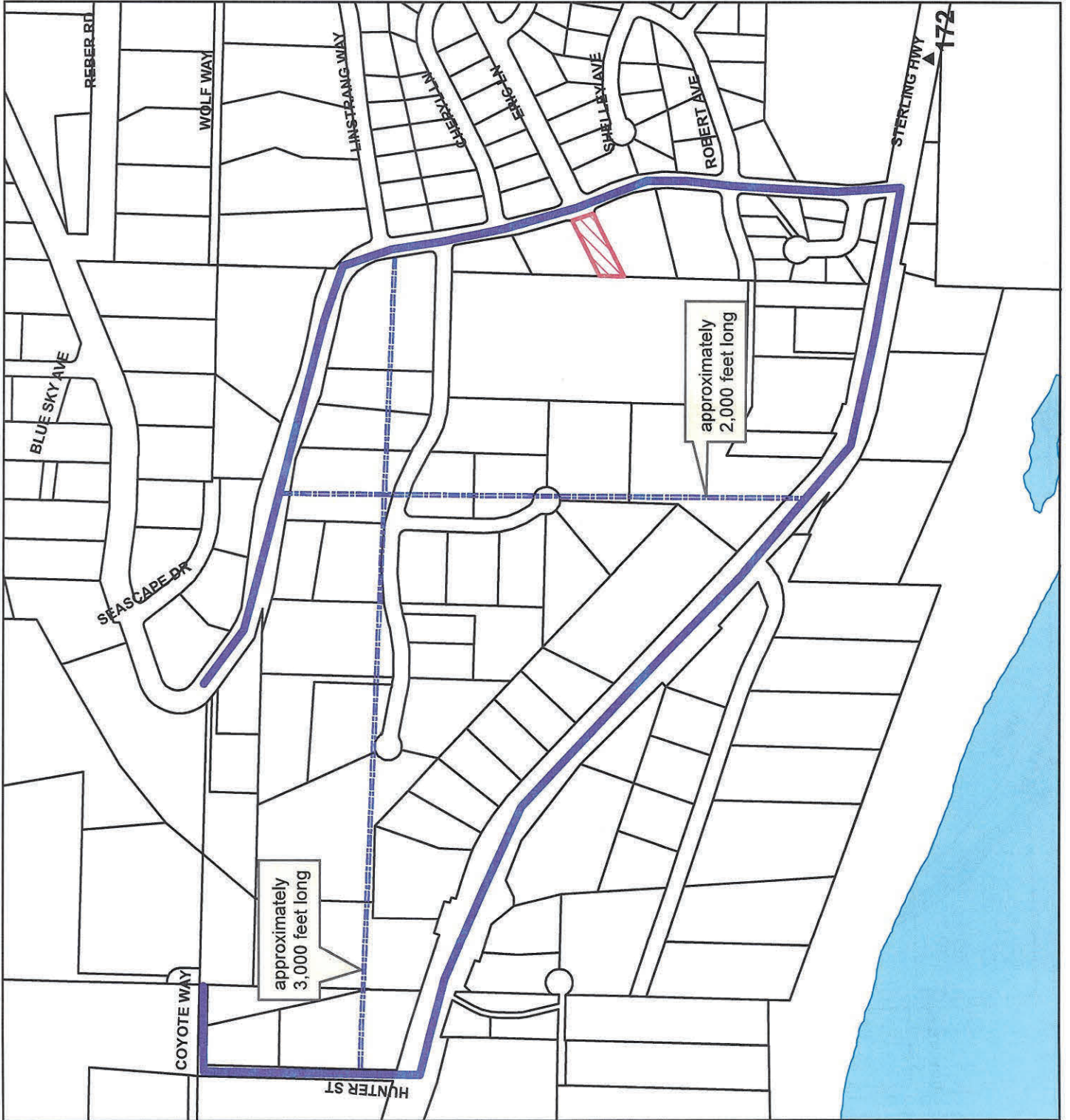
Date: 12/27/2018



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.



Kenai Peninsula Borough
 Planning Department
 Approximate Block Limits



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.



created by: mswpeppy
 Date: 12/27/2018

REPORTS

A. Staff Report 18-72, City Planner's Report

City Planner Abboud provided a summary of his report.

City Planner Abboud noted that Commissioner Smith was scheduled to attend the Council meeting on Monday and was unsure whether he was going to be in town and inquired if any of the Commissioner's present could attend.

Commissioner Banks responded that he thought he would be able to attend the meeting after Commissioners Venuti and Bentz stated that they would be at a Borough Planning Commission meeting and Commissioner Highland stated she was unable to attend.

Commissioner Highland volunteered for the January 14, 2019 Council meeting.

PUBLIC HEARINGS

A. Staff Report 18-73, Request for Vacation of Right-of-Way, a portion of Eric Lane west of West Hill Road

Chair Venuti introduced the item into the record and City Planner Abboud provided a synopsis of Staff Report 18-73 for the commission.

There was no applicant present.

Chair Venuti opened the public hearing seeing no one come forward to provide testimony the public hearing was closed.

There was brief discussion on the ability to have a driveway in the right of way or easement.

HIGHLAND/BENTZ MOVED TO ADOPT STAFF REPORT 18-73 AND APPROVE THE REQUEST TO VACATE RIGHT OF WAY FOR PORTION OF ERIC LANE WEST OF WEST HILL ROAD WITH COMMENTS 1 & 2

There was no discussion.

VOTE. NON-OBJECTION. UANNIMOUS CONSENT.

Motion carried.

B. Staff Report 18-74, Conditional Use Permit 18-13 for more than one building containing a permitted principal use on a lot at 3771 West Hill Road



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report 18-73

TO: Homer Advisory Planning Commission
 THROUGH: Rick Abboud, City Planner
 FROM: Travis Brown, Planning Technician
 DATE: December 5, 2018
 SUBJECT: Vacation of a portion of the Eric Lane right-of-way (ROW)

Requested Action: Conduct a public hearing and make a recommendation on the vacation of the right-of-way.

General Information:

Applicants:	Loren Myhill 1363 Myhill Road Homer, AK 99603	Jordan Jones 3771 W. Hill Road Homer, AK 99603
Location:	Eric Lane & West Hill Road	
Proposed ROW vacation area:	Approximately 20,000 sq. ft. OR 250' long by 80' wide	
Zoning Designation:	Rural Residential District	
Existing Land Use:	Existing driveway access within the ROW	
Surrounding Land Use:	North: Vacant RR lot South: Vacant RR lot East: Residential West: Residential	
Comprehensive Plan:	2005 Homer Area Transportation Plan: no motorized routes are shown using this portion of Eric Lane	
Flood Plain Status:	Zone D, flood hazards undetermined.	
BCWPD:	Not within the Bridge Creek Watershed Protection District.	
Utilities:	City water and sewer are available	
Public Notice:	Notice was sent to 18 property owners of 28 parcels as shown on the KPB tax assessor rolls.	

Introduction : Two adjacent property owners have requested the vacation of a portion of Eric Lane. The requested area is the entire portion of Eric Lane, lying west of West Hill Road, and is approximately 250' long and 80' wide.

Analysis - Relevant Sections of Borough Code:

20.70.170 - Vehicular access.

The planning commission shall not approve the vacation of a right-of-way unless an equal or superior right-of-way for vehicular access exists or will be provided in exchange. Where two or more access points are necessary for large vacant or semi-vacant areas of land, the commission shall consider density, use, projected development, and maintain sufficient rights-of-way to serve potential use.

Staff Response: The proposed portion of Eric Lane to be vacated currently provides public access for a total of three lots. All three of these lots have alternative public access; two of the lots front West Hill Road and a larger 11.5-acre lot has access to Hillside Place.

The 11.5-acre lot is encumbered by a strict conservation easement that prohibits any subdividing or development beyond the existing improvements (a single-family home). The conservation easement prohibits many uses including subdivisions, construction of structures (including additions to existing buildings), construction of roads, and construction of trails/boardwalks. Normally, a lot this size would benefit from alternative access, but due to these restrictions on development, alternative access via Eric Lane is unnecessary for this lot.

20.70.180 - Other access.

Other lawful uses that exist or are feasible for the right-of-way shall be considered when evaluating a vacation request. When such uses exist or could exist within rights-of-way which are not suited for general road use, the commission shall not approve the vacation request, unless it can be demonstrated that equal or superior access is or will be available. The planning commission shall consider whether alternate uses present public safety issues which support approval of the vacation.

Staff Response: No other uses for this right-of-way have been identified.

20.70.190 - Utility provisions.

All existing and future utility requirements shall be considered when evaluating a vacation request. Rights of way which are utilized by a public utility or which logically would be required by a public utility shall not be vacated, unless it can be demonstrated that equal or superior access is or will be available. Where an easement would satisfactorily serve the utility interests, and no other public need for the right of way exists, the commission may approve the vacation and require that a public utility easement be granted in place of the right of way.

Staff Response: All utility entities will have an opportunity to request adequate easements. A 10-foot utility easement, centered over Eric Lane, is proposed. The City has requested an additional 15-foot easement (see public works comments below).

Relevant Section of Homer City Code - 22.10.051 Easements and rights-of-way

- C. The subdivider shall dedicate easements or rights-of-way for sidewalks, bicycle paths or other non-motorized transportation facilities in areas identified as public access corridors in the Homer Non-Motorized Transportation and Trail Plan, other plans adopted by the City Council, or as required by the Kenai Peninsula Borough Code.

Staff Response: City plans do not identify this portion of Eric Lane as a public access corridor.

Public Works Comments: PW has no objection to the vacation of Eric Lane, although, we do have some conditions:

1. Provide a 15' utility easement centered over the existing underground electric line that provides service to our PRV station.
2. Provide a statement from ADOT approving the driveway approach in relation to the Eric Lane intersection across the street. The state issued the driveway permit based on Eric lane being dedicated ROW.

Fire Department Comments: No comments

Staff Recommendation:

Planning Commission recommend approval of the vacation with the following comments:

1. Provide a 15' utility easement centered over the existing underground electric line that provides service to our PRV station.
2. Provide a statement from ADOT approving the driveway approach in relation to the Eric Lane intersection across the street. The state issued the driveway permit based on Eric lane being dedicated ROW.

Attachments:

1. Vacation petition
2. Public Notice
3. Aerial Map

October 19, 2018

To Whom It May Concern:


The purpose of this request to vacate the right-of-way is so that some usefulness may be made for most of this property that now will never be used as a right-of-way. Eric Lane now dead ends into Land Trust Property that can never be developed in any way at all, so there is no longer any use for this right-of-way to anyone. However, the vacation of this land gives better options for possible uses of both lots #37 and #38 as well as better options for placement of structures planned for these lots.

No foreseeable problem currently exists for granting any easements the City of Homer may request that run along the future property line as is customary.

Most likely the new property line will run down the middle of the vacated property, but whatever the City of Homer decides will be acceptable.

Thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads "Loren Myhill". The signature is written in black ink and is positioned above the printed name.

Loren Myhill



Kenai Peninsula Borough Planning Department
 144 North Binkley
 Soldotna, Alaska 99669-7599
 Toll free within the Borough 1-800-478-4441, extension 2200
 (907) 714-2200

Petition to Vacate Public Right-of-Way/Easement/Platted Public Area
Public Hearing Required

Upon receipt of complete application with fees and all required attachments, a public hearing before the Planning Commission will be scheduled. The petition with all required information and attachments must be in the Planning Department at least 30 days prior to the preferred hearing date. By State Statute and Borough Code, the public hearing must be scheduled within 60 days of receipt of complete application.

- \$500 non-refundable fee to help defray costs of advertising public hearing.
 - City Advisory Planning Commission. Copy of minutes at which this item was acted on, along with a copy of City Staff Report.
 - Name of public right-of-way proposed to be vacated is dedicated by the plat of Lillian Walli Estate Subdivision, filed as Plat No. 88-16 in Homer Recording District.
 - Are there associated utility easements to be vacated? Yes No
 - Are easements in use by any utility company? If so, which company na
 - Easement for public road or right-of-way as set out in (specify type of document) _____ as recorded in Book _____ Page _____ of the Homer Recording District. (Copy of recorded document must be submitted with petition.)
 - Submit three copies of plat or map showing area proposed to be vacated. Must not exceed 11x17 inches in size. In the case of public right-of-way, the submittal must include a sketch showing which parcels the vacated area will be attached to. Proposed alternative dedication is to be shown and labeled on the sketch.
- Has right-of-way been fully or partially constructed? Yes No
 Is right-of-way used by vehicles / pedestrians / other? Yes No
 Is alternative right-of-way being provided? Yes No

The petitioner must provide reasonable justification for the vacation. Reason for vacating:
No present or future use exists for this right-of-way extension of Eric Lane. All utilities and lot access there of is from the East and West sides of lots #37 and #38.

The petition must be signed (written signature) by owners of the majority of land fronting the right-of-way, easement, or platted public area proposed to be vacated. Each petitioner must include address and legal description of his/her property.

Submitted By: Name: Loren Myhill Signature as: Petitioner Representative
 Address: 1363 Myhill Road
Homer, AK 99603
 Phone: 714-623-6468

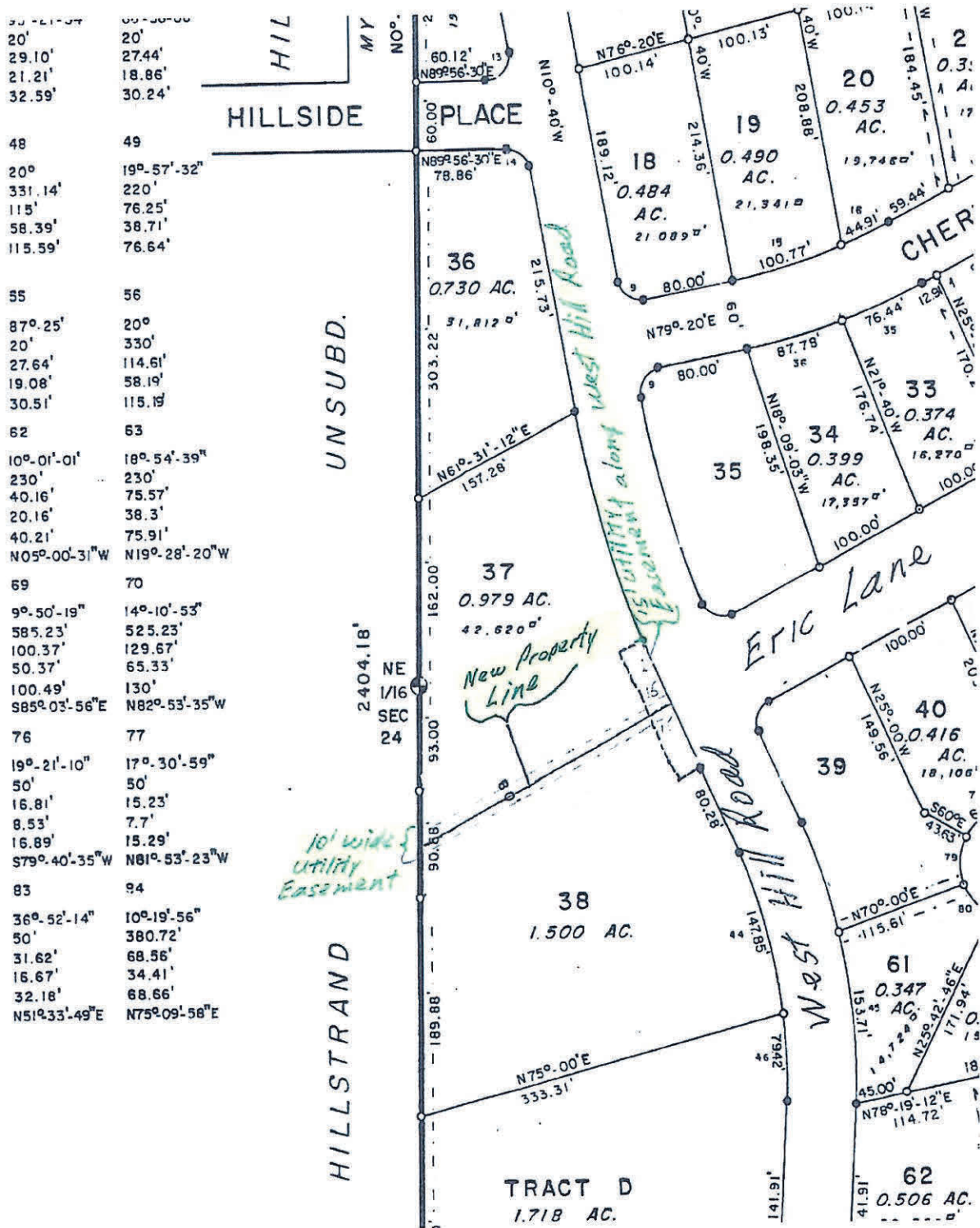
Petitioners:
 Signature: Loren Myhill Signature: _____
 Name: Loren Myhill Name: _____
 Address: Homer, AK 99603 Address: _____
Loren Myhill

Owner of Lot 37, 3815 W. Hill Owner of _____

Signature: Jordan Jones Signature: _____
 Name: Jordan Jones Name: _____
 Address: 3771 W. Hill Rd Address: _____
Homer, AK 99603

Owner of Lot 38, 17524179 Owner of _____

Proposed Lot Configuration



RE: Lillian Walli Estate Plat

 Neuendorf, Cody <CNeuendorf@HomerElectric.com>

Reply |

You

Mr. Myhill KPB form
239 KB

Download Save to OneDrive - Personal

Hello Mr. Myhill:

HEA has reviewed your proposal to vacate the portion of Eric Lane public right of way between Lots 37 & 38 Lillian Walli Estate and has no objection.

Please let me know if you have any additional questions or requests.

Have a great day.

Cody Neuendorf, SR/WA

Land Management Officer

Homer Electric Association, Inc.

280 Airport Way

Kenai, AK 99611

907.335.6209 - Office

907.398.6170 - Mobile

cneuendorf@homerelectric.com



ENSTAR Natural Gas Company
A DIVISION OF SEMCO ENERGY
Engineering Department, Right of Way Section
401 E. International Airport Road
P. O. Box 190288
Anchorage, Alaska 99519-0288
(907) 277-5551
FAX (907) 334-7798

October 3, 2018

Subject: Letter of Non-Objection – Right-of-way Vacation

To whom it may concern:

ENSTAR Natural Gas Company has no objection to the proposed vacation of the eighty foot (80 FT) wide Eric Lane (formerly Fairview Ave.) right-of-way, lying west of West Hill Road, as dedicated by Plat No. 88-16, Records of the Homer Recording District, Third Judicial District, State of Alaska.

Sincerely,

A handwritten signature in cursive script that reads "Cassie Acres".

Cassie Acres
Right of Way & Compliance Technician
ENSTAR Natural Gas Company



October 17, 2018

Loren Myhill
1363 Myhill Road
Homer, AK 99603

RE: Eric Lane Right of Way Vacation

Dear Mr. Myhill,

Provided that a 10 foot wide Utility Easement centered in the existing Right of Way (ROW) is established GCI has no objection to vacating the Eric Lane ROW between Lot 37, 3815 West Hill Rd and Lot 38, 3771 West Hill Rd, Lillian Walli Estate.

Sincerely

A handwritten signature in black ink that reads "Bradley Beck". The signature is written in a cursive, flowing style.

Bradley Beck
Manager OSP O&M

PUBLIC HEARING NOTICE

Public notice is hereby given that the City of Homer will hold a public hearing by the Homer Advisory Planning Commission on Wednesday, December 05, 2018 at 6:30 p.m. at Homer City Hall, 491 East Pioneer Avenue, Homer, Alaska, on the following matter:

A proposal to vacate the portion of Eric Lane located west of West Hill Road (approximately 250 feet in length & 80 feet in width). The proposed right-of-way vacation is located in Lillian Walli Estate, E ½ NE ¼ Sec. 24, T.6S., R.14W., S.M.

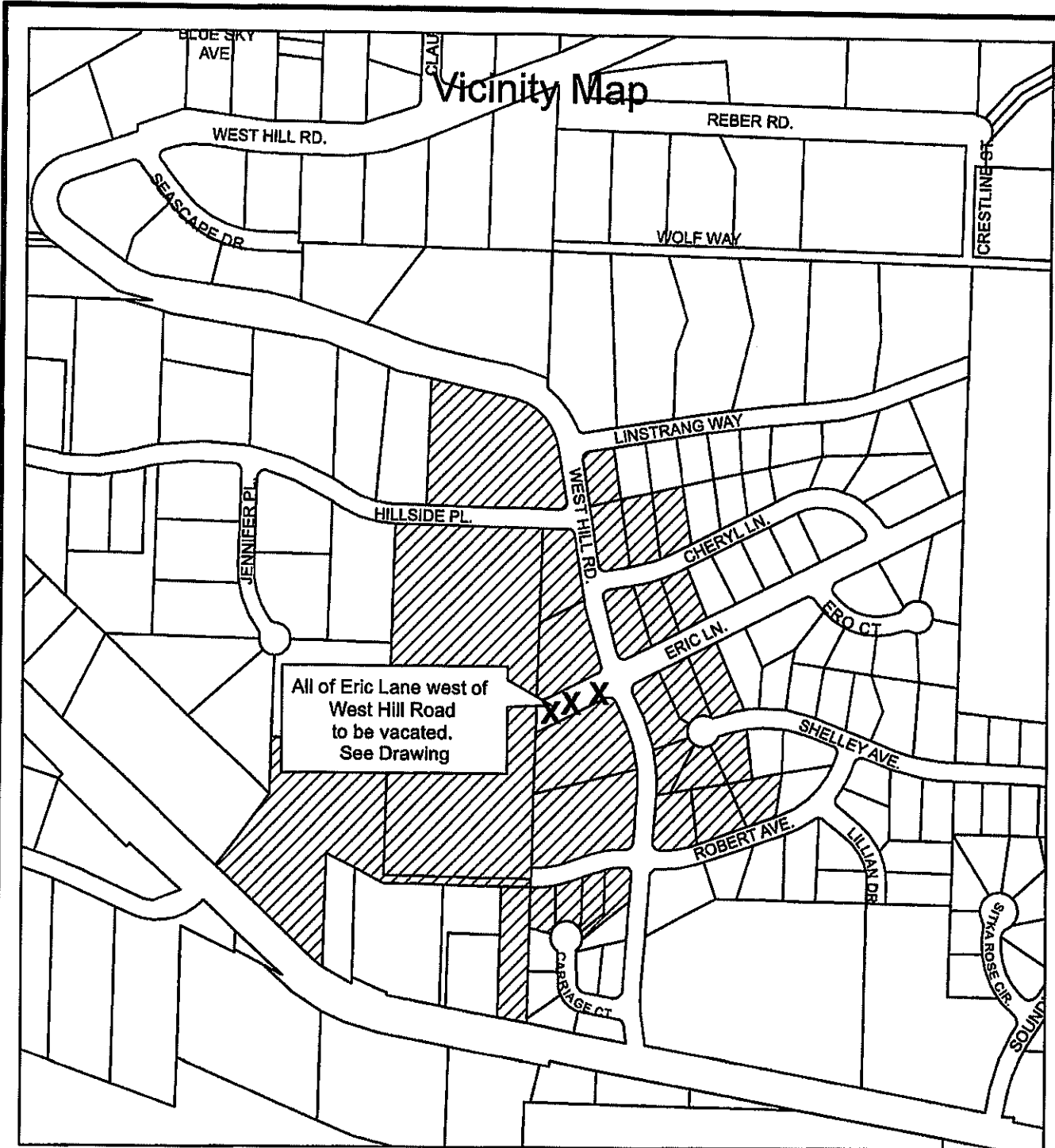
Anyone wishing to present testimony concerning this matter may do so at the meeting or by submitting a written statement to the Homer Advisory Planning Commission, 491 East Pioneer Avenue, Homer, Alaska 99603, by 4:00 p.m. on the day of the meeting.

The complete proposal is available for review at the City of Homer Planning and Zoning Office located at Homer City Hall. For additional information, please contact Rick Abboud at the Planning and Zoning Office, 235-3106.

NOTICE TO BE SENT TO PROPERTY OWNERS WITHIN 300 FEET OF PROPERTY.

.....

VICINITY MAP ON REVERSE

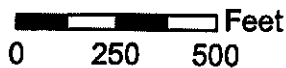


City of Homer
 Planning and Zoning Department

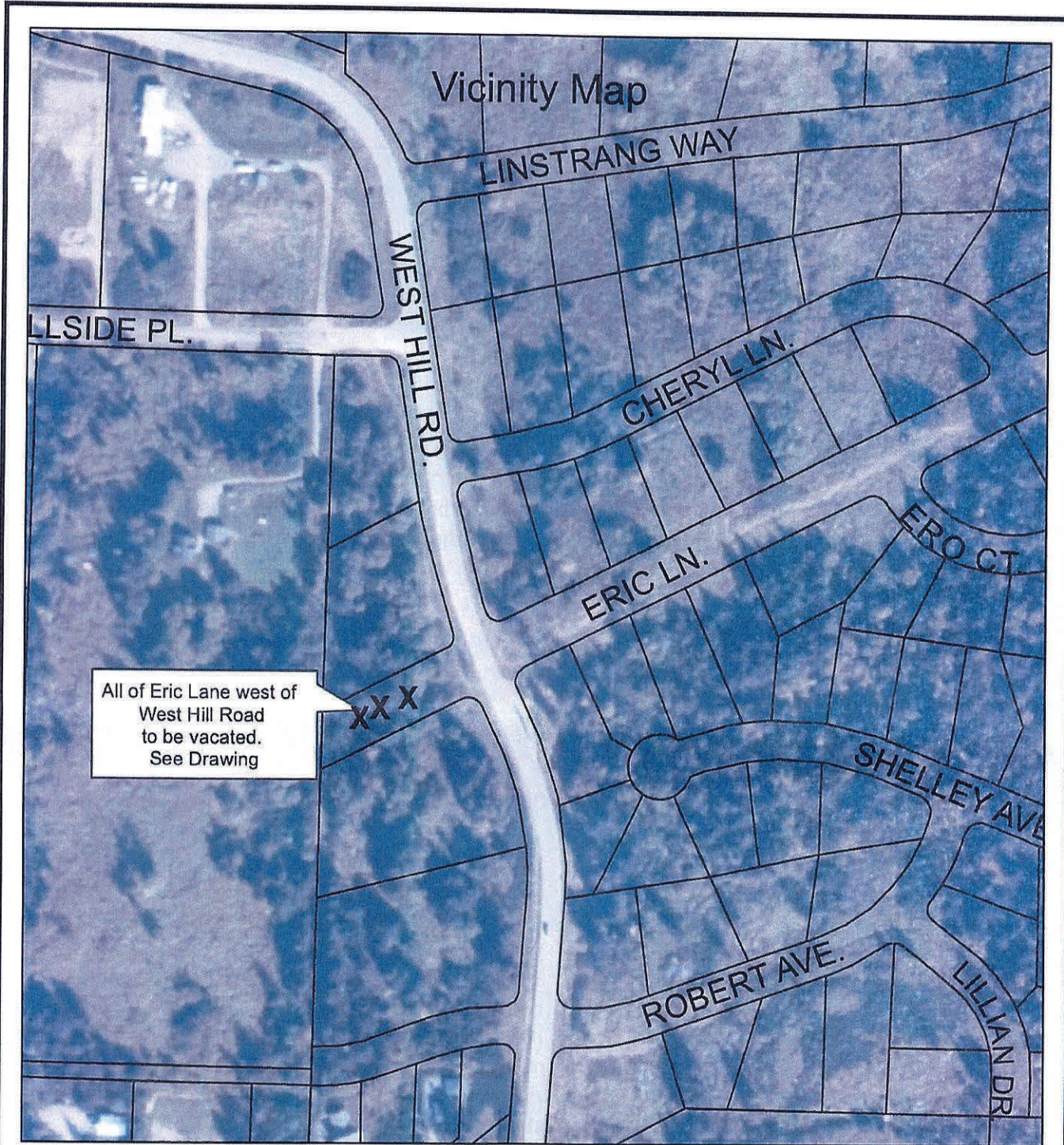
October 25, 2018

Vacation of Eric Lane, that portion west of West Hill Road

Marked Lots are w/in 300 feet
 and property owners notified.



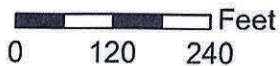
Disclaimer:
 It is expressly understood the City of Homer, its council, board, departments, employees and agents are not responsible for any errors or omissions contained herein, or deductions, interpretations or conclusions drawn therefrom.



City of Homer
 Planning and Zoning Department

October 25, 2018

Vacation of Eric Lane,
 that portion west of
 West Hill Road



Disclaimer:
 It is expressly understood the City of
 Homer, its council, board,
 departments, employees and agents are
 not responsible for any errors or omissions
 contained herein, or deductions, interpretations
 or conclusions drawn therefrom.



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report 18-74

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: December 5, 2018
SUBJECT: Conditional Use Permit (CUP) 18-13

Synopsis The applicant proposes to build six dwellings at 3771 West Hill Road, consisting of five 18' x 28' houses and one 24' x 32' house. A Conditional Use Permit (CUP) is required per HCC 21.12.030(m).

Applicant: Jordan Jones
4200 Svedlund Cir.
Homer, AK 99603

Location: 3771 West Hill Road

Parcel ID: 17524179

Size of Existing Lot: 1.5 acres

Zoning Designation: Rural Residential District

Existing Land Use: Vacant

Surrounding Land Use: North: vacant rural residential
South: Currently a single family home and has approval for additional dwellings per CUP 18-12
East: vacant rural residential
West: 11.5 acre lot with a single family dwelling and a conservation easement

Comprehensive Plan: Chapter 4 Land Use, Goal 5: Maintain high quality residential neighborhoods; promote housing choice by supporting a variety of dwelling options. p 4-18. Chapter 4 Land Use, Goal 5, Objective C: Promote infill development in all housing districts p 4-19.

Wetland Status: A wetland upland complex may be present on the eastern half of the lot.

Flood Plain Status: Not in a floodplain.

BCWPD: Not within the Bridge Creek Watershed Protection District

Utilities: Public utilities service the site.

Public Notice: Notice was sent to 23 property owners of 16 parcels as shown on the KPB tax assessor rolls.

ANALYSIS: The applicant is proposing to construct five 18' x 28' dwellings for monthly or nightly rentals, in addition to one 24' x 32' home for use as a full time residence.

Density: In the Rural Residential District (RR), each lot shall contain a minimum of 10,000 square feet per dwelling when city water and sewer are provided. The proposal meets this density requirement by providing 65,340 square feet of lot area for the six dwellings.

Parking: 7 parking spaces are required for this proposal. The proposal includes five 2-vehicle parking areas, plus an additional parking area, totaling 10+ spaces.

Impervious: The proposal would create approximately 15,300 square feet of impervious surface, or 23% of the lot coverage. The project requires a level one site plan and is subject to the level one site development standards. The proposal creates less than 25,000 square feet of impervious surface and the development activities are not expected to trigger a Stormwater Plan.

The criteria for granting a Conditional Use Permit is set forth in HCC 21.71.030, Review criteria, and establishes the following conditions:

a. The applicable code authorizes each proposed use and structure by conditional use permit in that zoning district;

Analysis: The Rural Residential zoning district allows for more than one single family dwelling on a lot as a conditional use, per HCC 21.12.030(m). Lots served by City water and sewer may have increased density up to one dwelling unit for every 10,000 square feet of lot area, per HCC 21.12.040(a)(3).

Finding 1: More than one single family dwelling on a lot is authorized by conditional use permit.

Finding 2: This 65,340 square foot lot, served by water and sewer, may have up to 6 dwelling units based on dimensional requirements of code.

b. The proposed use(s) and structure(s) are compatible with the purpose of the zoning district in which the lot is located.

Applicant: The maximum structures on my lot can be six kitchens. Over time I plan to build all 6 kitchens on my 1.5 acre lot.

HCC 21.12.010 Purpose: The purpose of the rural residential district is primarily to provide an area in the City for low-density, primarily residential, development; allow for limited agricultural pursuits; and allow for other uses as provided in this chapter.

Finding 3: The proposal is compatible with the purpose of the district by meeting density requirements and providing residential development in the City.

c. The value of the adjoining property will not be negatively affected greater than that anticipated from other permitted or conditionally permitted uses in this district.

Applicant: My project will up the value of the area.

Analysis: Other allowed uses in this district, such as an apartment building or an assisted living home could dominate the site in terms of bulk, height and intensity more so than this proposal. The proposed dwellings could have a positive effect on adjoining property values by retaining a rural nature when compared to the previously mentioned uses by limiting both the size of structures and the total development area.

Finding 4: The value of adjoining property will not be negatively affected greater than multi-family dwellings or a conditionally permitted assisted living home.

d. The proposal is compatible with existing uses of surrounding land.

Applicant: The lot below is also in the process of building rentals.

Analysis: The lots to the north and across West Hill Road to the east are vacant residential lots, the lot to the west has a single family home, and the lot to the south has a single family home and has an approved CUP for 6 additional dwellings.

Finding 5: The proposal is compatible with the existing uses of surrounding land.

e. Public services and facilities are or will be, prior to occupancy, adequate to serve the proposed use and structure.

Finding 6: Existing public, water, sewer, and fire services are adequate to serve the proposed development.

f. Considering harmony in scale, bulk, coverage and density, generation of traffic, the nature and intensity of the proposed use, and other relevant effects, the proposal will not cause undue harmful effect upon desirable neighborhood character.

Applicant: No, it will not change the environment that is currently portrayed on W. Hill.

Analysis: Six dwellings on this lot will be in line with the neighborhood character in terms of scale, bulk and coverage. The increased traffic will be easily handled by the site's access to existing city streets. While more density will increase the intensity of this lot's current use, the increase is not expected to cause any undue harmful effects.

Finding 7: Considering harmony in scale, bulk, coverage and density, generation of traffic, the nature and intensity of the proposed use, and other relevant effects, the proposal will not cause undue harmful effect upon desirable neighborhood character.

g. The proposal will not be unduly detrimental to the health, safety or welfare of the surrounding area or the city as a whole.

Analysis: The permitting process will require the applicant to meet Federal, State and local standards.

Finding 8: The proposal will not be unduly detrimental to the health, safety or welfare of the surrounding area and the city as a whole when all applicable standards are met as required by city code.

h. The proposal does or will comply with the applicable regulations and conditions specified in this title for such use.

Analysis: No relief from code is sought from the applicant. All known applicable regulations will be addressed through the permitting process. The proposed parking plan meets the standards of HCC 21.55 "Off-Street Parking." The proposal shall comply with all applicable regulations and conditions when the permitting process is successfully navigated as provided in the CUP and permitting process.

Finding 9: The proposal will comply with applicable regulations.

i. The proposal is not contrary to the applicable land use goals and objectives of the Comprehensive Plan.

Analysis: This proposal promotes Goal 5: Objectives C and D by providing infill of affordable housing in a location with existing road, water, and sewer infrastructure.

Finding 10: The proposal does not appear to contradict any applicable land use goals and objectives of the Comprehensive Plan. The proposal aligns Goal 1 and Objectives A and B and no evidence has been found that it is contrary to the applicable land use goals and objects of the Comprehensive Plan.

j. The proposal will comply with the applicable provisions of the Community Design Manual (CDM).

Analysis: The Outdoor Lighting section of the Community Design Manual is applicable. This section encourages outdoor lighting sources to be hidden from public view, to avoid excessive light throw, and to be downward directional lighting.

Condition 1: Outdoor lighting must be downward directional and must not produce light trespass or glare per the CDM and HCC 21.59.030.

Finding 11: Condition 1 will assure that the proposal complies with level one lighting standards and the Community Design Manual

HCC 21.71.040(b). b. In approving a conditional use, the Commission may impose such conditions on the use as may be deemed necessary to ensure the proposal does and will continue to satisfy the applicable review criteria. Such conditions may include, but are not limited to, one or more of the following:

- 1. Special yards and spaces:** No specific conditions deemed necessary
- 2. Fences and walls:** Dumpster to be screened on 3 sides.
- 3. Surfacing of parking areas:** No specific conditions deemed necessary.
- 4. Street and road dedications and improvements:** No specific conditions deemed necessary.
- 5. Control of points of vehicular ingress and egress:** No specific conditions deemed necessary.
- 6. Special provisions on signs:** No specific conditions deemed necessary.
- 7. Landscaping:** No specific conditions deemed necessary.
- 8. Maintenance of the grounds, building, or structures:** No specific conditions deemed necessary.
- 9. Control of noise, vibration, odors or other similar nuisances:** No specific conditions deemed necessary.
- 10. Limitation of time for certain activities:** No specific conditions deemed necessary.
- 11. A time period within which the proposed use shall be developed:** No specific conditions deemed necessary.
- 12. A limit on total duration of use:** No specific conditions deemed necessary.
- 13. More stringent dimensional requirements,** such as lot area or dimensions, setbacks, and building height limitations. Dimensional requirements may be made more lenient by conditional use permit only when such relaxation is authorized by other provisions of the zoning code. Dimensional requirements may not be altered by conditional use permit when and to the extent other provisions of the zoning code expressly prohibit such alterations by conditional use permit.

14. Other conditions necessary to protect the interests of the community and surrounding area, or to protect the health, safety, or welfare of persons residing or working in the vicinity of the subject lot.

PUBLIC WORKS COMMENTS: Please advise the property owner that an engineered ADEC approved sewer design needs to be in place before installing sewer.

FIRE DEPARTMENT COMMENTS: None

PUBLIC COMMENTS: None

STAFF COMMENTS/RECOMMENDATIONS:

Planning Commission approve CUP 18-13 with findings 1-11 and the following conditions:

Condition 1: Outdoor lighting must be downward directional and must not produce light trespass or glare per the CDM and HCC 21.59.030.

Condition 2: Dumpster must be screened on 3 sides.

Attachments

Application
Density calculations
Public Notice
Aerial Photograph



City of Homer

www.cityofhomer-ak.gov

Planning
491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us
(p) 907-235-3106
(f) 907-235-3118

Applicant	
Name: <u>Jordan Jones</u>	Telephone No.: <u>907 953 7611</u>
Address: <u>4200 Svedlund Cir. Homer</u>	Email: <u>jordanjonesak@gmail.com</u>
Property Owner (if different than the applicant):	
Name: <u>Darren Jones</u>	Telephone No.: <u>907 898 6892</u>
Address: <u>36777 St. Theresa Rd Soldotna</u>	Email: <u>djonesak@gmail.com</u>
PROPERTY INFORMATION:	
Address: <u>3771 West Hill Rd Homer</u>	Lot Size: <u>1.5</u> acres KPB Tax ID # <u>17524179</u>
Legal Description of Property: <u>Lot 38 of Lillian Walli Estate</u>	
<i>For staff use:</i>	
Date: _____	Fee submittal: Amount _____
Received by: _____	Date application accepted as complete _____
Planning Commission Public Hearing Date: _____	

Conditional Use Permit Application Requirements:

1. A Site Plan
2. Right of Way Access Plan
3. Parking Plan
4. A map showing neighboring lots and a narrative description of the existing uses of all neighboring lots. (Planning can provide a blank map for you to fill in).
5. Completed Application Form
6. Payment of application fee (nonrefundable)
7. Any other information required by code or staff, to review your project

RECEIVED

11/5/2018

**CITY OF HOMER
PLANNING/ZONING**

Circle Your Zoning District

	RR	UR	RO	CBD	TCD	GBD	GC1	GC2	MC	MI	EEMU	BCWPD
Level 1 Site Plan	x	x	x			x			x			x
Level 1 ROW Access Plan	x	x							x			
Level 1 Site Development Standards	x	x										
Level 1 Lighting			x	x	x	x	x	x	x	x	x	
Level 2 Site Plan			x	x	x		x	x		x	x	
Level 2 ROW Access Plan			x	x	x		x	x		x	x	
Level 2 Site Development Standards			x*	x	x	x	x	x			x	
Level 3 Site Development Standards									x	x		
Level 3 ROW Access Plan						x						

Circle applicable permits. Planning staff will be glad to assist with these questions.

- Y/ N Are you building or remodeling a commercial structure, or multifamily building with more than 3 apartments? If yes, Fire Marshal Certification is required. Status: _____
- Y/ N Will your development trigger a Development Activity Plan?
Application Status: _____
- Y/ N Will your development trigger a Storm water Plan?
Application Status: _____
- Y/ N Does your site contain wetlands? If yes, Army Corps of Engineers Wetlands Permit is required. Application Status: _____
- Y/ N Is your development in a floodplain? If yes, a Flood Development Permit is required.
- Y/ N Does your project trigger a Community Design Manual review?
If yes, complete the design review application form. The Community Design Manual is online at: <http://www.ci.homer.ak.us/documentsandforms>
- Y/ N Do you need a traffic impact analysis?
- Y/ N Are there any nonconforming uses or structures on the property?
- Y/ N Have they been formally accepted by the Homer Advisory Planning Commission?
- Y/ N Do you have a state or city driveway permit? Status: In Process
- Y/ N Do you have active City water and sewer permits? Status: In Process

1. Currently, how is the property used? Are there buildings on the property? How many square feet? Uses within the building(s)?

Lot is currently vacant + wooded.

RECEIVED

2. What is the proposed use of the property? How do you intend to develop the property? (Attach additional sheet if needed. Provide as much information as possible).

A Build rental units (5) and have 1 long term resident (self.)

Cabins #1-4 will be built in the first year
#5 + 6 will be constructed before 5 years from start. Cabin 1 will be a ~~per~~ long term resident. The remaining 5 cabins will be both nightly + monthly rentals.

- a. What code citation authorizes each proposed use and structure by conditional use permit?
- b. Describe how the proposed uses(s) and structures(s) are compatible with the purpose of the zoning district.
The maximum structures on my lot can be six kitchens. Over time I plan to build all 6 kitchens on my 1.5^{ac} lot.
- c. How will your proposed project affect adjoining property values?
My project will up the value of the area.
- d. How is your proposal compatible with existing uses of the surrounding land?
 The lot below is also in the process of building rentals.
- e. Are/will public services adequate to serve the proposed uses and structures?
Yes
- f. How will the development affect the harmony in scale, bulk, coverage and density upon the desirable neighborhood character, and will the generation of traffic and the capacity of surrounding streets and roads be negatively affected?
No, it will not change the environment that is currently portrayed on W. Hill.
- g. Will your proposal be detrimental to the health, safety or welfare of the surrounding area or the city as a whole?
No
- h. How does your project relate to the goals of the Comprehensive Plan?
 The Comprehensive Plan are online,
Yes
- i. The Planning Commission may require you to make some special improvements. Are you planning on doing any of the following, or do you have suggestions on special improvements you would be willing to make? **(circle each answer)**
1. /N Special yards and spaces.
 2. /N Fences, walls and screening.
 3. Y/ Surfacing of parking areas.
 4. /N Street and road dedications and improvements (or bonds).
 5. /N Control of points of vehicular ingress & egress.
 6. /N Special provisions on signs.
 7. /N Landscaping.
 8. /N Maintenance of the grounds, buildings, or structures.

- 9. /N Control of noise, vibration, odors, lighting, heat, glare, water and solid waste pollution, dangerous materials, material and equipment storage, or other similar nuisances.
- 10. /N Time for certain activities.
- 11. /N A time period within which the proposed use shall be developed.
- 12. /N A limit on total duration of use.
- 13. /N Special dimensional requirements such as lot area, setbacks, building height.
- 14. /N Other conditions deemed necessary to protect the interest of the community.


PARKING

- 1. How many parking spaces are required for your development? 12
If more than 24 spaces are required see HCC 21.50.030(f)(1)(b). _____
- 2. How many spaces are shown on your parking plan? 12
- 3. Are you requesting any reductions? No

Include a site plan, drawn to a scale of not less than 1" = 20' which shows existing and proposed structures, clearing, fill, vegetation and drainage.

I hereby certify that the above statements and other information submitted are true and accurate to the best of my knowledge, and that I, as applicant, have the following legal interest in the property:

CIRCLE ONE: Owner of record Lessee Contract purchaser

Applicant signature:  Date: 10/19/18

Property Owner's signature:  Date: 10/19/18

RECEIVED

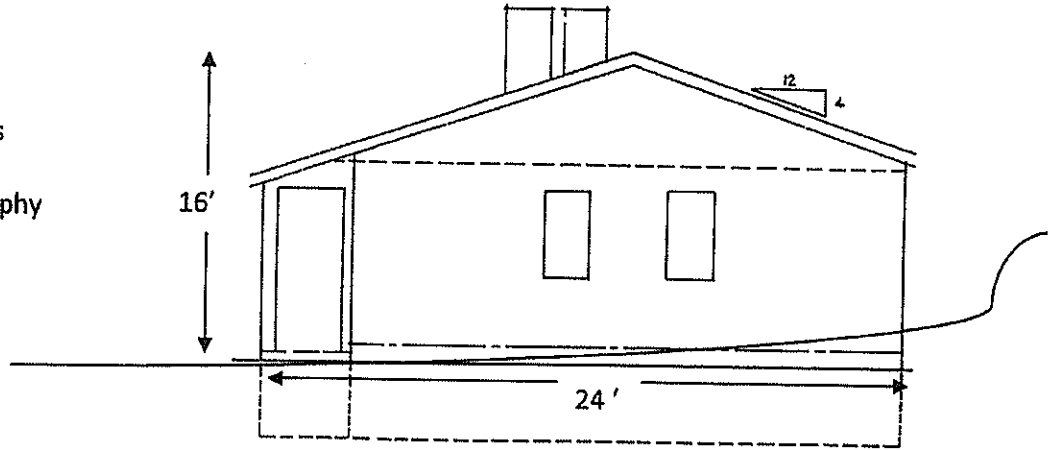
11/5/2018

CITY OF HOMER
PLANNING/ZONING

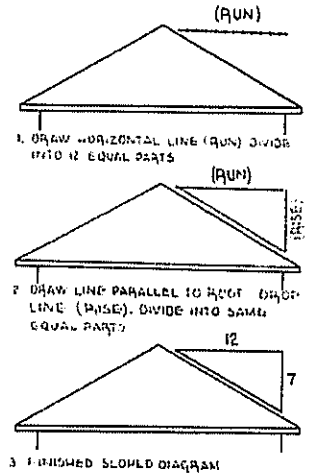


Building elevation drawing

- Building height
- Wall dimensions
- Grade / topography



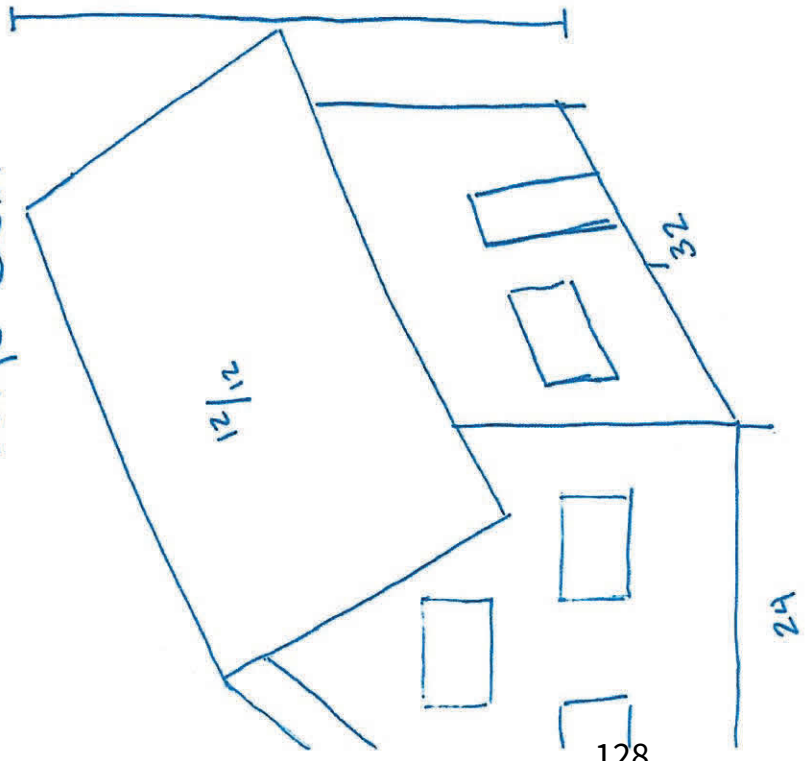
Your elevation drawing here:



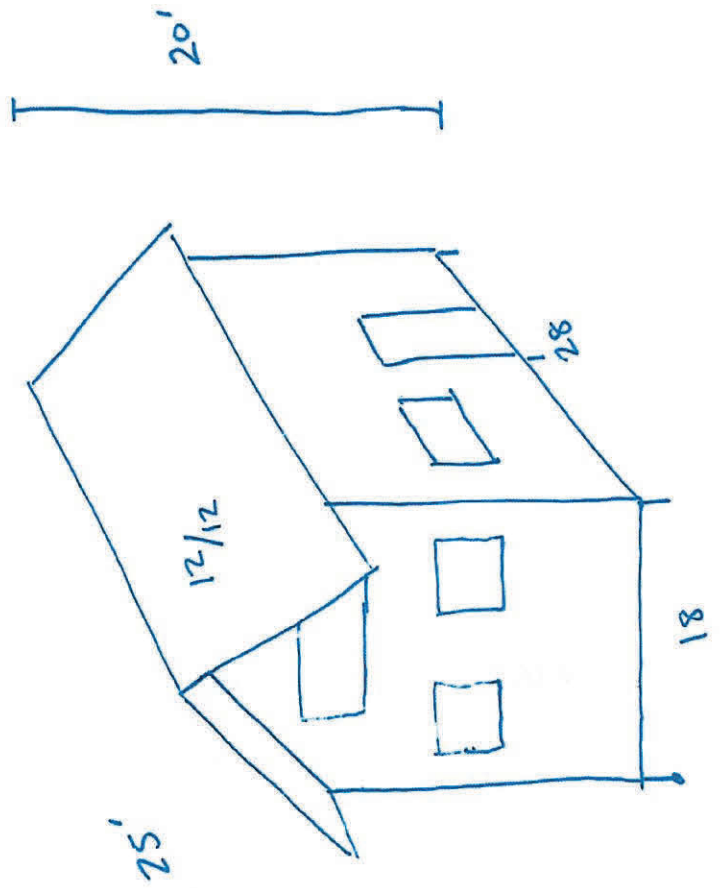
ERIC LN.

Initial sketch

Large Cabin



Small Cabin



RECEIVED

CITY OF HOMER
PLANNING/ZONING

IMPERVIOUS AREA CALCULATION

SWP is required when impervious area exceeds 60% in any zoning district

Type of Impervious	Dimensions (ft.)	Area (sq. ft.)
Driveway Area	30 x 250	7,500
Parking Area	18 x 20 (times 5)	1,800
Additional Driveway/Parking/Other	30 x 60	1,800
Primary Building Footprint (1st floor)	24 x 32	768
Primary Building Decks	6 x 27	162
Other Buildings Footprint (1st floor)	18 x 28 (times 5)	2,520
Other Buildings Decks	(6 x 21)+(4 x 6) times 5	750
Total Driving/Parking Area/Other		11,100
Total Building Area Footprint Including Decks		4,200
Total Impervious Coverage		15,300
Total Lot Area		65,340
% Impervious Coverage		23%

FLOOR AREA & OPEN AREA CALCULATION

Floor Area	Note
Primary Building Footprint (1st floor)	768
Primary Building 2nd Floor	0
Primary Building 3rd floor	0
Primary Building Decks	162
Other Buildings Footprint (1st floor)	2,520
Other Buildings 2nd Floor	0
Other Buildings 3rd Floor	0
Other Buildings Decks	750
Total proposed floor area including decks	4,200
Total proposed floor area	6%
Maximum allowed floor area	26,136
Total proposed open area	50,040
Minimum required open area	4,620

expressed as percentage of total lot area
40% of the lot area

equals the total lot area minus the total impervious coverage
equals 110% of the total floor area

PUBLIC HEARING NOTICE

Public notice is hereby given that the City of Homer will hold a public hearing by the Homer Advisory Planning Commission on Wednesday, December 05, 2018 at 6:30 p.m. at Homer City Hall, 491 East Pioneer Avenue, Homer, Alaska, on the following matter:

Request for Conditional Use Permit (CUP) 18-13, to build 6 dwellings at 3771 West Hill Road, consisting of one main house and five smaller long-term & short-term rental houses, with approximately 500 square feet of building area each. A CUP is required for more than one building containing a permitted principal use on a lot, according to HCC 21.12.030(m). The legal description of the property is Lot 38 Lillian Walli Estate, E ½ NE ¼ Sec. 24, T.6S., R.14W., S.M.

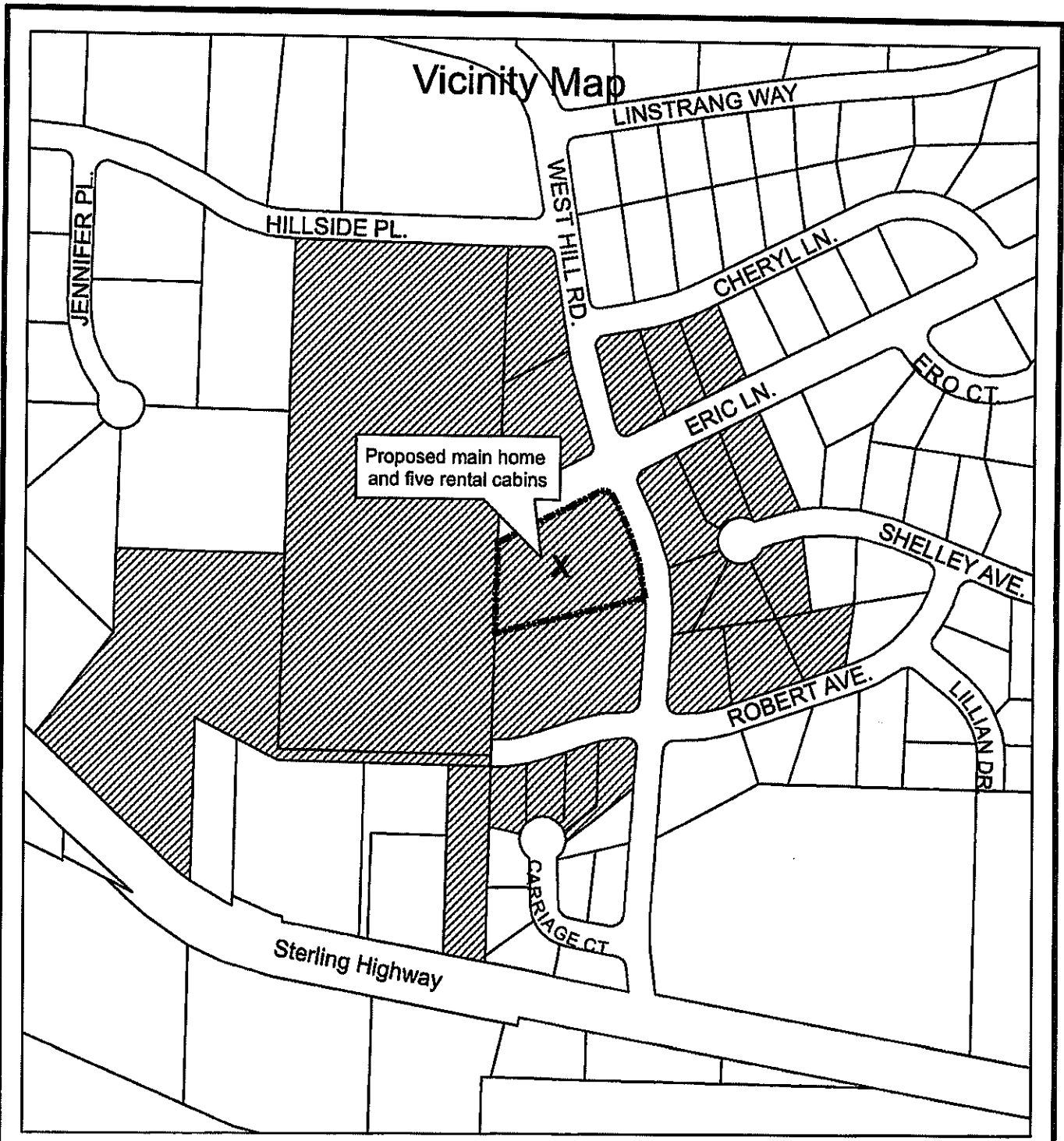
Anyone wishing to present testimony concerning this matter may do so at the meeting or by submitting a written statement to the Homer Advisory Planning Commission, 491 East Pioneer Avenue, Homer, Alaska 99603, by 4:00 p.m. on the day of the meeting.

The complete proposal is available for review at the City of Homer Planning and Zoning Office located at Homer City Hall. For additional information, please contact Rick Abboud at the Planning and Zoning Office, 235-3106.

NOTICE TO BE SENT TO PROPERTY OWNERS WITHIN 300 FEET OF PROPERTY.

.....

VICINITY MAP ON REVERSE



Vicinity Map

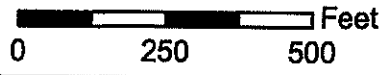
Proposed main home and five rental cabins



City of Homer
 Planning and Zoning Department
 November 16, 2018

Request for
 Conditional Use Permit
 2018-13

Marked Lots are w/in 300 feet
 and property owners notified.



Disclaimer:
 It is expressly understood the City of Homer, its council, board, departments, employees and agents are not responsible for any errors or omissions contained herein, or deductions, interpretations or conclusions drawn therefrom.

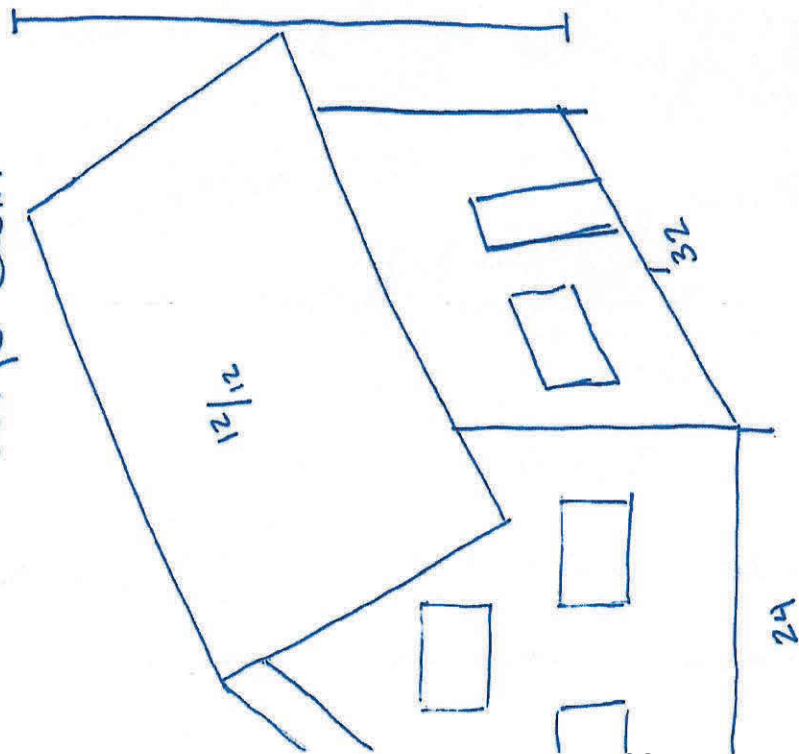
RECEIVED

11/5/2018

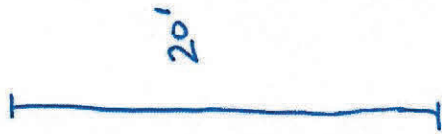
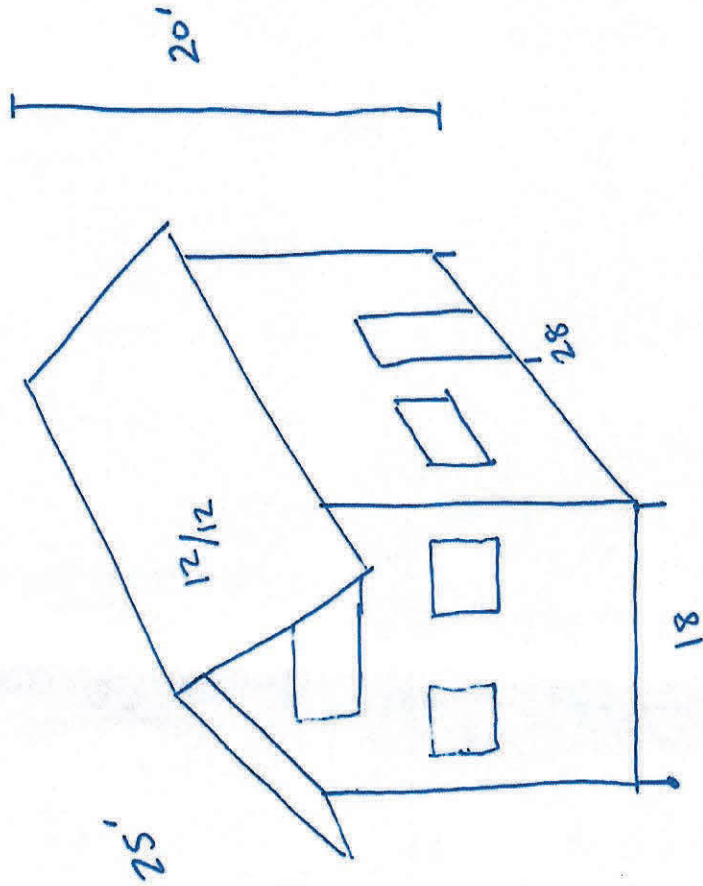
CITY OF HOMER
PLANNING/ZONING



Large Cabin



Small Cabin

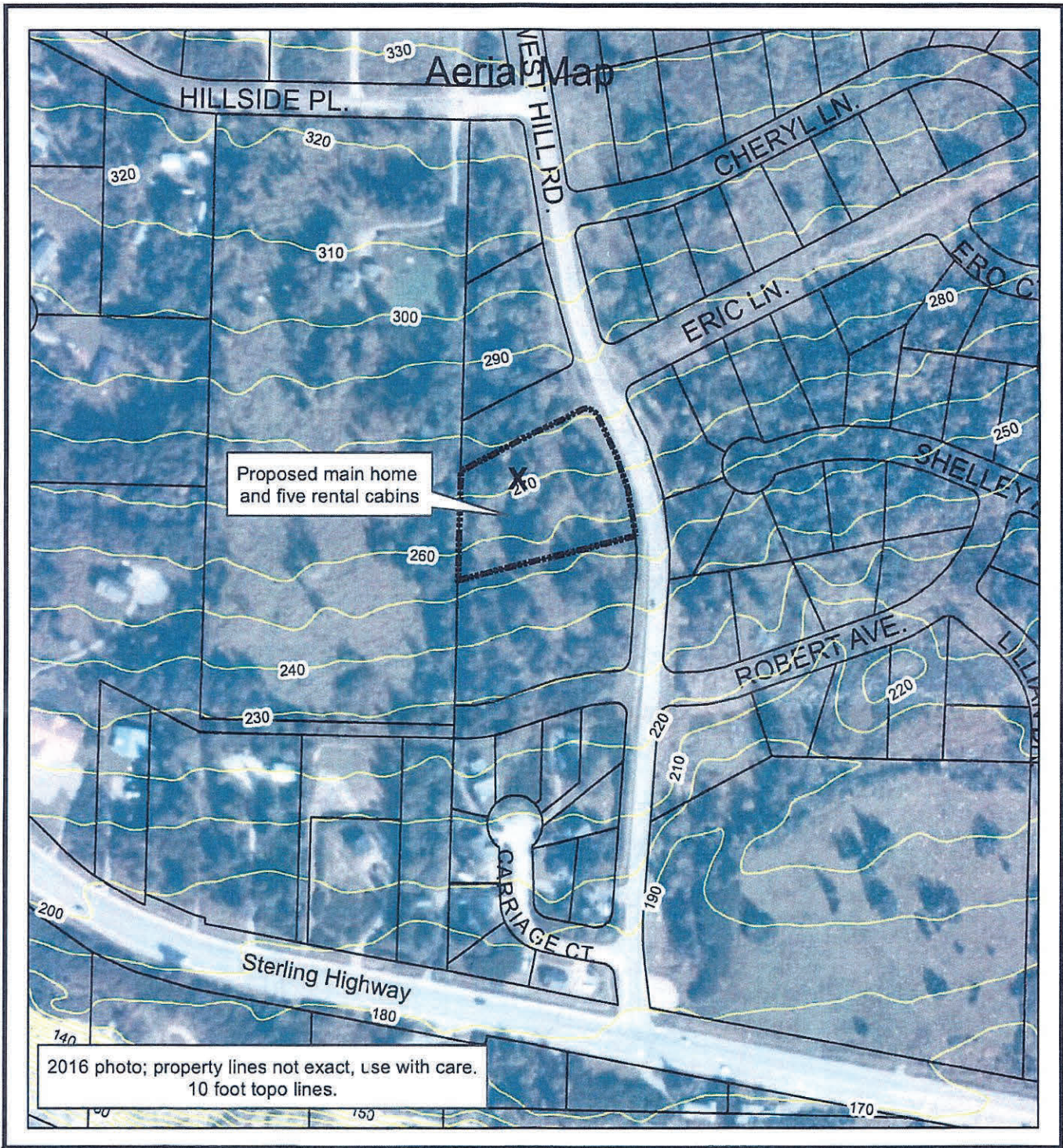


25'



RECEIVED

CITY OF HOWER
PLANNING/ZONING



City of Homer
 Planning and Zoning Department
 November 16, 2018

Request for Conditional Use Permit 2018-13



Disclaimer:
 It is expressly understood the City of Homer, its council, board, departments, employees and agents are not responsible for any errors or omissions contained herein, or deductions, interpretations or conclusions drawn therefrom.

REGULAR MEETING AGENDA

- 1. Call to Order**
- 2. Approval of Agenda**
- 3. Public Comment**

The public may speak to the Commission regarding matters on the agenda that are not scheduled for public hearing or plat consideration. (3 minute time limit).
- 4. Reconsiderations**
- 5. Adoption of Consent Agenda**

All items on the consent agenda are considered routine and non-controversial by the Planning Commission and are approved in one motion. There will be no separate discussion of these items unless requested by a Planning Commissioner or someone from the public, in which case the item will be moved to the regular agenda.

 - A. Approval of minutes of November 7, 2018**
- 6. Presentations/Visitors**
- 7. Reports**
 - A. Staff Report 18-72, City Planner's Report**
- 8. Public Hearings**

Testimony limited to 3 minutes per speaker. The Commission conducts Public Hearings by hearing a staff report, presentation by the applicant, hearing public testimony and then acting on the Public Hearing items. The Commission may question the public. Once the public hearing is closed the Commission cannot hear additional comments on the topic. The applicant is not held to the 3 minute time limit.

 - A. Staff Report 18-73, Request for Vacation of Right-of-Way, a portion of Eric Lane west of West Hill Road**
 - B. Staff Report 18-74, Conditional Use Permit 18-13 for more than one building containing a permitted principal use on a lot at 3771 West Hill Road**
 - C. Staff Report 18-75, Conditional Use Permit 18-14 for a medical office/clinic at 205 W. Fairview Ave.**
- 9. Plat Consideration**
 - A. Staff Report 18-76, Commercial Park Unit 2 Preliminary Plat**
- 10. Pending Business**
 - A. Staff Report 18-77, Green Infrastructure**
- 11. New Business**
 - A. Staff Report 18-88, HAPC Work List**
- 12. Informational Materials**
 - A. City Manager's Report for the November 26, 2018 Homer City Council meeting**
 - B. Notice from the superior court dated 11/26/18, re: case no. 3HO-18-00240**

13. Comments of the Audience

Members of the audience may address the Commission on any subject. (3 min limit)

14. Comments of Staff

15. Comments of the Commission

16. Adjournment

The next regular meeting is scheduled for Wednesday, January 2, 2019. Meetings will adjourn promptly at 9:30 p.m. An extension is allowed by a vote of the Commission.

VISITORS

ANNOUNCEMENTS
PRESENTATIONS
BOROUGH REPORT
COMMISSION REPORTS

PUBLIC HEARING(S)

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

Ordinances 19-01 to 19-05

A **public hearing** is scheduled for **Monday, January 28, 2019** 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.

Ordinance 19-01, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2019 Capital Budget to Provide for Replacement of the Water Treatment Plant Chlorine Generation Cell by Appropriating Funds from the Water Reserve Fund in the Amount of \$23,600. City Manager/Public Works Director.

Ordinance 19-02, An Ordinance of the City Council of Homer, Alaska, Amending the 2019 Capital Budget to Provide for Rehabilitation of the Spit Fish Grinding Lift Station by Appropriating Funds from the Harbor Reserve Fund in the Amount of \$31,275. City Manager/Harbormaster.

Ordinance 19-03, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2019 Revolving Energy Fund to Provide for Lighting Upgrades at Six City City Buildings in the Amount of \$69,175. Stroozas.

Ordinance 19-04, An Ordinance of the City Council of Homer, Alaska, Repealing Homer City Code Chapter 2.96, Civil Defense. Mayor.

Ordinance 19-05(A), An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.08.100-2.08.120 Regarding Telephonic Participation at Meetings. Erickson.

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>, at the Homer City Clerk's Office, 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: January 24, 2019
Ad #19-008

CLERK'S AFFIDAVIT OF POSTING

I, Rachel Tussey, Deputy City Clerk for the City of Homer, Alaska, do hereby certify that a copy of the Public Hearing Notice for:

Ordinance 19-01, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2019 Capital Budget to Provide for Replacement of the Water Treatment Plant Chlorine Generation Cell by Appropriating Funds from the Water Reserve Fund in the Amount of \$23,600. City Manager/Public Works Director.

Ordinance 19-02, An Ordinance of the City Council of Homer, Alaska, Amending the 2019 Capital Budget to Provide for Rehabilitation of the Spit Fish Grinding Lift Station by Appropriating Funds from the Harbor Reserve Fund in the Amount of \$31,275. City Manager/Harbormaster.

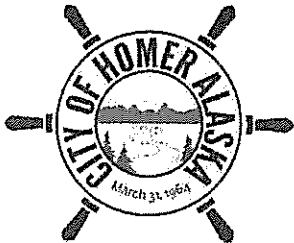
Ordinance 19-03, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2019 Revolving Energy Fund to Provide for Lighting Upgrades at Six City City Buildings in the Amount of \$69,175. Stroozas.

Ordinance 19-04, An Ordinance of the City Council of Homer, Alaska, Repealing Homer City Code Chapter 2.96, Civil Defense. Mayor.

Ordinance 19-05(A), An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.08.100-2.08.120 Regarding Telephonic Participation at Meetings. Erickson.

...was distributed on Monday, January 21, 2019 to the City of Homer kiosks located at City Clerk's Office, the Homer Public Library, and posted on the City of Homer website.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal of said City of Homer this 21st day of January 2019.



Rachel Tussey
Rachel Tussey, Deputy City Clerk

ORDINANCE REFERENCE SHEET
2019 ORDINANCE
ORDINANCE 19-01

An Ordinance of the City Council of Homer, Alaska, Amending the FY 2019 Capital Budget to Provide for Replacement of the Water Treatment Plant Chlorine Generation Cell by Appropriating Funds from the Water Reserve Fund in the Amount of \$23,600.

Sponsor: City Manager/ Public Works Director

1. City Council Regular Meeting January 14, 2019 Introduction
Memorandum 19-005 from Public Works Director as backup

2. City Council Regular Meeting January 28, 2019 Public Hearing and Second Reading
Memorandum 19-005 from Public Works Director as backup

CITY OF HOMER
HOMER, ALASKA

City Manager/Public Works Director

ORDINANCE 19-01

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
AMENDING THE FY 2019 CAPITAL BUDGET TO PROVIDE FOR
REPLACEMENT OF THE WATER TREATMENT PLANT CHLORINE
GENERATION CELL BY APPROPRIATING FUNDS FROM THE WATER
RESERVE FUND IN THE AMOUNT OF \$23,600.

WHEREAS, Chlorine for the disinfection of the City’s drinking water is generated on-site using a chlorine generation cell; and

WHEREAS, The cell has failed and cannot be rebuilt, and replacement is necessary (as discussed in Memorandum 19-005 from Public Works); and

WHEREAS, The City uses Miox chlorine generation equipment exclusively, replacement of the cell will require a sole source procurement; and

WHEREAS, Quotes received from the manufacturer indicate the replacement cost (including shipping) is \$23,600.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1: The FY 2019 Capital Budget is hereby amended for the purpose of funding the water treatment plant chlorine generation cell replacement, as follows:

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
256-0378	Water Reserve Account Fund	\$23,600

Section 2. This is a budget amendment ordinance, is not permanent in nature, and shall not be codified.

Section 3. Sole source procurement from the manufacturer is hereby authorized.

PASSED AND ADOPTED by the Homer City Council this 28th day of January, 2019.

CITY OF HOMER

KEN CASTNER, MAYOR

43 ATTEST:

44

45

46 _____

47 MELISSA JACOBSEN, MMC, CITY CLERK

48

49 YES:

50 NO:

51 ABSTAIN:

52 ABSENT:

53

54 Introduction:

55 Public Hearing:

56 Second Reading:

57 Effective Date:

58

59

60 Reviewed and approved as to form:

61

62 _____

63 Katie Koester, City Manager

64

65 Date: _____

Holly Wells, Attorney

Date: _____



City of Homer

www.cityofhomer-ak.gov

Public Works

3575 Heath Street
Homer, AK 99603

publicworks@cityofhomer-ak.gov

(p) 907-235-3170

(f) 907-235-3145

Memorandum 19-005

TO: Katie Koester, City Manager
FROM: Carey S. Meyer, Public Works Director
DATE: January 8, 2019
SUBJECT: Water Treatment Plant Chlorine Generation Cell Replacement

Chlorine for the disinfection of the City's drinking water is generated on-site using a chlorine generation cell. This cell failed late in 2018. Public Works shipped the cell to the manufacturer in hopes that it could be refurbished. The cell cannot be rebuilt and replacement is necessary.

In the meantime, water treatment personnel are batching chlorine to provide for disinfection.

Public Works has been exclusively using Miox chlorine generation equipment. The purchase of a new cell will be a sole source procurement. The cell is being purchased directly through the manufacturer, providing the City with the best possible price.

The estimate attached as back up is for \$23,200 and staff has confirmed the shipping cost is \$400, bringing the total cost to \$23,600.

Recommendation: The City Council amend the 2019 capital budget to create a Water Treatment Plant Chlorine Generation Cell Replacement project, and authorize the expenditure of \$23,600 to purchase a replacement cell. The authorization should include approval for a sole source procurement.

ORDINANCE REFERENCE SHEET
2019 ORDINANCE
ORDINANCE 19-02

An Ordinance of the City Council of Homer, Alaska, Amending the 2019 Capital Budget to Provide for Rehabilitation of the Spit Fish Grinding Lift Station by Appropriating Funds from the Harbor Reserve Fund in the Amount of \$31,275.

Sponsor: City Manager/ Harbormaster

1. City Council Regular Meeting January 14, 2019 Introduction
Memorandum 19-006 from Public Works Director as backup

2. City Council Regular Meeting January 28, 2019 Public Hearing and Second Reading
Memorandum 19-006 from Public Works Director as backup

CITY OF HOMER
HOMER, ALASKA

City Manager/Harbormaster

ORDINANCE 19-02

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
AMENDING THE FY 2019 CAPITAL BUDGET TO PROVIDE FOR
REHABILITATION OF THE SPIT FISH GRINDING LIFT STATION BY
APPROPRIATING FUNDS FROM THE HARBOR RESERVE FUND IN
THE AMOUNT OF \$31,275.

WHEREAS, The annual inspection of the Spit Fish Grinder Lift Station by Public Works,
at the end of 2018, reveled significant corrosion of the pumps and pump rails; and

WHEREAS, The rails need to be replaced and pumps need to be rebuilt; and

WHEREAS, Public Works estimates the cost of rehabilitation the fish grinding station
to be \$31,275 (as discussed in Memorandum 19-006 from Public Works); and

WHEREAS, Public Works water/sewer personnel will complete all work, but all costs
will be charge to the Port/Harbor Enterprise Fund.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1: The FY 2019 Capital Budget is hereby amended for the purpose of funding the
rehabilitation of the Spit Fish Grinding Lift Station, as follows:

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
456-0380	Harbor Reserve Account	\$31,275

Section 2. This is a budget amendment ordinance, is not permanent in nature, and shall
not be codified.

PASSED AND ADOPTED by the Homer City Council this 28th day of January, 2019.

CITY OF HOMER

KEN CASTNER, MAYOR

43 ATTEST:

44

45 _____

46 MELISSA JACOBSEN, MMC, CITY CLERK

47

48 YES:

49 NO:

50 ABSTAIN:

51 ABSENT:

52

53 Introduction:

54 Public Hearing:

55 Second Reading:

56 Effective Date:

57

58

59 Reviewed and approved as to form:

60

61 _____

62 Katie Koester, City Manager

63

64 Date: _____

Holly Wells, Attorney

Date: _____



City of Homer

www.cityofhomer-ak.gov

Public Works

3575 Heath Street
Homer, AK 99603

publicworks@cityofhomer-ak.gov

(p) 907-235-3170

(f) 907-235-3145

Memorandum 19-006

TO: Katie Koester, City Manager
FROM: Carey S. Meyer, Public Works Director
DATE: January 8, 2019
SUBJECT: Spit Fish Grinder Renovation

The annual inspection of the Spit Fish Grinder Lift Station by Public Works, at the end of 2018, revealed significant corrosion of the pumps and pump rails. The rails need to be replaced and pumps need to be rebuilt.

This fish grinding lift station is located adjacent to the Fish Grinding Building on Fish Dock Road. All sport caught fish carcasses collected from around the small boat harbor (in the summer) and fish waste from fish processors (during the fish processing season) are ground up in the Fish Grinding Building. The lift station then pumps all fish waste to the Bay.

Public Works estimates the cost of rehabilitation the fish grinding station as follows:

Pump rebuild parts (lowest of three quotes)	\$ 16,525
Rail Replacement Materials	\$ 360
Shipping	\$ 1,500
Labor (190 hrs x \$60/hour)	<u>\$ 11,400</u>
Subtotal	\$ 29,785
Contingency (5%)	<u>\$ 1,490</u>
 Total Estimated Project Cost	 \$ 31,275

Public Works water/sewer personnel will complete all work. All costs will be charge to the Port/Harbor Enterprise Fund.

Recommendation: The City Council amend the 2019 capital budget to create a Spit Fish Grinder Rehabilitation project, and authorize the expenditure of \$31,275 from the Harbor Reserve Fund to complete the rehabilitation.

ORDINANCE REFERENCE SHEET
2019 ORDINANCE
ORDINANCE 19-03

An Ordinance of the City Council of Homer, Alaska, Amending the FY 2019 Revolving Energy Fund to Provide for Lighting Upgrades at Six City City Buildings in the Amount of \$69,175.

Sponsor: Stroozas

1. City Council Regular Meeting January 14, 2019 Introduction
Memorandum 19-007 from Public Works Director as backup

2. City Council Regular Meeting January 28, 2019 Public Hearing and Second Reading
Memorandum 19-007 from Public Works Director as backup

CITY OF HOMER
HOMER, ALASKA

Stroozas

ORDINANCE 19-03

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
AMENDING THE FY 2019 REVOLVING ENERGY FUND TO PROVIDE
FOR LIGHTING UPGRADES AT SIX CITY BUILDINGS IN THE
AMOUNT OF \$69,175.

WHEREAS, The City Council authorized the completion of a lighting energy audit on six City buildings (City Hall, Animal Shelter, Airport Terminal, Library, Harbormaster Building, and Public Works); and

WHEREAS, The audits detail the work necessary and the benefit of upgrading the lighting at each facility including the return on investment associated with more energy efficient lighting; and

WHEREAS, The Revolving Energy Loan Fund, created by the City Council in 2010 to fund energy conservation projects, is an appropriate funding source for lighting upgrades at these facilities and is consistent with the intent of the fund; and

WHEREAS, Implementing the recommended energy conservation measures is estimated to reduce the City's annual energy cost by \$23,953 and reduce carbon emissions; and

WHEREAS, The cost of completing the recommended energy conservation measures (upgrading to LED lighting) is estimated to be \$69,175. The operating fund associated with each facility would reimburse the Revolving Energy Loan Fund in three equal payments (2020, 2021, and 2022).

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1: The FY 2019 Revolving Energy Fund is hereby amended for the purpose of funding the lighting upgrades to six City buildings, as follows:

Expenditure:

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
620-0375	Revolving Energy Loan Fund	\$69,175

43 Payback to Energy Fund:

44

45	<u>Account</u>	<u>Description</u>	<u>Loan</u>	<u>Payback</u>	<u>2020</u>
46			<u>Amount</u>	<u>Period (yrs.)</u>	<u>Payback</u>
47					
48	100-0140	City Hall	\$ 9,545	3	\$ 3,181.67
49	100-0165	Animal Shelter	\$ 2,802	3	\$ 934.00
50	100-0149	Airport Terminal	\$ 23,287	3	\$ 7,762.33
51	100-0145	Library	\$ 18,792	3	\$ 6,264.00
52	100-0170	Public Works	\$ 10,727	3	\$ 3,575.67
53	400-0600	Harbormasters Office	\$ 4,022	3	\$ 1,340.67

54

55 Section 2. This is a budget amendment ordinance, is not permanent in nature, and shall
56 not be codified.

57

58 PASSED AND ADOPTED by the Homer City Council this 28th day of January, 2019.

59

60

CITY OF HOMER

61

62

63

KEN CASTNER, MAYOR

64 ATTEST:

65

66

67 _____
MELISSA JACOBSEN, MMC, CITY CLERK

68

69 YES:

70 NO:

71 ABSTAIN:

72 ABSENT:

73

74 Introduction:

75 Public Hearing:

76 Second Reading:

77 Effective Date:

78

79 Reviewed and approved as to form:

80

81

82 _____
Katie Koester, City Manager

83

Holly Wells, Attorney

84 Date: _____

Date: _____



Memorandum 19-007

TO: Katie Koester, City Manager

FROM: Carey S. Meyer, Public Works Director

DATE: January 8, 2019

SUBJECT: LED lighting Upgrade – 6 City Buildings
Using Revolving Energy Loan Fund

The City Council authorized the completion of a lighting energy audit on six City buildings (City Hall, Animal Shelter, Airport Terminal, Library, Harbormaster Building, and Public Works). The Energy Conservation Plans were completed (see attached City Hall audit as an example) and the costs and benefits of upgrading the lighting at each facility have been determined and are summarized below:

	Material Cost	Labor Cost	Total Cost	Payback Period (Simple)	Annual Savings
City Hall	\$ 4,286	\$ 5,259	\$ 9,545	4.9 years	\$ 1,959
Animal Shelter	\$ 1,195	\$ 707	\$ 2,802	2.8 years	\$ 1,195
Airport Terminal	\$19,447	\$ 4,740	\$ 23,287	3.4 years	\$ 6,807
Library	\$ 8,627	\$10,165	\$ 18,792	2.7 years	\$ 7,076
Public Works	\$ 5,804	\$ 4,923	\$ 10,727	2.1 years	\$ 5,070
Harbormasters Office	<u>\$ 2,090</u>	<u>\$ 1,932</u>	<u>\$ 4,022</u>	2.2 years	<u>\$ 1,846</u>
Totals	\$41,449	\$27,726	\$ 69,175		\$ 23,953

Public Works proposes to utilize the Revolving Energy Loan Fund to finance the lighting upgrades at these facilities. The Fund was created by the City Council in 2010 to fund energy conservation projects, with departments repaying the loan over time to allow the fund to finance future projects. The operating budget associated with each facility will reimburse the Revolving Energy Loan Fund in three equal payments (2020, 2021, and 2022).

Labor to install would be completed by either building maintenance staff, a new temporary employee, or by contractor (as time allows, in the most cost effective manner). All work would be completed in 2019.

Recommendation: The City Council authorize the use of the Revolving Energy Loan Fund to finance the proposed City Building Lighting Upgrade project as described above, and authorize expenditures from the 2020, 2021, and 2022 City Operating Budget to reimburse the Fund for the cost of completing the project which will reduce energy costs and carbon emissions.

ORDINANCE REFERENCE SHEET
2019 ORDINANCE
ORDINANCE 19-04

An Ordinance of the City Council of Homer, Alaska, Repealing Homer City Code Chapter 2.96, Civil Defense.

Sponsor: Mayor

1. City Council Regular Meeting January 14, 2019 Introduction
2. City Council Regular Meeting January 28, 2019 Public Hearing and Second Reading

CITY OF HOMER
HOMER, ALASKA

Mayor

ORDINANCE 19-04

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
REPEALING HOMER CITY CODE CHAPTER 2.96 CIVIL DEFENSE.

WHEREAS, Ordinance 68-1 was adopted February 12, 1968 to conform with legal requirements of the Federal Civil Defense program in effect in 1968; and

WHEREAS, In 1980, the City contracted with a professional codification firm to review and make recommendations for modernizing and updating the Homer City Code resulting in the language currently in this chapter; and

WHEREAS, Chapter 2.96 Civil Defense is outdated and no longer applicable under current programs.

NOW THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code Chapter 2.96 Civil Defense is hereby repealed.

~~Chapter 2.96~~
~~CIVIL DEFENSE~~

~~Sections:~~

~~2.96.010 Purpose.~~

~~2.96.020 Civil Defense Organization Created.~~

~~2.96.030 Civil Defense Organization Membership.~~

~~2.96.040 Appointment of Director and staff.~~

~~Prior legislation: Ord. 68-1.~~

~~2.96.010 Purpose.~~

~~This chapter shall create Civil Defense as an agency of government for the City and provide for a Civil Defense Organization with a Director and staff. [Code 1967 § 17-100.1; Code 1981 § 5.32.010].~~

~~2.96.020 Civil Defense Organization Created.~~

~~There is created the Civil Defense Organization for the City as an agency of the government. [Code 1967 § 17-100.2; Code 1981 § 5.32.020].~~

~~2.96.030 Civil Defense Organization Membership.~~

43 ~~All City officers and employees of this City, together with those volunteer forces~~
44 ~~enrolled to aid them prior to or during a disaster, shall constitute the Civil Defense~~
45 ~~Organization, as provided by law. [Code 1967 § 17-100.4; Code 1981 § 5.32.030].~~
46 ~~2.96.040 Appointment of Director and staff.~~
47 ~~The City Council shall appoint a Civil Defense Director and a staff to serve at the~~
48 ~~pleasure of the Mayor. [Code 1967 § 17-100.3; Code 1981 § 5.32.040].~~

49
50 Section 2. This Ordinance shall take effect upon its adoption by the Homer City
51 Council.

52
53 Section 3. This Ordinance is of a permanent and general character and shall be
54 included in the Homer City Code.

55
56 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 28th day of January, 2019.

57
58 CITY OF HOMER

59
60 _____
61 KEN CASTNER, MAYOR

62 ATTEST:

63
64 _____
65 MELISSA JACOBSEN, MMC, CITY CLERK

66
67 YES:

68 NO:

69 ABSTAIN:

70 ABSENT:

71
72 First Reading:

73 Public Hearing:

74 Second Reading:

75 Effective Date:

76
77 Reviewed and Approved as to form and content:

78
79 _____
80 Katie Koester, City Manager

79 _____
80 Holly Wells, City Attorney

81
82 Date: _____

81
82 Date: _____

ORDINANCE REFERENCE SHEET
2019 ORDINANCE
ORDINANCE 19-05

An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.08.100-2.08.120 Regarding Telephonic Participation at Meetings.

Sponsor: Erickson

1. City Council Regular Meeting January 14, 2019 Introduction
2. City Council Regular Meeting January 28, 2019 Public Hearing and Second Reading

CITY OF HOMER
HOMER, ALASKA

Erickson

ORDINANCE 19-05(A)

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
AMENDING HOMER CITY CODE 2.08.100-2.08.120 REGARDING
TELEPHONIC PARTICIPATION IN MEETINGS

WHEREAS, Telephonic participation in City Council meetings is an important tool that allows members to participate when traveling or unable to be physically present; and

~~WHEREAS, Telephonic participation for travel for work or absence due to an illness should be prioritized over recreational travel; and~~

WHEREAS, In person is the preferred method for participation in meetings as it can be difficult to follow the public testimony and debate by voice only; and

WHEREAS, Every effort should be made to ensure a quality connection by the councilmember and City staff when participating telephonically such as testing the connection prior to the meeting, using a headset, and using a land line whenever possible; and

WHEREAS, Even given those measures, on occasion a telephonic connection can be spotty and interfere in the members ability to participate in the meeting; and

WHEREAS, The Council needs to have a mechanism in place to declare the member absent if it becomes clear throughout the course of the meeting that the telephonic connection is too poor for the member to be able to fully participate.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Homer, Alaska that:

Section 1. Homer City Code 2.08.100 entitled "Teleconference participation in meetings" is hereby amended to read:

2.08.100 Teleconference participation in meetings.

a. This section through HCC 2.08.120 govern the telephonic participation of the Mayor and members of the Council at all meetings of the City Council, including all other bodies that are comprised of the Mayor and members of the Council, such as, but not limited to, the Board of Adjustment and an Ethics Board.

42 b. The preferred procedure for City Council meetings is that the Mayor and all Council
43 members should be physically present at the designated time and location within the
44 City for the meeting. However, physical presence may be waived and the Mayor and any
45 member(s) may participate in a Council meeting by teleconference, subject to the
46 procedures and limitations provided in this section through HCC 2.08.120.

47
48 c. A person participating by teleconference shall, while actually on the teleconference,
49 be deemed to be present at the meeting for all purposes. The person shall make every
50 effort to participate in the entire meeting. If at any time during the meeting the
51 person is unable to participate due to a poor telephonic connection, they may
52 terminate the call and the record will reflect that the member was not able to
53 participate in the entire meeting.

54
55 d. If the Mayor participates telephonically, the Mayor may vote telephonically to break
56 a tie as permitted in HCC 2.08.040(h), but the Mayor Pro Tem, or the senior Council
57 member in the Mayor Pro Tem's absence, shall preside over and perform all other
58 functions of the Mayor at the meeting.

59
60 e. "Teleconferencing" means a means used for remote participation by an official for a
61 meeting of the City Council which must enable the remote official, for the duration of
62 the meeting, to clearly hear the Mayor, all Council members, the City Clerk and public
63 testimony and to be clearly heard by the Mayor, all Council members, the City Clerk and
64 the public in attendance. [Ord. 16-58(A) § 1, 2017; Ord. 07-45(A)(S) § 1, 2007. Code 1981
65 § 1.24.100].

66
67 2.08.110 Teleconference procedures.

68
69 a. A Mayor or Council member who cannot be physically present for a regularly
70 scheduled Council meeting shall notify the City Clerk at least five days prior to the
71 scheduled time for the meeting of his or her request to participate in the meeting by
72 telephonic means of communication. The notification shall include information
73 regarding if the physical absence and request for telephonic participation is due
74 to vacation, work or medical.

75
76 b. Three days prior to the scheduled time for the Council meeting, the City Clerk shall
77 notify the Mayor and Council of the person's request to participate by teleconference
78 including the reason for the physical absence as given by the member.

79
80 c. At the commencement of the Council meeting a telephonic connection will be
81 established with the person or persons intending to participate telephonically. After a
82 telephonic connection is established the Mayor shall call for a vote of the Council on
83 whether the person(s) may or may not participate by telephone. Prior to the vote, the

84 Mayor or Council members may make such inquiries as necessary to make a decision.
85 Only the Council members physically present may vote on the question. ~~The Council's~~
86 ~~determination is final and not subject to veto or appeal.~~ If a person participates in the
87 meeting telephonically without a ruling from the Council, it shall be deemed to be with
88 the approval of such participation by the Council, and all actions taken by the Council
89 with the participation of all such persons are valid.

90
91 If telephonic participation is interrupted due to poor connectivity that hinders the
92 active participation of a member in the meeting the Mayor will request a brief
93 recess to allow the person an attempt to reestablish a connection. If the person
94 cannot reestablish a clear connection after a recess, the Mayor shall call for a vote of
95 the Council on whether to terminate telephonic participation. Prior to the vote, the
96 Mayor or Council members may make such inquiries as necessary to make a decision .
97 If a majority of the council votes to terminate telephonic participation, the record
98 will indicate such and the member participating telephonically shall not be called
99 **upon to comment or vote. The Council's determination is final and not subject to**
100 **veto or appeal.**

101
102 d. Subsections (a) and (b) of this section do not apply to special meetings or emergency
103 meetings of the City Council called under HCC 1.14.030 and 1.14.050. A Council member
104 or Mayor who requests to participate in a special or emergency meeting of the City
105 Council must notify the City Clerk before the time scheduled for the start of the meeting.
106 The Clerk will notify the Mayor and Council no later than the commencement of the
107 meeting. After a telephonic connection is established with the person or persons
108 requesting to participate telephonically, a ruling shall be made on the person's
109 participation in the meeting as provided in subsection (c) of this section.

110
111 e. The means used for a teleconference meeting of the City Council must enable each
112 member appearing telephonically to clearly hear the Mayor, all other Council members,
113 and public testimony at the meeting as well as be clearly heard by all other Council
114 members and members of the public in attendance.

115
116 f. The City Clerk shall note in the journal of the proceedings of the City Council all
117 members appearing telephonically.

118
119 g. To the extent practicable, materials to be considered by the Council shall be made
120 available to those attending by teleconference. [Ord. 07-45(A)(S) § 2, 2007. Code 1981
121 § 1.24.110].

122
123 2.08.120 Teleconference – Limitations.
124

125 a. All Council members and the Mayor should make all reasonable effort to be
126 physically present for every meeting. Teleconference procedures may not be used as a
127 regular means of attendance at meetings.

128
129 b. Participation by teleconference may be denied whenever the physical presence of
130 the individual is considered essential to effective participation in the meeting or to the
131 proper conduct of the business to be addressed at the meeting.

132
133 c. If teleconferencing is denied the individual will be listed as absent.

134
135 d. Each Council member and the Mayor may attend a maximum of three ~~two~~ City
136 Council meetings by teleconference during the 12-month period commencing
137 November 1st each year ~~for any reason, including recreational travel~~. If a member
138 participates in any part of a regularly scheduled meeting telephonically, it will
139 count towards their maximum allowable telephonic participations.

140
141 e. Each Council member and the Mayor may attend additional teleconferences as a
142 special exception if expressly approved for good cause in each instance by a vote of the
143 Council. Good cause may include, but is not limited to, absence required for work
144 related travel or ~~extended~~ medical care needed for the individual or the individual's
145 immediate family.

146
147 f. No Council member or the Mayor shall attend by telephonic means:

148
149 1. An executive session of the City Council.

150
151 2. A hearing on an ethics charge under Chapter 1.18 HCC. [Ord. 07-45(A)(S) § 3, 2007.
152 Code 1981 § 1.24.120].

153
154 Section 2. This ordinance shall take effect upon its adoption by the Homer City Council.

155
156 Section 3. This ordinance is of a permanent and general character and shall be included
157 in the Homer City Code.

158
159 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this __ day of _____, 2019.

160
161
162 CITY OF HOMER

163
164
165 _____
166 KEN CASTNER, MAYOR

167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

Introduction:

Public Hearing:

Second Reading:

Effective Date:

Reviewed and approved as to form:

Katie Koester, City Manager

Holly Wells, Attorney

Date: _____

Date: _____

CITY OF HOMER
HOMER, ALASKA

Erickson

ORDINANCE 19-05

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
AMENDING HOMER CITY CODE 2.08.100-2.08.120 REGARDING
TELEPHONIC PARTICIPATION IN MEETINGS

WHEREAS, Telephonic participation in City Council meetings is an important tool that allows members to participate when traveling or unable to be physically present; and

WHEREAS, Telephonic participation for travel for work or absence due to an illness should be prioritized over recreational travel; and

WHEREAS, In person is the preferred method for participation in meetings as it can be difficult to follow the public testimony and debate by voice only; and

WHEREAS, Every effort should be made to ensure a quality connection by the councilmember and City staff when participating telephonically such as testing the connection prior to the meeting, using a headset, and using a land line whenever possible; and

WHEREAS, Even given those measures, on occasion a telephonic connection can be spotty and interfere in the members ability to participate in the meeting; and

WHEREAS, The Council needs to have a mechanism in place to declare the member absent if it becomes clear throughout the course of the meeting that the telephonic connection is too poor for the member to be able to fully participate.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Homer, Alaska that:

Section 1. Homer City Code 2.08.100 entitled “Teleconference participation in meetings” is hereby amended to read:

2.08.100 Teleconference participation in meetings.

a. This section through HCC 2.08.120 govern the telephonic participation of the Mayor and members of the Council at all meetings of the City Council, including all other bodies that are comprised of the Mayor and members of the Council, such as, but not limited to, the Board of Adjustment and an Ethics Board.

42 b. The preferred procedure for City Council meetings is that the Mayor and all Council
43 members should be physically present at the designated time and location within the
44 City for the meeting. However, physical presence may be waived and the Mayor and any
45 member(s) may participate in a Council meeting by teleconference, subject to the
46 procedures and limitations provided in this section through HCC 2.08.120.

47
48 c. A person participating by teleconference shall, while actually on the teleconference,
49 be deemed to be present at the meeting for all purposes. The person shall make every
50 effort to participate in the entire meeting. If at any time during the meeting the
51 person is unable to participate due to a poor telephonic connection, they may
52 terminate the call and the record will reflect that the member was not able to
53 participate in the entire meeting.

54
55 d. If the Mayor participates telephonically, the Mayor may vote telephonically to break
56 a tie as permitted in HCC 2.08.040(h), but the Mayor Pro Tem, or the senior Council
57 member in the Mayor Pro Tem's absence, shall preside over and perform all other
58 functions of the Mayor at the meeting.

59
60 e. "Teleconferencing" means a means used for remote participation by an official for a
61 meeting of the City Council which must enable the remote official, for the duration of
62 the meeting, to clearly hear the Mayor, all Council members, the City Clerk and public
63 testimony and to be clearly heard by the Mayor, all Council members, the City Clerk and
64 the public in attendance. [Ord. 16-58(A) § 1, 2017; Ord. 07-45(A)(S) § 1, 2007. Code 1981
65 § 1.24.100].

66
67 2.08.110 Teleconference procedures.

68
69 a. A Mayor or Council member who cannot be physically present for a regularly
70 scheduled Council meeting shall notify the City Clerk at least five days prior to the
71 scheduled time for the meeting of his or her request to participate in the meeting by
72 telephonic means of communication. The notification shall include information
73 regarding if the physical absence and request for telephonic participation is due
74 to vacation, work or medical.

75
76 b. Three days prior to the scheduled time for the Council meeting, the City Clerk shall
77 notify the Mayor and Council of the person's request to participate by teleconference
78 including the reason for the physical absence as given by the member.

79
80 c. At the commencement of the Council meeting a telephonic connection will be
81 established with the person or persons intending to participate telephonically. After a
82 telephonic connection is established the Mayor shall call for a vote of the Council on
83 whether the person(s) may or may not participate by telephone. Prior to the vote, the

84 Mayor or Council members may make such inquiries as necessary to make a decision.
85 Only the Council members physically present may vote on the question. ~~The Council's~~
86 ~~determination is final and not subject to veto or appeal.~~ If a person participates in the
87 meeting telephonically without a ruling from the Council, it shall be deemed to be with
88 the approval of such participation by the Council, and all actions taken by the Council
89 with the participation of all such persons are valid.

90
91 If telephonic participation is interrupted due to poor connectivity that hinders the
92 active participation of a member in the meeting the Mayor will request a brief
93 recess to allow the person an attempt to reestablish a connection. If the person
94 cannot reestablish a clear connection after a recess, the Mayor shall call for a vote of
95 the Council on whether to terminate telephonic participation. Prior to the vote, the
96 Mayor or Council members may make such inquiries as necessary to make a decision .
97 If a majority of the council votes to terminate telephonic participation, the record
98 will indicate such and the member participating telephonically shall not be called
99 **upon to comment or vote. The Council's determination is final and not subject to**
100 **veto or appeal.**

101
102 d. Subsections (a) and (b) of this section do not apply to special meetings or emergency
103 meetings of the City Council called under HCC 1.14.030 and 1.14.050. A Council member
104 or Mayor who requests to participate in a special or emergency meeting of the City
105 Council must notify the City Clerk before the time scheduled for the start of the meeting.
106 The Clerk will notify the Mayor and Council no later than the commencement of the
107 meeting. After a telephonic connection is established with the person or persons
108 requesting to participate telephonically, a ruling shall be made on the person's
109 participation in the meeting as provided in subsection (c) of this section.

110
111 e. The means used for a teleconference meeting of the City Council must enable each
112 member appearing telephonically to clearly hear the Mayor, all other Council members,
113 and public testimony at the meeting as well as be clearly heard by all other Council
114 members and members of the public in attendance.

115
116 f. The City Clerk shall note in the journal of the proceedings of the City Council all
117 members appearing telephonically.

118
119 g. To the extent practicable, materials to be considered by the Council shall be made
120 available to those attending by teleconference. [Ord. 07-45(A)(S) § 2, 2007. Code 1981
121 § 1.24.110].

122
123 2.08.120 Teleconference – Limitations.
124

125 a. All Council members and the Mayor should make all reasonable effort to be
126 physically present for every meeting. Teleconference procedures may not be used as a
127 regular means of attendance at meetings.

128
129 b. Participation by teleconference may be denied whenever the physical presence of
130 the individual is considered essential to effective participation in the meeting or to the
131 proper conduct of the business to be addressed at the meeting.

132
133 c. If teleconferencing is denied the individual will be listed as absent.

134
135 d. Each Council member and the Mayor may attend a maximum of ~~three~~ two City
136 Council meetings by teleconference during the 12-month period commencing
137 November 1st each year for any reason, including recreational travel. If a member
138 participates in any part of a regularly scheduled meeting telephonically, it will
139 count towards their maximum allowable telephonic participations.

140
141 e. Each Council member and the Mayor may attend additional teleconferences as a
142 special exception if expressly approved for good cause in each instance by a vote of the
143 Council. Good cause may include, but is not limited to, absence required for work
144 related travel or ~~extended~~ medical care needed for the individual or the individual's
145 immediate family.

146
147 f. No Council member or the Mayor shall attend by telephonic means:

148
149 1. An executive session of the City Council.

150
151 2. A hearing on an ethics charge under Chapter 1.18 HCC. [Ord. 07-45(A)(S) § 3, 2007.
152 Code 1981 § 1.24.120].

153
154 Section 2. This ordinance shall take effect upon its adoption by the Homer City Council.

155
156 Section 3. This ordinance is of a permanent and general character and shall be included
157 in the Homer City Code.

158
159 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this __ day of _____, 2019.

160
161
162 CITY OF HOMER

163
164
165 _____
166 KEN CASTNER, MAYOR

167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

Introduction:

Public Hearing:

Second Reading:

Effective Date:

Reviewed and approved as to form:

Katie Koester, City Manager

Holly Wells, Attorney

Date: _____

Date: _____

ORDINANCE(S)

ORDINANCE REFERENCE SHEET
2019 ORDINANCE
ORDINANCE 19-06

An Ordinance of the City Council of Homer, Alaska, Amending the FY 2019 operating budget to fund anticipated repairs to the seawall by establishing authority in the 2019 budget for emergency repairs to the seawall.

Sponsor: City Manager

1. City Council Regular Meeting January 28, 2019 Introduction

CITY OF HOMER
HOMER, ALASKA

City Manager

ORDINANCE 19-06

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
AMENDING THE FY 2019 OPERATING BUDGET TO FUND
ANTICIPATED REPAIRS TO THE SEAWALL BY ESTABLISHING
AUTHORITY IN THE 2019 BUDGET FOR EMERGENCY REPAIRS TO
THE SEAWALL.

WHEREAS, The Homer City Council adopted Emergency Ordinance 11-49(S) which created the Ocean Drive Loop Special Service District; and

WHEREAS, The Special Service District was created to raise tax revenues from benefited property owners to support maintenance and repair of the seawall they own which is located on their properties; and

WHEREAS, As a tax-exempt property owner along the seawall, the City contributes \$10,000 annually to a Seawall Reserve Account for the City's portion of repairs to the seawall; and

WHEREAS, Repairs to the seawall have to be performed on an emergency basis in order to prevent further damage and remain in compliance with the Army Corps of Engineers permit for the seawall; and

WHEREAS, Due to the unpredictability and the immediate need to do the repairs, the work is completed by East Road Services under the direction and supervision of the City Engineer; and

WHEREAS, Annual repairs to the seawall are impossible to predict, yet past history offers a range from \$0 in 2013 to \$102,125 in 2017 with average costs from 2014 to 2018 of \$36,193; and

WHEREAS, The City has already spent the maximum allowable amount under the procurement code, just under \$10,000, in repairs in 2019 on the seawall from one winter event on January 15, 2019; and

WHEREAS, In the event that the 2019 repairs exceed \$36,193 additional authority will be requested; and

42 WHEREAS, Based on linear feet, the property owners are responsible for 82% of the wall
43 repairs and the City is responsible for 18% of the wall repairs.

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

46
47 Section 1. The Homer City Council hereby amends the FY 2019 Operating Budget by
48 appropriating \$36,193 from the Seawall Maintenance Reserve and Ocean Drive Loop Special
49 Service District for the purpose of repairing and maintaining the seawall as follows:

50
51 Appropriation/Transfer From:

52	<u>Account</u>	<u>Description</u>	<u>Amount</u>
53			
54			
55	808-0375	Ocean Drive Loop Special Service District (82%)	\$29,678.
56			
57	156-0369	Seawall Maintenance Reserve	\$6,515.
58			

59 Section 2. This ordinance is a budget amendment ordinance only, is not permanent in
60 nature and shall not be codified.

61
62 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this ____ day of _____,
63 2019.

64
65 CITY OF HOMER
66
67 _____
68 KEN CASTNER, MAYOR

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

73
74 YES:
75 NO:
76 ABSTAIN:
77 ABSENT:
78
79 First Reading:
80 Public Hearing:
81 Second Reading:
82 Effective Date:
83

84 Reviewed and approved as to form.

85

86 _____

87 Katie Koester, City Manager

88

89 Date: _____

Holly C. Wells, City Attorney

Date: _____

ORDINANCE REFERENCE SHEET
2019 ORDINANCE
ORDINANCE 19-07

An Ordinance of the City Council of Homer, Alaska amending the FY 2019 Capital Budget by Re-appropriating FY2019 Community Assistance in the Amount of \$177,172.05 from the Police Station Fund to Set Free Alaska for the purpose of establishing an addiction treatment center in Homer.

Sponsor: Erickson/Smith

1. City Council Regular Meeting January 28, 2019 Introduction

Letters of Support

CITY OF HOMER
HOMER, ALASKA

Erickson/Smith

ORDINANCE 19-07

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
AMENDING THE FY 2019 CAPITAL BUDGET BY REAPPROPRIATING
FY2019 COMMUNITY ASSISTANCE IN THE AMOUNT OF
\$177,172.05 FROM THE POLICE STATION FUND TO SET FREE
ALASKA FOR THE PURPOSE OF ESTABLISHING AN ADDICTION
TREATMENT CENTER IN HOMER.

WHEREAS, Homer is experiencing an opioid epidemic with rates of opioid related crime and death skyrocketing; and

WHEREAS, The community of Homer has come together to form the Opioid Task Force with representation from across the community to combat the epidemic; and

WHEREAS, The City of Homer realizes the solution to this epidemic will require the partnership and effort of the entire community; and

WHEREAS, The City of Homer passed Resolution 16-008 supporting the establishment of a syringe exchange program in Homer City Limits; and

WHEREAS, Homer City Council is supportive of the efforts of the Opioid Task Force and has a standing quarterly report from the task force on their meeting agenda; and

WHEREAS, The closest residential addiction treatment for Homer area residents is the central peninsula; and

WHEREAS, Set Free Alaska is an Alaskan non-profit that has successfully run an addiction treatment center in the Matsu Valley since 2009; and

WHEREAS, Set Free Alaska's program completion rate ranges from 20-35% higher than the statewide average for addiction treatment; and

WHEREAS, Set Free Alaska's goal is to establish a comprehensive array of subsistence abuse services including inpatient, outpatient and prevention in Homer; and

WHEREAS, Set Free Alaska is applying for a \$1.5 million grant with the State of Alaska to establish a residential addiction treatment facility within the Homer city limits; and

43 WHEREAS, Set Free Alaska has letters of support for the treatment facility from multiple
44 diverse community organizations; and

45
46 WHEREAS, Set Free Alaska has received in kind donations from local organizations and
47 has a local fundraising committee dedicated to generating additional local cash donations for
48 a Homer treatment center; and

49
50 WHEREAS, By contributing \$177,172.05 the City of Homer will help close the gap
51 between the state grant and the amount the local community can fundraise and allow Set Free
52 Alaska to establish a treatment facility in Homer; and

53
54 WHEREAS, The Homer City Council adopted Ordinance 15-16 removing State Revenue
55 Sharing from the City of Homer Operating budget with the intention of using those funds on
56 one-time purchases; and

57
58 WHEREAS, The most recent amount received in Community Assistance for State fiscal
59 year 2019 was \$177,172.05; and

60
61 WHEREAS, It is appropriate and in the City's interest to appropriate funds from FY 2020
62 State Revenue Sharing to move this project forward; and

63
64 WHEREAS, It is the intent of the Homer City Council to reimburse the General Fund for
65 this expenditure with the anticipated State FY 2020 Community Assistance; and

66
67 WHEREAS, A financial contribution from the City to pay part of the cost of Set Free
68 Alaska's startup costs for an addiction treatment facility in Homer is in the best interest of the
69 City and its residents, and will serve a public purpose of the City.

70
71 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

72
73 Section 1. The City of Homer hereby amends the FY 2019 Capital Budget by appropriating
74 \$177,172.05 from the Police Station Fund to Set Free Alaska for the startup costs associated
75 with an addiction treatment facility in Homer.

76
77 Revenue:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
	Police Station Fund	\$177,172.05

80
81 Expenditure:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
	Set Free Alaska	\$177,172.05

83
84

85 Section 2. Funding is contingent on Set Free Alaska receiving a grant from the State of
86 Alaska for an addiction treatment facility in Homer.

87
88 Section 3. This is a budget amendment ordinance, is temporary in nature, and shall not
89 be codified.

90
91 ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER, ALASKA, this _____ day of
92 _____ 2019.

93
94 CITY OF HOMER

95
96
97 _____
98 KEN CASTNER, MAYOR
99

100 ATTEST:

101
102
103 _____
104 MELISSA JACOBSEN, MMC, CITY CLERK
105

106
107 YES:

108 NO:

109 ABSTAIN:

110 ABSENT:

111
112
113 First Reading:

114 Public Reading:

115 Second Reading:

116 Effective Date:

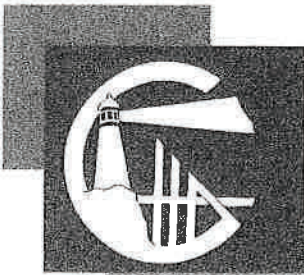
117
118
119 Reviewed and approved as to form:
120

121
122 _____
123 Katie Koester, City Manager

124 _____
Holly Wells, City Attorney

125 Date: _____

Date: _____



Christian Health Associates

...offering help along the way

Alaska Department of Health & Social Services
3601 C Street STE 902
Anchorage, AK 9950

January 14th, 2019

Attn: Department Commissioner Adam Crum
Re: Letter of Support –Set Free Alaska SUD Residential and Outpatient Services Homer, Alaska

Commissioner Crum,

Christian Health Associates has a long history of providing counseling, medical, and other services in the state of Alaska. We have partnered with Set Free Alaska on several projects and found them to be of great value to the state. Their efficient and effective programs offer hope, healing, and resilience resulting in lasting change for individuals and families.

Our organization has a counseling clinic in Homer with two licensed professional counselors. It is our intention to partner with Set Free Alaska in a collaborative way. This partnership will include referrals, contracted assessments, and other mental health services as appropriate and needed. In a smaller community, workforce development can often be an issue. Through this partnership, our organizations can better work towards solving the issues that Homer residents are facing.

This Letter is being submitted in support of Set Free Alaska and their effort to establish residential 3.5, intensive outpatient 2.1, and outpatient 1.0 substance abuse treatment services in Homer, Alaska. Our community is experiencing an epidemic regarding substance abuse especially involving the opioid crisis. We have great need for treatment providers as currently there are no residential and limited options for outpatient services.

In response to this crisis and in alignment with the state's opioid response we have been an active participant in the opioid task force in Homer. This task force is well attended by various members of the community. The MAPP Wellness Coalition houses the task force where many local churches are active participants. Our last three community needs assessments identified substance abuse as the number one problem our community is facing. Set Free Alaska, in preparation for service provision in Homer has begun attending these task force and coalition meetings. I am confident that they will be a strong partner in our wellness coalition and opioid task force as well as an overall benefit to assisting our community solve this problem.

It is for this reason that we strongly support Set Free Alaska's funding proposal. They have a good reputation in our state for providing effective and efficient services. Residential and outpatient treatment are needed in Homer and we welcome them as a new provider.

Sincerely,

Brian Green, PhD.
Executive Director, Christian Health Associates



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

**Department of
Health and Social Services**

DIVISION OF PUBLIC HEALTH
Homer Public Health Center

195 East Bunnell Ave. Suite C
Homer, Alaska 99603
Main: 907.235.8857
Fax: 907.235.7090

January 16th, 2019

Department Commissioner Adam Crum
Alaska Department of Health & Social Services
3601 C St, Suite 902
Anchorage, AK 99503

Commissioner Crum,

This letter is being submitted in support of Set Free Alaska and their effort to establish residential 3.5, intensive outpatient 2.1, and outpatient 1.0 substance abuse treatment services in Homer, Alaska. Our community is experiencing an epidemic regarding substance misuse especially involving the opioid crisis. We have great need for treatment providers as currently there are no residential and limited options for outpatient services.

In response to this crisis and in alignment with the state's opioid response our community has formed an opioid task force. This task force is well attended by various members of the community. The MAPP of Southern Kenai Peninsula provides backbone support to the local Opioid Task Force. Our last three community needs assessments identified substance abuse as the number one problem our community is facing. Set Free Alaska, in preparation for service provision in Homer has begun attending these task force and coalition meetings. I am confident that they will be a strong partner in our wellness coalition and opioid task force as well as an overall benefit to assisting our community solve this problem.

Homer public health has seen firsthand the impact of the substance abuse crisis. Our local needle exchange handed out over 13,000 needles last quarter. Although this harm reduction strategy will reduce disease and improve resident's health, we recognize that treatment is needed to help individuals overcome addiction. Often individuals need services that do not exist or are waitlisted due to the lack of providers and options in Homer. If Set Free Alaska is awarded this funding and given the ability to provide service in Homer we will partner with them through collaboration and referrals. It would be great to refer individuals to help while they are coming to the needle exchange. The combination of harm reduction and treatment can be a powerful partnership for the city of Homer and the Kenai Peninsula.

It is for this reason that we strongly support Set Free Alaska's funding proposal. They have a good reputation in our state for providing effective and efficient services. Residential and outpatient treatment are needed in Homer and we welcome them as a new provider.

Sincerely,

A handwritten signature in black ink, appearing to read "Jerry Troshynski".

Jerry Troshynski, MPA, BSN, RN
PHN V Regional Nurse Manager
South Central Region
State of Alaska Public Health Nursing
State of Alaska
907-352-6637 or 907-334-2399
jerry.troshynski@alaska.gov



Church on the Rock HOMER

PO BOX 2689, HOMER, ALASKA 99603
P(907) 235-2689 F(907) 235-2687
OFFICE@COTRHOMER.ORG ~ WWW.COTRHOMER.ORG

January 16th, 2019

Alaska Department of Health & Social Services
3601 C Street STE 902
Anchorage, AK 9950

Attn: Department Commissioner Adam Crum

Re: Letter of Support –Set Free Alaska SUD Residential and Outpatient Services Homer, Alaska

Commissioner Crum,

Homer has a strong Christian faith community. As pastors and spiritual leaders, community members often come to us in seek for help in times of need. We have seen firsthand the need surrounding addiction. We believe that this problem is not just physical and emotional but also spiritual. We support Set Free Alaska's Christian approach as it aligns with our value system and gives a faith-based option to individuals who desire to incorporate spirituality into their recovery journey. Our faith community would benefit from a program such as Set Free offers that we could refer individuals in need to.

This Letter is being submitted in support of Set Free Alaska and their effort to establish residential 3.5, intensive outpatient 2.1, and outpatient 1.0 substance abuse treatment services in Homer, Alaska. Our community is experiencing an epidemic regarding substance abuse especially involving the opioid crisis. We have great need for treatment providers as currently there are no residential and limited options for outpatient services.

In response to this crisis and in alignment with the state's opioid response we have formed an opioid task force. This task force is well attended by various members of the community including faith leaders. The MAPP Wellness Coalition houses the task force of which many local churches are represented. Our last three community needs assessments identified substance abuse as the number one problem our community is facing. Set Free Alaska, in preparation for service provision in Homer has begun attending these task force and coalition meetings. I am confident that they will be a strong partner in our wellness coalition and opioid task force as well as an overall benefit to assisting our community solve this problem.

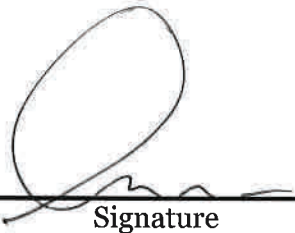


Church on the Rock HOMER

PO BOX 2689, HOMER, ALASKA 99603
P(907) 235-2689 F(907) 235-2687
OFFICE@COTRHOMER.ORG ~ WWW.COTRHOMER.ORG

It is for this reason that we strongly support Set Free Alaska's funding proposal. They have a good reputation in our state for providing effective and efficient services. Residential and outpatient treatment are needed in Homer and as pastors in Homer we welcome them as a new provider.

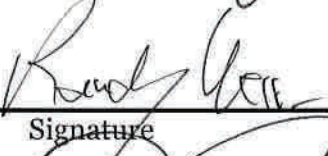
Sincerely,

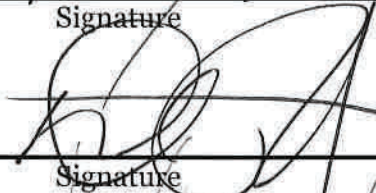
<u>Dr. Aaron Richard Weisser</u>		<u>Church on the Rock Homer</u>
Pastor's Printed Name	Signature	Church Name

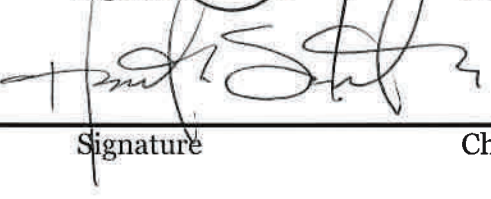
<u>Drew Simpson</u>		<u>Church on the Rock Homer</u>
Pastor's Printed Name	Signature	Church Name

<u>Mark Edens</u>		<u>Regent Life Church</u>
Pastor's Printed Name	Signature	Church Name

<u>PAUL HUEPER</u>		<u>Refuge Chapel</u>
Pastor's Printed Name	Signature	Church Name

<u>Kandy Wever</u>		<u>Church on the Rock Homer</u>
Pastor's Printed Name	Signature	Church Name

<u>David Taylor</u>		<u>Christian Community Church</u>
Pastor's Printed Name	Signature	Church Name

<u>TERRA SMITH</u>		<u>Church of Jesus</u> <i>Church of Latter Day Saints</i>
Pastor's Printed Name	Signature	Church Name

<u>Richard M Wise</u>		<u>Glacienview Baptist</u>
Pastor's Printed Name	Signature	Church Name



January 16th, 2019

Alaska Department of Health & Social Services
3601 C Street STE 902
Anchorage, AK 9950

Attn: Department Commissioner Adam Crum
Re: Letter of Support –Set Free Alaska SUD Residential and Outpatient Services Homer, Alaska

Commissioner Crum,

As a doctor and provider of MAT services in Homer and the surrounding area I am well aware of the issues surrounding addiction and the need for treatment services. Our agency serves these individuals struggling and in need of help. The ability to collaborate with substance abuse providers is essentially to our clients and our community. Furthermore, the potential to refer individuals for residential treatment when needed will improve the overall health and wellness of Homer and other Kenai Peninsula residents. We intend to collaborate and partner with Set Free Alaska for the mutual benefit of our shared clients. Specifically, this collaboration will take place by serving individuals who are in Set Frees program who need MAT services. We can provide the MAT while clients are receiving services at Set Frees residential or outpatient programs. We have case manager's and peer specialists who will work with Set Free staff to coordinate appointments and other necessary communication.

The NTC community clinic offers an outpatient MAT program and recently received a SAMSHA grant to expand services. As a board certified Addiction Medicine specialist, I have been providing MAT in rural Alaska of 9 years, and I provide the medical expertise and prescribing for our MAT program. We offer both buprenorphine and naltrexone options for MAT, depending on patient preference and suitability, and also provide counselling services, case management and peer support services. We have struggled in the past to find local inpatient placement for our MAT patients who need the extra support to succeed in recovery, and are excited about this new option that will allow our patients to access both MAT and residential/IOP services locally. We are opening a part-time satellite clinic in Homer this month, so it would be easy for us to provide the MAT prescribing, support and monitoring for patients at a Homer treatment center.

This letter is being submitted in support of Set Free Alaska and their effort to establish residential 3.5, intensive outpatient 2.1, and outpatient 1.0 substance abuse treatment services in Homer, Alaska. Our community is experiencing an epidemic regarding substance abuse especially involving the opioid crisis. We have great need for treatment providers as currently there are no residential and limited options for outpatient services.

In response to this crisis and in alignment with the state's opioid response we have formed an opioid task force. This task force is well attended by various members of the community. The MAPP Wellness Coalition houses the task force and the hospital is the backbone organization for this work. Our last three community needs assessments identified substance abuse as the number one problem our community is facing. Set Free Alaska, in preparation for service provision in Homer has begun attending these task force and coalition meetings. I am confident that they will be a strong partner in our wellness coalition and opioid task force as well as an overall benefit to assisting our community solve this problem.

It is for this reason that I strongly support Set Free Alaska's funding proposal. They have a good reputation in our state for providing effective and efficient services. Residential and outpatient treatment are needed in Homer and we welcome them as a new provider.

Sincerely,



Sarah Spencer, DO
Ninilchik Community clinic
American Board of Addiction Medicine
Senior physician consultant for SAMSHA's State Targeted Response
Technical Assistance program for opioid treatment



South Peninsula Haven House

3776 Lake Street, Homer, Alaska 99603

Phone: (907) 235-7712 Toll free: (800) 478-7712

Fax: (907) 235-2733 E-mail: ronnie@havenhousealaska.org

January 16th, 2019

Alaska Department of Health & Social Services
3601 C Street STE 902
Anchorage, AK 9950

Attn: Department Commissioner Adam Crum
Re: Letter of Support –Set Free Alaska SUD Residential and Outpatient Services Homer, Alaska

Commissioner Crum,

In our work, domestic violence and substance abuse often go hand in hand. The ability to collaborate with substance abuse providers is essentially to our clients. Furthermore, the potential to refer individuals for residential treatment when needed will improve the overall health and wellness of Homer and other Kenai Peninsula residents. We intend to collaborate and partner with Set Free Alaska for the mutual benefit of our shared clients. This collaboration can take many forms including trainings, community awareness events, referrals, and general support.

South Peninsula Haven House is a non-profit organization that has been in service for over 30 years. Our agency provides direct services for individuals impacted by domestic violence, sexual assault, child abuse, and homelessness. We currently operate a 20 bed emergency shelter primarily for victims of domestic violence, sexual assault, and child abuse. We recognize that many of our victims present with co-occurring issues, such as substance abuse and drug addiction. We currently don't have the internal capacity to support victims who are at the intersection of DV and addiction in a holistic manner and embrace any ongoing assistance in this area. It is imperative to survivors to have options. It is necessary that victims have ongoing support while rebuilding their lives. We are in desperate need for a local residential treatment center to assist in the long term rebuilding of victims lives.

This Letter is being submitted in support of Set Free Alaska and their effort to establish residential 3.5, intensive outpatient 2.1, and outpatient 1.0 substance abuse treatment services in Homer, Alaska. Our community is experiencing an epidemic regarding

substance abuse especially involving the opioid crisis. We have great need for treatment providers as currently there are no residential and limited options for outpatient services.

In response to this crisis and in alignment with the state's opioid response we have formed an opioid task force. This task force is well attended by various members of the community. The MAPP Wellness Coalition houses the task force of which the organization I represent is an active member. Our last three community needs assessments identified substance abuse as the number one problem our community is facing. Set Free Alaska, in preparation for service provision in Homer has begun attending these task force and coalition meetings. I am confident that they will be a strong partner in our wellness coalition and opioid task force as well as an overall benefit to assisting our community solve this problem.

It is for this reason that I strongly support Set Free Alaska's funding proposal. They have a good reputation in our state for providing effective and efficient services. Residential and outpatient treatment are needed in Homer and we welcome them as a new provider.

Sincerely,

A handwritten signature in black ink that reads "Ronnie Leach". The signature is written in a cursive style with a large, looping initial "R".

Ronnie Leach, Executive Director
South Peninsula Haven House
Homer, AK, 99603



**South Peninsula
Behavioral Health Services, Inc.**

3948 Ben Walters Lane, Homer, Alaska 99603

January 22nd, 2019

Alaska Department of Health & Social Services
3601 C Street STE 902
Anchorage, AK 9950

Attn: Department Commissioner Adam Crum

Re: Letter of Support –Set Free Alaska SUD Residential and Outpatient Services Homer, Alaska

Commissioner Crum,

For the last forty years South Peninsula Behavioral Health Services has been the community mental health center and a provider of multiple wellness services in our community working with children, adults and families. Our services benefit the Southern Kenai Peninsula in many ways, unfortunately, gaps remain is what we are capable of providing. Set Free Alaska is positioned to help fill some of those gaps. The substance misuse project planned by Set Free Alaska will enhance the overall behavioral health continuum of care and help address the addiction problems our community is facing. SPBHS's current infrastructure allows for collaborative partnership with Set Free in which clients can receive substance abuse treatment at Set Free and mental health treatment at SPBHS. The potential for referrals and partnership between our organizations is positive. With strong communication we can seamlessly coordinate services for individuals who are appropriate to be seen in both programs. Ultimately, this collaboration will improve the success of the clients seen. Furthermore, the potential to refer individuals for residential treatment when needed will improve the overall health and wellness of Homer and other Kenai Peninsula residents.

This Letter is being submitted in support of Set Free Alaska and their effort to establish residential 3.5, intensive outpatient 2.1, and outpatient 1.0 substance abuse treatment services in Homer, Alaska. Our community is experiencing an epidemic regarding substance abuse especially involving the opioid crisis. We have great need for treatment providers as currently there are no residential and limited options for outpatient services. The Homer Area Opioid Task force has determined that these services represent the biggest gaps in community need.

Since 2016 our Task Force has been working to help address the various needs in the community. This task force is well attended by a full range of stakeholders. The MAPP Wellness Coalition houses the task force of which the organization I represent is an active member. Our last three community needs assessments identified substance abuse as the number one problem our community is facing. Set Free Alaska, in preparation for service provision in Homer has begun attending these task force and coalition meetings. I am confident that they will be a strong partner in our wellness coalition and opioid task force as well as an overall benefit to assisting our community solve this problem.

SPBHS strongly supports Set Free Alaska's funding proposal. They have a good reputation in our state for providing effective and efficient services. Residential and outpatient treatment are needed in Homer and we look forward to the impact we can have in making our community stronger.

Please feel free to contact me if I can be of any further assistance or answer any further questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Jay Bechtol", written over a horizontal line.

Jay Bechtol
CEO, South Peninsula Behavioral Health Services

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 CASTNER AND HOMER CITY COUNCIL
FROM: KATIE KOESTER, CITY MANAGER
DATE: JANUARY 23, 2019
SUBJECT: CITY MANAGER REPORT

Alaska Clean Water Actions (ACWA) Grant

I am happy to announce that the Department of Environmental Conservation recently awarded the City an Alaska Clean Water Actions (ACWA) stewardship grant. This 60-40 matching grant will help fund the City's development of the Stormwater Master Plan, a longtime prioritized project in the CIP. The project will produce baseline stormwater runoff information and identify low-impact development (or green infrastructure) opportunities for stormwater collection and treatment. Local planners, engineers, and the public will use this information to develop the Master Plan and highlight methods that can minimize the ecological, economic, and community impacts of stormwater runoff. The grant will also help construct green infrastructure features at our new Homer police station. These features will directly store and divert stormwater that might otherwise be left untreated and provide the City with an opportunity to publicly highlight the value of low-impact development. This demonstration project compliments mapping and runoff assessment activities and is foundational to community-wide planning and stormwater policy development. Many thanks to Councilmember Lord who was able to lend her water quality expertise to this project.

New Police Station Design Plan Open House at Cowles Chambers

The City will be hosting an open house on Monday, February 4th, to share the new police station 35% design plan with the public. We encourage community members to stop by Cowles Chambers anytime between 4:30 pm and 6:00 pm to review the schematic drawings, siding options, and carpet samples proposed for the building. Project Manager Pat McNary and City staff will be on hand to answer questions and receive feedback.

Budget Work Ongoing

Finance Director Walton and I have been meeting with Mayor Castner to work on the budget's fiscal issues while also making improvements to the City's budget process. This includes developing a fund balance policy, depreciation reserves policy, cash flow analysis, fund consolidation, and budget forecasting. We will keep Council apprised of progress as we work towards a more streamlined budget process for 2020. The final 2019 budget will be posted on the website by Tuesday, January 29th. Please let me know if you would like a printed copy.

January 22nd Alcohol and Marijuana Control Office (AMCO) Meeting

Councilmember Stroozas organized a meeting between local businesses and Jedidiah Smith, the Local Government Specialist for the Alcohol and Marijuana Control Office. The meeting was held to discuss the comprehensive overhaul of Title 4 (what governs Alaska's alcohol regulations) as proposed by Senator Micciche's legislation, Senate Bill 76. One element of Senate Bill 76 that has the ability to impact Homer businesses is the proposed changes to public convenience licenses. As defined in Title 4, a public convenience license allows a restaurant to serve beer and wine beyond the population limits if the restaurant owners go through the process of collecting signatures and petitioning the Alcohol Control Board. The City of Homer has more per capita public convenience licenses than most towns because of the large non-resident population we serve. The most recent version of Senate Bill 76 would replace the current public convenience license with a different license type (already known as REPL in Title 4), which would eliminate the onerous process of collecting the signatures needed to apply for a beer and wine license. Under Senate Bill 76, the public convenience license would be converted to an REPL and the number of REPLs would be capped at the combined number of current public convenience and REPL licenses. There would be a mechanism, however, for a local municipality to petition the Alcohol Control Board for more REPLs. Protecting local control is something many municipalities are advocating for. Senate Bill 76 did not pass during the last legislative session but Senator Micciche has indicated he is willing to sponsor a new version of the bill, which will likely look substantially similar to Senate Bill 76. The new version of the bill can be found here: <http://www.legis.state.ak.us/PDF/30/Bills/SB0076F.PDF>. Senate Bill 76 is a comprehensive reform bill that has many other elements capable of impacting our economy, business sector, and public safety. The City of Homer has been following this issue as the restaurant and beverage industry is a key component of our economic base; brings visitors to Homer; and enhances the quality of life for our year-round residents. I will be sure to update Council on Senator Micciche's bill as it moves through the legislative session.

January 16th KBBI Coffee Table Discussion Regarding AK-LNG

On January 16th at the KBBI studio, Tim Dillion from the Kenai Peninsula Economic Development District (KPEDD), Frank Richards from Alaska Gasline Development Corporation, and I discussed the potential impacts AK-LNG could have on the Homer area. With 12,000 temporary workers during a construction phase estimated to last up to 5 years and 1,000 full time employees, we could potentially see an increase in Homer's population along with a demand for skilled labor. KPEDD is currently working on a training program to recruit Peninsula youth for this project. With fifteen to twenty AK-LNG ships a month in the inlet, support vessels for the project such as export tugs and marine pilot boats will want to homeport in Homer, furthering the need for the large vessel harbor expansion project to be listed as a statewide priority. You can listen to the interview here: <https://www.kbbi.org/post/coffee-table-january-16-2018>.

Seawall and the Ocean Drive Loop Special Service District (ODLSSD)

In the November 28th City Manager's Report, I brought up the need to have some discussion regarding Seawall maintenance and repairs. Over the last few years, winter storms have reduced the Seawall maintenance funding balance to below \$100,000. I have sent the attached letter to property owners requesting a neighborhood meeting to discuss the future of the Seawall. Two potential mitigation measures to extend the life of this 16 year old piece of infrastructure include increasing funding for annual preventative maintenance (rather than just repairs) and a potential major capital project to reinforce the toe of the wall where the most damage occurs. Any measure will require Council action and collaboration between the property owners and the City. To that end, I encourage any of you who are available to make it to the neighborhood meeting scheduled for Thursday, February 28th, at 5:30pm in Council Chambers.

Enc:
Alaska Clean Water Actions Grant Award Letter
January 23rd Letter to Ocean Drive Loop Property Owners



THE STATE
of **ALASKA**
GOVERNOR MICHAEL J. DUNLEAVY

Department of Environmental Conservation

DIVISION OF WATER
Alaska Clean Water Actions Program

PO Box 111800
Juneau, Alaska 99811
Main: 907-465-5180

January 17, 2019

Carey Meyer, Public Works Director
City of Homer
491 E. Pioneer Avenue
Homer, AK 99603

Dear Ms. Meyer,

I would like to congratulate the City of Homer on being selected to receive an Alaska Clean Water Actions (ACWA) Grant from the Department of Environmental Conservation (DEC) for the "Low-Impact Development Planning for the City of Homer" project. The maximum approved funding level for your project is \$59,785 for the 2019-21 state fiscal year grant cycle, dependent upon grant agreement negotiations. This award is contingent on funds being available from the Environmental Protection Agency and Legislative authorization. ACWA ensures that available funding resources are focused on the waters of greatest need for protection, stewardship, and efforts to clean up waters with pollution problems.

Laura Eldred will be the interim project manager assigned to your grant and will work with you in completing the project work plan for the grant agreement. Laura will assist you in assuring that the deliverable products for your project are well defined and that a specific implementation schedule is evident in your work plan. Changes to your work plan and budget from the grant proposal may be necessary, particularly if the award for your project was changed from the requested amount.

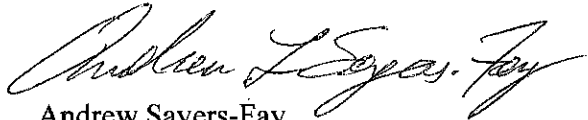
Additionally, please note that the new ACWA Grant cycle spans over three state fiscal years. This new cycle runs March 1, 2019 to February 28, 2021. The reporting requirements have significantly changed, with several date and funding changes that will be developed into your work plan.

Please call Laura at (907) 376-1855 at your earliest convenience to help make the necessary changes to your work plan and ensure the successful start-up of your project. Approval of a current Quality Assurance Project Plan is required prior to collection of any monitoring data, but this can occur after your work plan is approved and the grant agreement is fully executed.

This notification of project selection does not imply approval of activities or specific costs shown in your proposal. Any cost incurred prior to the executed grant agreement will be your responsibility and will not be reimbursed.

I want to thank you for your commitment to protecting water quality in Alaska. Should you have any further questions, please feel free to contact your project manager.

Sincerely,

A handwritten signature in cursive script that reads "Andrew Sayers-Fay". The signature is written in black ink and is positioned above the printed name and title.

Andrew Sayers-Fay
Director



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

January 23rd, 2019

Dear Ocean Drive Loop Service Area (ODLSA) Property Owners,

The past two years have been tough on the Seawall.

Some major repairs in 2017 included using truckloads of cobble to fill in eroded areas, replacing broken off (or completely missing) horizontal and vertical face timber and steel, and adding reinforcement to the wall's exposed "toe."

2018 shares a similar story. The toe of the wall was excavated so additional timber could be added as reinforcement, boulders were arranged to protect vulnerable areas, cracks were reinforced with timber, exposed fiberglass sheet piling at the toe was covered, and fill material was replaced.

Seawall maintenance expenses for 2017 and 2018 combined totaled \$147,510, leaving only \$95,409 remaining in the fund used to repair the seawall. The revenue for this fund has been collected from ODLSA property owners and the City. If any powerful storms cause damage like we've seen these last two years, this fund could easily be depleted. Once depleted, it is very likely emergency repairs could not happen.

The trend has been to spend money when seawall maintenance is already needed or when there is an emergency. The wall is showing its age (16 years old), which is increasing the amount of needed repairs. I am concerned the fund used to pay for Seawall maintenance is at an unsustainable level.

I would like to host a neighborhood meeting with ODLSA property owners on Thursday, February 28th at 5:30 P.M. in Council Chambers at City Hall. At this meeting, I will discuss options including preventative Seawall maintenance and reinforcing the Seawall's toe. A written summary of the meeting will be mailed out to all property owners in case you are unable to attend. In the meantime, I have attached a table listing all revenue and expenditures incurred since the fund was formed.

Please confirm with my Executive Assistant Rachel Friedlander if you can or cannot attend. Rachel's direct line is (907) 435-3102 and her email is RFriedlander@ci.homer.ak.us.

I look forward to seeing you Thursday, February 28th at 5:30 PM.

Best,

Katie Koester
City Manager

Seawall Maintenance Expenditures

	2012	2013	2014	2015	2016	2017	2018*	Total
Seawall Maintenance Expenditures	\$38,292	\$0	\$0	\$3,126	\$30,328	\$102,916	\$44,594	\$219,256

Seawall Revenue ("Seawall Maintenance Fund")

156-0369	2012	2013	2014	2015	2016	2017	2018*	Total
Seawall Reserve Account (City)	\$70,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$130,000

808-0375	2012	2013	2014	2015	2016	2017	2018*	Total
Mil rate deposits (ODLSA private property owners)	\$19,167	\$22,078	\$35,176	\$24,802	\$24,759	\$30,140	\$28,543	\$184,665

Remaining Balance for Future Seawall Maintenance

	2012	2013	2014	2015	2016	2017	2018*	Total
Combined Seawall Revenue	\$89,167	\$32,078	\$45,176	\$34,802	\$34,759	\$40,140	\$38,543	\$314,665
Seawall Maintenance Expenditures	\$38,292	\$0	\$0	\$3,126	\$30,328	\$102,916	\$44,594	\$219,256

Remaining Balance: \$95,409

Please note: The above 2018 figures will be finalized once the City audit is completed by September 2019.



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

TO: MAYOR CASTNER AND CITY COUNCIL
FROM: RENEE KRAUSE, MMC, DEPUTY CITY CLERK
DATE: JANUARY 23, 2019
SUBJECT: BID REPORT

REQUEST FOR PROPOSALS FOR AMBULANCE BILLING AND COLLECTION SERVICES

The City of Homer is requesting proposals for Ambulance Billing and Collection Services. The successful proposer will be contracted to facilitate ambulance billing and collection service for the City as outlined in the proposal packet. Sealed proposals shall be received by the City Clerk no later than 4:00 p.m. Thursday, March 7, 2019. The time of receipt will be determined by the City Clerk's time stamp. Proposals received after the time fixed for the receipt of the proposals shall not be considered. All proposers must submit a City of Homer Plan Holders Registration form to be on the Plan Holders List and to be considered responsive. Plan Holder Registration forms and Request for Proposal Specifications are available online at <http://www.cityofhomer-ak.gov/rfps>

A pre-proposal conference is planned on Thursday, February 21, 2019 at 2:30 p.m. The conference will be held at City of Homer, City Hall, Cowles Council Chambers, 491 East Pioneer Avenue, Homer, Alaska. You may also attend by calling our conference line at 907-235-8121 x2299.

PENDING BUSINESS

NEW BUSINESS

RESOLUTIONS

CITY OF HOMER
HOMER, ALASKA

Aderhold/Erickson

RESOLUTION 19-006

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
ISSUING A REQUEST FOR LETTERS OF INTEREST FOR TENANTS
TO OCCUPY THE HOMER EDUCATION AND RECREATION
COMPLEX (HERC 1)

WHEREAS, The City has discussed and heard public testimony about how to effectively utilize the Homer Education and Recreation Complex (HERC 1) building for many years; and

WHEREAS, The City will not be able to fully comprehend what feasible options could be available for the facility without seeking input and interest on a wider scale; and

WHEREAS, Gathering letters of interest from interested parties will open the door to determining effective use of the space and to seeking potential stakeholders who are interested in investing in the building as third party property managers; and

WHEREAS, City of Homer Community Recreation will submit a letter of interest detailing their needs as a tenant of HERC 1 to ensure the recreational needs of residents are taken into consideration.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska hereby issues a request for letters of interest for HERC 1.

BE IT FURTHER RESOLVED that the letter of interest should include:

- The space needs of the tenant
- How the space will be used by the tenant including time of day
- How much a tenant is able to pay for space on a monthly basis
- What improvements to the space would be necessary for tenant to occupy the space
- If/how much tenant would be willing to contribute in capital costs to improvements
- How long of a lease tenant would be willing to commit to

BE IT FURTHER RESOLVED that the letters of interest are due to the City Clerk by 5:00 pm on Tuesday, February 19, 2019 in order to be included in the City Council packet for the February 25, 2019 City Council meeting. At that time City Council will hold a 4:00 pm worksession to discuss:

- Results of the request for letters of interest

- 43 • What the City of Homer is willing to contribute to capital improvements to HERC
- 44 1 for occupancy by tenant(s)
- 45 • Developing a Request for Proposal for a third party to manage HERC 1, including
- 46 performing any necessary improvements required for occupancy. Letters of
- 47 interest will be included as informational materials to help the RFP respondent
- 48 develop a successful proposal.
- 49

50 BE IT FURTHER RESOLVED the intent of City Council is to follow up the February 25, 2019
51 worksession with a Resolution at the March 11, 2019 regular City Council meeting issuing a
52 Request for Proposal for a third party property manager to lease the property and manage any
53 subleases.

54
55 PASSED AND ADOPTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 28th day of
56 January, 2019.

57 CITY OF HOMER

58
59
60
61 _____
62 KEN CASTNER, MAYOR

63 ATTEST:

64
65
66 _____
67 MELISSA JACOBSEN, MMC, CITY CLERK

68
69 Fiscal Note: Advertising Costs

CITY OF HOMER
HOMER, ALASKA

Erickson

RESOLUTION 19-007

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
ESTABLISHING A TRANSPORTATION ADVISORY TASK FORCE WITH
THE EXPRESSED PURPOSE OF ADVISING THE ADVISORY
PLANNING COMMISSION ON THE HOMER AREA
TRANSPORTATION PLAN.

WHEREAS, The Transportation Advisory Committee (TAC) was disbanded in 2014 in an effort to reduce the cost and work load associated with boards and Commissions; and

WHEREAS, The duties and responsibilities of the TAC were given to the Advisory Planning Commission; and

WHEREAS, The Advisory Planning Commission is fully tasked with Planning duties; and

WHEREAS, There has been significant interest by City Council and the Advisory Planning Commission in updating the Homer Area Transportation Plan from 2005; and

WHEREAS, It is important that the Advisory Planning Commission take into account input from the diversity of Homer users of the transportation network; and

WHEREAS, The Transportation Advisory Task Force can play an important role in advising the Advisory Planning Commission on functional and relevant updates to the Transportation Plan; and

WHEREAS, In recognition of the time and cost associated with staff and the public for Task Forces, Committees and Commissions, the Transportation Advisory Task Force would be very short-lived and be disbanded after answering the proposed questions below.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska establishes the Transportation Advisory Task Force with the expressed purpose of providing real world input to the Advisory Planning Commission as they begin work on updates to the Homer Area Transportation Plan.

BE IT FURTHER RESOLVED that the Task Force will provide input on the following factors regarding mobility within the City of Homer in the future:

1. Connectivity to Kachemak City and beyond (up the bay)

- 43 2. If the railroad came in
- 44 3. If the Port was used as a freight port
- 45 4. Goods and services movement through the City and beyond
- 46 5. Terrain constraints
- 47 a. Slopes
- 48 b. Waterways
- 49 c. Storm drains
- 50 d. Ice/ snow constrictions
- 51 6. Walkable/bikeable
- 52 7. Tourist summer increase with foot travel, larger motor homes
- 53 with boats or trailers
- 54

55 BE IT FURTHER RESOLVED that the Task Force will consist of seven members including
56 one member from the Parks, Art, Recreation and Culture Advisory Commission, Advisory
57 Planning Commission, Port and Harbor Advisory Commission and Economic Development
58 Advisory Commission, a representative from the Homer Chamber of Commerce, a
59 representative from the Homer Marine Trades Association and a member who works in the
60 trucking industry. All members must be residents of the southern Kenai Peninsula. The
61 deadline to apply for the Task Force will be February 18, 2019 with appointments made by the
62 Mayor and confirmed by Council at the February 25, 2019 meeting.

63
64 BE IT FURTHER RESOLVED the Task Force will follow basic meeting rules as outlined in
65 Homer City Code 2.58.050 (a- i) and the City Council Operating Manual.

66
67 BE IT FURTHER RESOLVED the Task Force meetings will commence March 1, 2019 and
68 will set its own meeting schedule during regular business hours and will disband May 1, 2019
69 unless extended by City Council.

70
71 PASSED AND ADOPTED by the Homer City Council this ___ day of _____,
72 2019.

73
74 CITY OF HOMER

75
76 _____
77 KEN CASTNER, MAYOR

78
79 ATTEST:

80
81 _____
82 MELISSA JACOBSEN, MMC, CITY CLERK

83
84 Fiscal note: Advertising and Staff time

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

