

City Council

Monday, February 25, 2019

Worksession 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

February - March 2019

- Monday, 25th:** **City Council**
Worksession 4:00 p.m. Committee of the Whole 5:00 p.m. Regular Meeting 6:00 p.m.
- Wednesday, 27th:** **Port & Harbor Advisory Commission**
Regular Meeting 5:00 p.m.
- Thursday, 28th:** **Ocean Drive Loop Special Service District - Seawall**
Neighborhood Meeting 5:30 p.m. Conference Room
- Monday, March 4th:** **1% for Art for Police Station**
Pre –Proposal Meeting 2:00 p.m. Conference Room
- Tuesday, 5th:** **Library Advisory Board**
Regular Meeting 5:30 p.m.
- Wednesday, 6th:** **Appeal Hearing**
Lund vs. Planning Commission Decision Conditional Use Permit 2018-09
10:00 a.m.
- 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



WORKSESSION
4:00 P.M. MONDAY
FEBRUARY 25, 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

WORKSESSION AGENDA

1. CALL TO ORDER, 4:00 P.M.

Mayor Castner requests excusal.

Councilmember Stroozas 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. HERC LETTERS OF INTEREST REVIEW –Resolution 19-006(A) Page 7

- Kachemak Bay Athletics
- Fireweed Academy
- Bunnell Street Arts Center
- City of Homer Community Recreation

4. COMMENTS OF THE AUDIENCE

5. ADJOURNMENT NO LATER THAN 4:50 P.M.

Next Regular Meeting is Monday, January 28, 2019 at 6:00 p.m., Special Meeting 4:00 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
HOMER, ALASKA**

Aderhold/Erickson

RESOLUTION 19-006(A)

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
- Allow for Community Recreation activities
- 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:

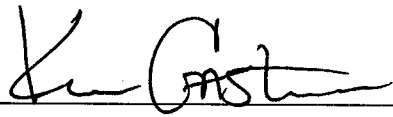
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- Results of the request for letters of interest
- What the City of Homer is willing to contribute to capital improvements to HERC 1 for occupancy by tenant(s)
- Developing a Request for Proposal for a third party to manage HERC 1, including performing any necessary improvements required for occupancy. Letters of interest will be included as informational materials to help the RFP respondent develop a successful proposal.

BE IT FURTHER RESOLVED the intent of City Council is to follow up the February 25, 2019 worksession with a Resolution at the March 11, 2019 regular City Council meeting issuing a Request for Proposal for a third party property manager to lease the property and manage any subleases.

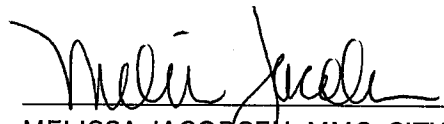
PASSED AND ADOPTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 28th day of January, 2019.

CITY OF HOMER



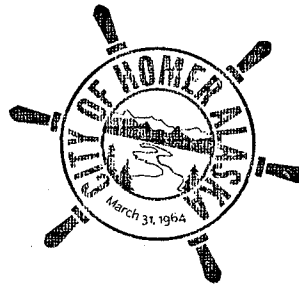
KEN CASTNER, MAYOR

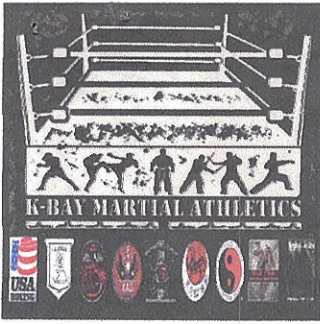
ATTEST:



MELISSA JACOBSEN, MMC, CITY CLERK

Fiscal Note: Advertising Costs





Leffler Fighting Systems @ K-Bay Martial Athletics
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Martial Arts Academy | After School Programs | Fitness | Boxing | Self-Defense
601 East Pioneer Ave. Suite #111. Homer, Alaska. 99603 | (907)299-7239
www.KBayMartialAthletics.org
[\(Register online\)](#)



HERC Letter of Interest
 February 12, 2019

K-Bay Martial Athletics (DBA LFS-Kali) is a martial arts and fitness academy serving the community of Homer. We offer traditional martial arts, combat sports, fitness, and after school programs for K-12 and transition aged youth (TAY). We have several community partnerships that allow us to offer of a safe and affordable community health and activities center. Homer does not have a large entity like the YMCA, a community recreation center, or a Boys and Girls Club. K-Bay Martial Athletics is attempting to meet the needs of our community members for fitness education via the martial arts and athletics.

The Karate program has been in Homer for 40 years and Sensei Martie Krohn has been leading this program as an unpaid volunteer for over 30 years. For the past 10 years it has been located in the basement of Kachemak Wholesale. In early 2014 we began chartering the creation of the K-Bay Martial Athletics Association. Since 2016, K-Bay Martial Athletics has been doing business as (LFS-Kali) under the leadership of Guro Kurt P Leffler II.

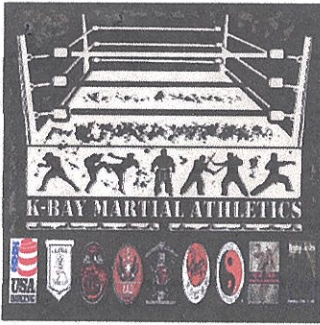
We eventually would like to purchase a piece of property and build a building. However, we lack the sufficient startup capital for such a project. In the meantime, we are seeking sustainable and affordable facilities located at the HERC.

K-Bay Martial Athletics is proud to serve this community, but we need your help to continue our mission. Please consider joining us by investing in the future of our community. By investing in Homer's youth and at-risk peoples, you are helping us honor a commitment of care, leadership development, and positive mentoring.

Sincerely,

Guro Kurt P. Leffler II — Head Coach & Director
 & the Rest of the K-Bay Martial Athletics Volunteer Staff.

(Sensei Martie Krohn, Sensei Aaron Glidden, Sensei Martha Richardson, Coach Bryan Mann, Coach Thomas Mealer III, Ms. Serena Morey, Ms. Hannah Heimbuch, and Mr. Cooper Hyde.)



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K-Bay Martial Athletics Association offers/provides:

- Homer Shotokan Karate Club & Polaris Cuong Nhu Dojo
- Scholars and Warriors after school program
- Fit-to-Recover with The Bearded Sister
- LFS-Kali Fight Team Program (youth leadership development and combat sports.)
- Noiseland Web-Tech Factory (youth activities center)
- AMC Fitness Program
- LFS-Kali Combatives Course for Law Enforcement
- Why We Fight self-defense workshop series

The space needs of the tenant:

We are currently housed at the Kachemak Center on Heath St. unfortunately; this location is not sustainable for our long-term service mission. This is due to lack of sufficient parking, lack of access to a school bus drop location, facilities, and landlord vision for the property.

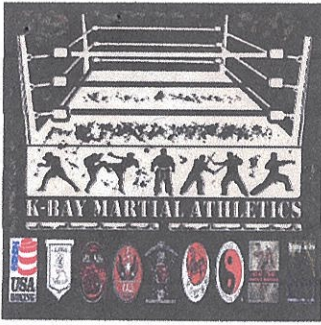
We currently operate in 4,000 sq. ft of undeveloped space. Our affiliate, Noiseland teen center, has 1,200 sq. ft.

Our intention is to occupy 4,000-5,000sq/ft of the upstairs classrooms. Our layout footprint would consist of the three separate but adjoining spaces; the LFS-Kali Fight Team Program boxing gym, the Karate Dojo, and the Noiseland Teen Center.

How the space will be used by the tenant including time of day:

If we [K-Bay Martial Athletics] become a tenant at the HERC we would require 24/hour access to the rented space, the hallway, and restrooms. We currently operate 6 days a week from 6:00AM to 9:30 PM. (Current class and operations schedule is attached.)

We are in total support of Community Recreation and the efforts of Mike Illg. Our operations would not interfere at all with current activity of Homer Rec at HERC. We have no interest in the green room or the gym. Our planned operations would be contained to the upstairs level. From time to time we may be interested in renting the gym for events such as tournaments, boxing matches, and demonstrations.



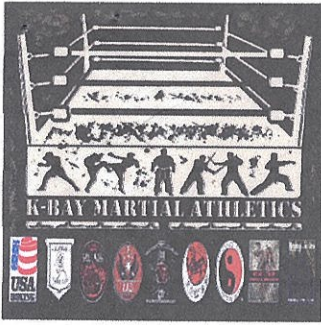
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Current Gym Operations:

K-Bay Martial Athletics offers:

- **Scholars & Warriors After School Program:** Services 12 children with a class capacity of 20. This program is a K-6th grade course that focuses on education and homework assistance. This program includes learning traditional games, dances, art, and activities from the martial arts countries of origin represented at the academy.
- **Polaris Dojo – Shotokan Karate & Cuong Nhu Martial Arts:** Services 50 students. This is Homer’s longest running youth martial arts program. This Dojo is K-12 with adults and families.
- **The LFS-Kali Fight Team Program:** Services 42 student and adult athletes. This program focuses on at risk teens and TAY (transitional aged youth) in leadership development via combat sports and community service. This course features, Team USA Boxing, Muay Thai, submission grappling, self-defense, and Filipino Martial Arts.
- **Noiseland (Teen Center):** Services 20 members with a capacity of 40. This education based youth community activities space actively works in prevention for at risk youth and TAY via gaming, graphic design, and digital multimedia in a positive social and supervised environment.
- **Fit-2-Revover:** Services 12 participants with a capacity of 25. Chartered by The Bearded Sister, this program is addiction recovery and peer support mentoring group. This grassroots program is in association with the Opioid Taskforce.
- **“Why We Fight” women’s self-defense workshop series:** Services 20 participants with a capacity of 30. This practical self-defense course has been taught for 3 years in Homer and it focuses on prevention and personal protection. Additionally, this course takes a close look at violence in our society and ways to address it in a positive and proactive manner.
- **LFS-Kali Combatives Course:** Services 6 with a capacity of 20. This straight forward defensive tactics and personal protection program services our local law enforcement and first responder community. The mission and goal of this program is developing and maintaining the skills necessary for our LEO community.



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Community Care Programs:

As our organization and community involvement grows, we find ourselves at the forefront of addiction recovery, homelessness and veteran issues in our community. We are leading the effort developing safe and healthy solutions for isolation to facilitate addiction recovery and reentry. We approach these issues through in-house programs and community partnerships.

Fit-To-Recover:

- Addiction Recovery and Re-entry Peer Support Group
- Skills and Fitness classes specific for persons in various stages of recovery|
- An opportunity to have a share and support group after the training session
- Peer Support consultation led by The Bearded Sister

Teen & TAY Education Center (Noiseland)

- After school resource center for teenagers to get homework done
- Community wellness and social support center with gaming options
- Digital media content creation design studio and training
- At-Risk youth and teens support center in connection with The Rec Room and SPBHS

Veteran Transition Services:

- We are developing a Veteran transition services program in partnership with The Bearded Sister and the VA.

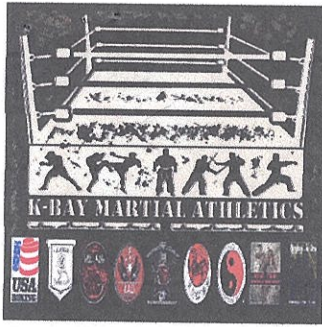
How much a tenant is able to pay for space on a monthly basis:

Our organization would pay \$.75 sq/ft.

What improvements to the space would be necessary for tenant to occupy the space:

K-Bay Martial Athletics is mainly interested in the upstairs classroom spaces. The specific improvements would be the removal of carpet, possibly the demo of walls to connect the spaces. Our organization would install a floating wood floor in each space.

Additionally, we would have to build a couple of interior walls for offices and changing rooms.



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Ideal Facility Components for Operations at the HERC:

- 14 ft. ceilings
- Bathrooms and showers
- Changing/Locker rooms
- Two offices
- Break room / warming kitchen
- Natural Gas heat

If/how much tenant would be willing to contribute in capital costs to improvements:

Our initial funding for this project is limited. We do not currently have much working capital due to our excessive overhead costs of current facilities. However, if we were able to rent facilities at a lower rate, we would have more financial availability for upgrades. We do have limited additional funding sources via grants and private donors. We will continue to seek further grant funding. Furthermore, we are in the process of finalizing contracts with various health and education organizations.

How long of a lease tenant would be willing to commit to:

K-Bay Martial Athletics would like a minimum 5 year lease with options for long term. Depending on the COH building assessment after the 5 year term, we would be interested in becoming a long term anchor tenant.

We are committed to our mission, and plan to be part of this community for the foreseeable future.



February 19, 2019

Mayor Ken Castner & Homer City Council
City of Homer
491 East Pioneer Avenue
Homer, Alaska 99603

Re: HERC Letter of Interest

Dear Mr. Mayor & City Council Members:

Please accept this Letter of Interest from Fireweed Academy for leased space opportunities in the Homer Education & Recreation Center (HERC) facility.

I. Introduction

Fireweed Academy (Fireweed) is a free public charter school formed by motivated parents, educators and community members in 1997. Fireweed serves grades K-6 and operates within the Kenai Peninsula School District. Its mission is:

To provide a compassionate learning environment that gives students, parents, teachers, and community members opportunities to develop: self-reliance, cooperation, creativity, reasoning ability, personal growth and academic achievement.

Fireweed is like every other public school in the state in that it is free for anyone to attend, it receives annual funding under statutory formulas, and its teachers and administrators must meet stringent state standards. As a charter school, however, Fireweed is unique in its ability to embrace alternative learning tools and curriculums through a "charter" with the Kenai Peninsula Borough School District (KPBSD). Furthermore, an Academic Policy Committee (APC) - comprised of parents, teachers and community members - guides the affairs of Fireweed

according to a set of by-laws, similar to a Board of Directors for a corporation or a nonprofit organization.

Due to space constraints around Homer, Fireweed currently must divide its activities between two different locations: K-2 children attend Little Fireweed Academy at a rented facility at 813 East End Road, while Big Fireweed Academy (grades 3-6) shares space with West Homer Elementary at 995 Soundview Avenue. This separation creates a variety of safety, logistical and fiscal concerns and inefficiencies.

As a public charter school, Fireweed has a unique capacity to lease the HERC building, create efficiencies through a unified campus, provide the City of Homer with long-term revenues, and revitalize a neglected public asset.

II. Response to Request for Information

1. Space needs of the tenant

To merge its two campuses into one, Fireweed would utilize the entire HERC Building HERC 1 building and the surrounding playgrounds, basketball courts, skate park and parking lots (exempting use of HERC 2). We anticipate improving the playground equipment and placing our existing yurts on the grounds at our expense.

2. How the space will be used by the tenant, including time of day

The HERC was constructed as a school, and if Fireweed Academy occupies it, it will be used like one. The top floor would accommodate classrooms and faculty/administrative staff offices. Fireweed would use the lower floor rooms for art, music and other extracurricular activities, as well as for storage. The gymnasium would provide space for physical education activities, and also serve as cafeteria and special events space.

Fireweed Academy operates under the same calendar as other KPBSD schools, and hours of operation generally would be 8 AM to 3 PM, Monday-Friday. During normal school hours, the building will be used for academics in the classrooms, and extracurricular activities (including art, music, dance and PE) will occur in the downstairs rooms and gymnasium. Fireweed would also utilize various spaces in and outside the building for after-school activities, but at this time, it's unable to define specific times and locations for these activities. These after-school uses would be better-defined if/when a lease materializes, and when Fireweed has a better understanding about time and space needs in the HERC building for community recreation and related activities.

3. Allowance for community recreation activities

Community engagement is woven into the very heart of Fireweed Academy. From its mission, to its vision, to its core values, Fireweed’s commitment to our community is central.¹ Furthermore, Fireweed’s unique management structure – where the Academic Policy Committee serves the role of a “Board of Directors” to guide and oversee the school – creates a unique flexibility to attract, accommodate and support community recreation and other activities. As a result, Fireweed will work hard to make HERC space available for people and groups interested in utilizing the facility during days and times when school-related functions are not occurring.

4. Tenant’s ability to pay for space on a monthly basis

As noted above, Fireweed is a public school, and as such, it obtains annual funding through a statutory formula that ensures regular cash flow. Based on current and anticipated revenues and expenses,² Fireweed could pay a gross lease amount up to \$200,000 per year (i.e., including janitorial, utilities & annual maintenance). However, because the public school calendar runs from mid-August to mid-May each year, Fireweed would only need to utilize the facility for ten (10) months of the year, which would free-up more facility space with an “E” classification occupancy for summer groups and events, and provide a monthly rent of \$20,000. On the other hand, if Fireweed paid rent twelve (12) months of year for year-round occupancy, the monthly rent would be \$16,667 at a \$200,000 gross lease.

5. Capital improvements needed for tenant to occupy space

Fireweed would need the HERC building to be brought into compliance with relevant local, state and federal occupancy codes and health/environmental standards for a K-6 educational facility. It would also need upgrades to telecommunications systems to accommodate current and anticipated internet-based learning. Regarding upgrades to accommodate other building users and summer groups, while we recognize an “E” occupancy is the most expensive capital improvement, Fireweed also stands to funnel our facilities capital back to the City with this lease, to improve a site that is important to our community and to extend the life of the building 20-30 years based on the HERC Final Report. Improving HERC 1 to an “E” occupancy will also make it more attractive to summer users as the master leaseholder sees fit and to future lessees."

6. If/how much tenant is willing to contribute to capital cost improvements

¹ See Fireweed Academy Mission, Vision & Core Values (enclosed).

² While the Governor’s recent proposed budget makes significant cuts to education, we remain confident the constitutional mandate to fund education, coupled with the political realities of public school funding, will provide sufficient cash flow annually for the term of any negotiated lease.

Fireweed cannot contribute to capital improvements for the HERC building. However, it would very likely have available funding each year to complete desired tenant-specific improvements, and would not require more than general maintenance and upkeep after initial occupancy.

7. Lease term to which tenant could commit

Fireweed’s current Charter School Contract with the KPBSD is a ten (10) year contract running through August 2027. Depending on the timing of the Master Lease and the completion of necessary capital improvements, Fireweed could renegotiate its Charter with the KPBSD for a period of ten (10) years, which would enable it to enter a ten (10) year lease for the HERC facility.

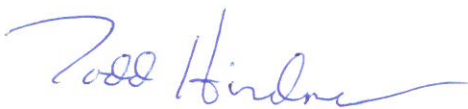
III. Conclusion

In 2015, Fireweed recognized the challenges inherent in maintaining a divided campus structure. In response, the Academic Policy Committee formed its One Campus Subcommittee, with a singular purpose to unite the two campuses. Now, thanks to the tremendous work of the City of Homer and the HERC Task Force, the HERC building provides an incredible opportunity for Fireweed Academy to realize its one-campus dream, while making the HERC facility available for a variety of community activities.

We understand a lot of work remains to be done, and there are many challenges to overcome and questions to answer. But we submit this Letter of Interest with the sincere intent to work honestly and openly with the City of Homer, its residents and its partners to once again make the HERC building an active and vibrant part of the Homer community.

Thank you for your consideration, and please know we are readily available to answer any questions.

Sincerely,



Todd Hindman, Principal
Fireweed Academy

Enc. Fireweed Mission, Vision & Core Values



<p>The WHAT</p>	<p>Our Mission</p>	<p>To provide a compassionate learning environment that gives students, parents, teachers, and community members opportunities to develop: Self-Reliance, Cooperation, Creativity, Reasoning Ability, Personal Growth and Academic Achievement.</p>
<p>The WHY</p>	<p>Our Vision</p>	<p>Fireweed Academy - A vibrant community of readers, writers and problem solvers for the 21st century.</p>
<p>The HOW</p>	<p>Our Core Values</p>	<p><u>Thriving Learners are Cultivated</u></p> <p>We believe in creating a learning community where all members -kids, families, and educators- thrive through a commitment to authentic constructivist principles. Understanding and knowledge of the world is constructed through integrated experiences and reflection upon those experiences. Foundational pieces of Fireweed’s constructivist philosophy and methodology include project based learning, thematic immersion, multiage grouping and Socratic methods.</p> <p><u>Creativity is Celebrated</u></p> <p>We believe, promote, and honor innovative thinking, risk taking, and creative expression as a foundation for learning, living, and working.</p> <p><u>Flourishing Community is Sustained</u></p> <p>We believe in a shared commitment to community by valuing and using collaboration, promoting professionalism, manifesting best practices, and bringing our best selves forward.</p>

Fireweed Academy is a free charter school within the Kenai Peninsula Borough School District.

February 19, 2018

Dear City of Homer,

In accordance with Resolution 19-006(A), please accept this Letter of Interest for tenancy at the Homer Education and Recreation Complex (HERC1). Bunnell Street Arts Center aims to help the City of Homer enliven and manage HERC 1 as an arts, recreation and culture center to meet community recreation needs in our community. Bunnell will coordinate a Friends of the HERC coalition to undertake a community effort, Occupy HERC, that would explicitly seek to work with the City of Homer's Community Recreation Program and bring matching resources to grow a viable business model for a future community center. Occupy HERC will serve as a backbone to test and manage the HERC for up to five years.

Occupy HERC will pay for \$1 for the first year of occupancy and lease HERC 1 on a year-to-year basis for 3-5 years. Occupy HERC will need City support to empty and thoroughly clean the building, and to provide utilities including electricity, heat, water/sewer, plow services, routine maintenance and insurance for HERC 1 during this time.

Bunnell Street Arts Center, a non-profit organization, will seek an initial \$25,000 in funding for Occupy HERC to provide a part-time Coordinator and start-up costs at the HERC 1 site. Ideally, the City will meet this investment with a matching \$25,000 one-time appropriation, or an in-kind value of a part-time staff person to meet HERC 1 staffing needs for initial programming, administration and accounting, and communication. Bunnell will provide additional in-kind administrative guidance, activate community involvement, coordinate community support, write grants, and where needed, serve as a fiscal agent.

Occupy HERC shall make available all classrooms for community usage for recreation activities such as:

- movement classes and rehearsals such as gymnastics, martial Arts, Native Youth Olympics, dance
- makerspace for crafts such as 3D Printing, woodworking, pottery, fiber arts, painting, printmaking, and other technologies
- Tool-lending libraries
- arts studios and small business incubation spaces including offices or storage.
- education programs via Homer Folkschool, Connections, homeschool groups, Project Grad etc

Times of day will be limited to staffing capacity, but may be as much as 9am -9pm, depending on the space. Occupy HERC shall test the financial viability and sustainability of these activities through diverse revenue streams such as fees, rental, grant support, sponsorship, and other business models. These revenues will be subsequently be reinvested in HERC 1 staffing and operating costs for years 2 through 5.

Occupy HERC shall learn what improvements need to be made to satisfy the community's needs and create a viable community center. Occupy HERC will provide quarterly and annual progress reports to the City. Occupy HERC's long term goal shall be to develop a viable business plan to sustain HERC

beyond this 5 year phase, and further to work with the City to fund capital improvements, or to renovate or reconstruct HERC 1 as deemed necessary based on this testing phase. Occupy HERC will leverage matching funds from other public and private sources to provide this service and, if proven desired by the community, grow into an independent, self sustaining third part manager of HERC 1 to meet Homer's short and long term education, recreation, arts and cultural needs.

Sincerely,

The image shows two handwritten signatures in blue ink. The signature on the left is 'Asia Freeman' and the signature on the right is 'Adele Person'. Both are written in a cursive, flowing style.

Asia Freeman and Adele Person
Bunnell Street Arts Center
106 West Bunnell, Suite A
Homer, AK 99603
907.235.2662



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: Potential tenants of HERC 1
FROM: Katie Koester, City Manager
DATE: February 2, 2019
SUBJECT: City of Homer Community Recreation Letter of Interest for HERC 1

Per Resolution 19-006(A), attached is a letter of interest that details the current space needs and activities of City of Homer Community Recreation at HERC 1. It is important to note that this letter of interest details current activity in the facility; with improvements to the building that allow for expanded occupancy (such as sprinkler systems and ADA accessibility), the ability of the space to house more activities and participants will grow.

Resolution 19-006(A) included a requirement that potential tenants of the facility take into consideration the recreation needs of the City, and this letter is meant to help prospective tenants understand that landscape. Please feel free to call the City Manager's office with any questions regarding current or future anticipated municipal use of HERC 1.

Enc:
City of Homer Community Recreation Letter of Interest for HERC 1
Sample Community Recreation Calendar, February 2019

The space needs of the tenant:

The City of Homer Community Recreation (CR) program currently uses the gymnasium, activity room and downstairs rest rooms (that also serve as equipment storage space) in the lower portion of HERC 1. We also use the kitchen as a place to store cleaning supplies, towels, broom and mop. The City of Homer Community Recreation mission statement is:

“The City of Homer Community Recreation will promote community involvement and life-long learning through educational and recreational opportunities for people of all ages. This will be accomplished through maximizing usage of all community facilities and resources, while utilizing, expanding and uniting local business and school resources and expertise. Our program shall be designed to recognize cultural diversity and to address social and community concerns.”

We currently offer pickleball, gymnastics, Zumba dancing, Native Youth Olympics, youth basketball and adult basketball at HERC 1 (see attached February 2019 calendar for reference). The CR relies exclusively on volunteers and contracted instructors to offer programs and activities therefore having the flexibility and accessibility for scheduling is paramount in responding and determining what activities will take place based upon the community interests and people willing to volunteer, lead or instruct each designated program. While we know today what programs we offer are popular, there is always the possibility of either a new program on the horizon or existing programs losing participation and interest.

How the space will be used by the tenant including time of day:

The primary needs for City of Homer Community Recreation at HERC 1 is for municipal recreational, educational and physical activities. The programs are a combination of ongoing drop in activities such as pickleball, basketball and dance as well as instructional classes with a flat fee and a designated start/end date, such as youth basketball. We recognize that weekdays after school and evening has the highest demand.

We would need the gymnasium, activity room and downstairs restroom areas Monday–Friday 3-9pm. Ideally, we would have youth activities from 3-5pm and from 5-9pm teens/ adults during the weekday. These times are subject to change based upon the request and demand of programs. The weekend hours are somewhat intermittent with current usage being 11am-1pm and 5-7pm on Saturday and 10am-1pm on Sundays in the gym. It should be noted that we do see a decrease of indoor activity participation for youth programs during the summer months due to the lack of staffing, volunteers or contracted instructors willing to offer programs in the summer. It is also helpful to have the ability to use the gymnasium for random days and times during the summer months as a backup location for City of Homer Community Recreation activities if and when the local high school gym is closed due to maintenance.

How much a tenant is able to pay for space on a monthly basis

The City of Homer Community Recreation program currently generates \$9,000-\$12,000 per year with existing activities in the HERC. I would conservatively estimate approximately \$850-\$950 per month. Relevant to the issue of paying for space for municipal programming, the City of Homer Community Recreation program pays \$6,000 a year for combined use of both Homer High School and Homer Middle School that includes office space, free use of equipment, office supplies and some photo copying.

What improvements to the space would be necessary for tenant to occupy the space

At the present time, per State Fire Marshall approval, the City of Homer Community Recreation program can operate in the facility "as is" with no upgrades needed for the short term. The ideal improvements for long term use would include: improving facility accessibility, upgrades to the rest rooms, hot mopping of the gymnasium and activity room roofs and a floor refinishing and repainting of floor lines. It would be helpful to have a small office space for staff and volunteers for registration, record keeping, computer/internet access, equipment storage but the programs can do without these as space for activities is the priority.


If/how much tenant would be willing to contribute in capital costs to improvements

This is up to the Homer City Council.

How long of a lease tenant would be willing to commit to

Indefinitely.

February 2019

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1 5-8pm PICKLEBALL at HERC GYM	2 11am-1pm ZUMBA at HERC GYM 5-7pm PICKLEBALL at HERC GYM
3 10am-1pm PICKLEBALL at HERC GYM	4 3-4pm YOUTH BASKETBALL at HERC GYM 5-8pm PICKLEBALL at HERC GYM	5 11AM-12:30pm MORNING PICKLEBALL DRILLS at HERC GYM 3-5pm NATIVE YOUTH OLYMPICS at HERC GYM & ACTIVITY ROOM 4-5pm GYMNASTICS at HERC GYM 5:15-8:30pm PICKLEBALL at HERC GYM	6 10:30AM-12pm MORNING PICKLEBALL at HERC GYM 3-4pm YOUTH BASKETBALL at HERC GYM 5-8pm PICKLEBALL at HERC GYM	7 11AM-12:30pm MORNING PICKLEBALL DRILLS at HERC GYM 3-5pm NATIVE YOUTH OLYMPICS at HERC GYM & ACTIVITY ROOM 4-5:30pm GYMNASTICS at HERC GYM 5:45-8:30pm PICKLEBALL at HERC GYM	8 5-8pm PICKLEBALL at HERC GYM	9 11am-1pm ZUMBA at HERC GYM 5-7pm PICKLEBALL at HERC GYM
10 10am-1pm PICKLEBALL at HERC GYM	11 3-4pm YOUTH BASKETBALL at HERC GYM 5-8pm PICKLEBALL at HERC GYM	12 11AM-12:30pm MORNING PICKLEBALL DRILLS at HERC GYM 3-5pm NATIVE YOUTH OLYMPICS at HERC GYM & ACTIVITY ROOM 4-5pm GYMNASTICS at HERC GYM 5:15-8:30pm PICKLEBALL at HERC GYM	13 10:30AM-12pm MORNING PICKLEBALL at HERC GYM 3-4pm YOUTH BASKETBALL at HERC GYM 5-8pm PICKLEBALL at HERC GYM	14 11AM-12:30pm MORNING PICKLEBALL DRILLS at HERC GYM 3-5pm NATIVE YOUTH OLYMPICS at HERC GYM & ACTIVITY ROOM 4-5:30pm GYMNASTICS at HERC GYM 5:45-8:30pm PICKLEBALL at HERC GYM	15 5-8pm PICKLEBALL at HERC GYM	16 11am-1pm ZUMBA at HERC GYM 5-7pm PICKLEBALL at HERC GYM
17 10am-1pm PICKLEBALL at HERC GYM	18 3-4pm YOUTH BASKETBALL at HERC GYM 5-8pm PICKLEBALL at HERC GYM	19 11AM-12:30pm MORNING PICKLEBALL DRILLS at HERC GYM 3-5pm NATIVE YOUTH OLYMPICS at HERC GYM & ACTIVITY ROOM 4-5pm GYMNASTICS at HERC GYM 5:15-8:30pm PICKLEBALL at HERC GYM	20 10:30AM-12pm MORNING PICKLEBALL at HERC GYM 3-4pm YOUTH BASKETBALL at HERC GYM 5-8pm PICKLEBALL at HERC GYM	21 11AM-12:30pm MORNING PICKLEBALL DRILLS at HERC GYM 3-5pm NATIVE YOUTH OLYMPICS at HERC GYM & ACTIVITY ROOM 4-5:30pm GYMNASTICS at HERC GYM 5:45-8:30pm PICKLEBALL at HERC GYM	22 5-8pm PICKLEBALL at HERC GYM	23 11am-1pm ZUMBA at HERC GYM 5-7pm PICKLEBALL at HERC GYM
24 10am-1pm PICKLEBALL at HERC GYM	25 3-4pm YOUTH BASKETBALL at HERC GYM 5-8pm PICKLEBALL at HERC GYM	26 11AM-12:30pm MORNING PICKLEBALL DRILLS at HERC GYM 3-5pm NATIVE YOUTH OLYMPICS at HERC GYM & ACTIVITY ROOM 4-5pm GYMNASTICS at HERC GYM 5:15-8:30pm PICKLEBALL at HERC GYM	27 10:30AM-12pm MORNING PICKLEBALL at HERC GYM 3-4pm YOUTH BASKETBALL at HERC GYM 5-8pm PICKLEBALL at HERC GYM	28 11AM-12:30pm MORNING PICKLEBALL DRILLS at HERC GYM 3-5pm NATIVE YOUTH OLYMPICS at HERC GYM & ACTIVITY ROOM 4-5:30pm GYMNASTICS at HERC GYM 5:45-8:30pm PICKLEBALL at HERC GYM		

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



COMMITTEE OF THE WHOLE
5:00 P.M. MONDAY
FEBRUARY 25, 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.

Mayor Castner requests excusal.

Councilmember Stroozas 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. CONSENT AGENDA

4. REGULAR MEETING AGENDA

5. COMMENTS OF THE AUDIENCE

6. ADJOURNMENT NO LATER THAN 5:50 P.M.

Next Regular Meeting is Monday, March 11, 2019 at 6:00 p.m., Special Meeting at 4:00 p.m. and 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
FEBRUARY 25, 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

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

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE

Mayor Castner requests excusal.

Councilmember Stroozas 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

A. Recognition of former Councilmember John Fenske

Page 37

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 February 11, 2019. City Clerk. Recommend adoption. Page 45
 - B. **Memorandum 19-027** from Planning Re: Providing Further Direction Homer Area Transportation Plan Update. Recommend Approval. Page 63
 - C. **Ordinance 19-10**, An Ordinance of the City Council of Homer, Alaska, Amending the Operating Budget in the Amount of \$19,700.00 from the Port and Harbor Reserves for the Purpose of Purchasing and Installing Fencing to Divide Lot 12, Homer Spit Subdivision No. 5 Secured Storage into Regulated and Unregulated Cargo Areas. City Manager/Port Director. Recommended dates Introduction February 25, 2019, Public Hearing and Second Reading March 11, 2019. Page 67
 - D. **Resolution 19-012**, A Resolution of the City Council of Homer, Alaska, Amending the Council's Operating Manual Regarding Telephonic Participation, Re-Organizing Sections, Clarifying Language, and Adding Appendices for Homer City Code Excerpts. City Clerk. Recommend adoption. Page 69
 - E. **Resolution 19-013**, A Resolution of the City Council of Homer, Alaska, Supporting the University of Alaska Underscoring the Key Role the Kachemak Bay Brand of the Kenai Peninsula College has in Homer and Encouraging Full Funding of the University at Existing Levels. Venuti. Recommend Adoption. Page 113
- 7. VISITORS**
- A. Presentation on Wayfinding and Streetscapes – Economic Development Advisory Commission (10 minutes) Page 117
- 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
 - 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 19-08**, An Ordinance of the City Council of Homer, Alaska Amending the FY 2019 Operating Budget by Appropriating \$39,500 from Fire Reserves to Purchase Replacement Personal Protective Equipment for the Homer Volunteer Fire Department. City Manager/Fire Chief. Introduction February 11, 2019, Public Hearing and Second Reading February 25, 2019. Page 129
- B. **Ordinance 19-09**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a \$100,000 Service Extension Fees and Authorizing the Extension of City of Homer Water Services to Lot 2B, Puffin Acres Milepost 3, East End Road in Kachemak City. Mayor. Introduction February 11, 2019, Public Hearing and Second Reading February 25, 2019. Page 135
- C. **Ordinance 19-07(S)**, 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. Introduction January 28, 2019, Second Reading and Public Hearing February 11, 2019. Page 159

Ordinance 19-07(S-2), 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 **Mobilizing for Action Through Planning and Partnerships (MAPP) for the Opioid Task Force Coordination; Homer Foundation for City Of Homer Grants Related to Addiction Prevention, Treatment, Harm Reduction, and Recovery; and** Set Free Alaska For The Purpose Of Establishing an **a Residential** Addiction Treatment Center in Homer. Smith/Erickson **Aderhold/Venuti.** Page 163

Ordinance 19-07(S-3), 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 **and \$7,827.95 from the General Fund** to **Homer Foundation for City of Homer Grants Related to Addiction Prevention, Treatment, Harm Reduction, and Recovery; and** ~~Set Free Alaska for the Purpose of~~ **to aid the Construction of a Residential and Out-Patient** Addiction Treatment Center in Homer. Aderhold/Venuti/Smith/Erickson Page 169

10. ORDINANCE(S)

11. CITY MANAGER’S REPORT

- A. City Manager’s Report
- B. Bid Report
- C. Records Destruction Report

12. PENDING BUSINESS

- A. **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 203

13. NEW BUSINESS

14. RESOLUTIONS

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, March 11, 2019 at 6:00 p.m., Special Meeting 4:00 p.m. and 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

CITY OF HOMER
HOMER, ALASKA

APPRECIATION AND RECOGNITION

JOHN FENSKE

John was born in Oregon, raised in Montana, but destined to be an Alaskan.
In 1973 he became one.

John served four years in the United States Air Force as a young man.

Here is was a “*Jack of Many Trades*” which allowed him to meet and befriend a diverse group of people
in the communities on the Lower Kenai Peninsula.

John was a Welder, Plumber, Pilot, Herring Spotter, Scuba Diver, Musician, Barista, Artist, Charter Captain,
Lover of Books, Dog Whisperer, Politician, Philosopher and Philanthropist.

John served on the Homer City Council from 1998 to 2004

He was Mayor Pro Tempore 2003-2004

And a Commissioner on the Economic Development Advisory Commissioner 1994 to 1996

During his time John helped shape and enact a number of projects and policies that had meaningful impacts to
our community: Animal Shelter, Bridge Creek Watershed Jurisdiction, Chamber of Commerce funding, Homer
Foundation City Endowment, Karen Hornaday Park Playground, Kachemak Bay Peninsula College University
Expansion, Pioneer Dock and the Homer Public Library.

John was a huge advocate for the value of the partnership with the Alaska Municipal League, a Charter member
of the Kachemak Bay Rotary and instrumental in starting the Annual Rotary Health Fair.

John served on the Kachemak Bay Campus Advisory Board for many years and received a Bachelor of Science
in Psychology on that very campus. Some of his friends may attest to being part of that study!

John knew how to incite a lively conversation.

John gave.

Through his giving he created a relationship with this community.

One that improved our quality of life.

To that, I want to extend this heartfelt appreciation and recognition of John Fenske and may we all realize that
same power within ourselves to enrich our community.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND CAUSED the Seal of the City of Homer,
Alaska, to be affixed this 25th day of February, 2019.

CITY OF HOMER

HEATH SMITH, MAYOR PRO TEMPORE

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

PUBLIC COMMENTS
UPON MATTERS
ALREADY ON THE AGENDA

RECONSIDERATION

CONSENT AGENDA

Session 19-04 a Regular Meeting of the Homer City Council was called to order on February 11, 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

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

Council met for a Worksession 4:00 p.m. and Committee of the Whole 5:00 p.m. in Homer City Hall Cowles Council Chambers.

AGENDA APPROVAL

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

The following changes were made: **CONSENT AGENDA Memorandum 19-019** from City Clerk Re: Liquor License Renewals for Two Sisters Bakery and Bluff Point Light House Drive-Thru Grill. KPB Non Objection Letter of the Liquor License Renewal for Bluff Point Lighthouse Grill; **Ordinance 19-09**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a \$100,000 Service Extension Fees and Authorizing the Extension of City of Homer Water Services to Lot 28, Puffin Acres Milepost 3, East End Road in Kachemak City. Mayor. Resolution 04-42(A) and Resolution 17-014(S) with back up; **PUBLIC HEARINGS Ordinance 19-07(S)**, 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. Back up information and public comments. **Ordinance 19-07(S-2)**, 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 **Mobilizing for Action Through Planning and Partnerships (Mapp) for the Opioid Task Force Coordination; Homer Foundation for City Of Homer Grants Related to Addiction Prevention, Treatment, Harm Reduction, and Recovery; and** Set Free Alaska For The Purpose Of Establishing an **a Residential** Addiction Treatment Center in Homer. ~~Smith/Erickson~~ **Aderhold/Venuti.**

LORD/VENUTI MOVED TO APPROVE THE AGENDA AS AMENDED.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

MAYORAL PROCLAMATIONS AND RECOGNITIONS

- A. Recognition of the United States Coast Guard, 17th Fleet
- B. Congenital Heart Defect Awareness Week February 7-14
- C. Brother Asaiah Bates Day, February 14th

Mayor Castner announced the recognitions.

PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

Kelly Cooper, Borough Assembly member, said she doesn't have a Borough report tonight. She commented regarding Ordinance 19-09, explaining she has the same sentiment as in 2017. It's a public process and when we make decisions as a body there should be the opportunity for the other government body this will affect to participate in a worksession and then decide on what direction they'd like to go. Public Policy is important as well as setting precedence and she's concerned there isn't a rate schedule in place for this. She supports the project, but there are many commercial properties, and others, along the road that have been wanting water. She encouraged scheduling a worksession with Kachemak City Council to discuss the issue.

David Lewis, city resident, commented regarding Ordinance 19-09. He recognizes the need for low income housing, but this could set a precedence here that may come back and bite the city later. If this place wants city water and sewer then they should ask to be annexed in. We had this discussion a couple years ago and it was voted down, and former Mayor Jack Cushing came in with some good arguments. He encouraged Council to be careful with this.

William Overway, Kachemak City Mayor, commented Kachemak City has a sewer system agreement with the City of Homer. Regarding water, he was out of town and just found out that the housing project was approved when he returned. He thinks down the road the two cities should work out an agreement regarding water service. Kachemak City Council will be talking about this for the first time at their meeting on Wednesday. They're aware of it and have some concerns, but are open to talking about an agreement.

Larry Slone commented regarding Ordinance 19-09 noting we have reached agreement between Kachemak City and the City of Homer for limited use of the sewer system and it seems it would be beneficial to extend the waterline if they're willing to pay most of the cost of the

extension and continue to use it in the future. It would provide income and infill as part of our sewer and water system. He also commented on Resolution 18-091 regarding the support of the Alaska Gas Line LNG Liquefaction Plant and Marine Terminal in Nikiski that was included in the Council's worksession packet.

Lu Lovelace commented in support of Resolution 19-009 approving the lease agreement with Alaska Custom Seafoods. She is one of Mr. Faulkner's tenants and hopes he's able to continue his lease because she plans to keep her business there for a long time.

Brad Faulkner commented in support of Resolution 19-009 approving the changes to his lease agreement, and thanked the Harbormaster for working with him. He thinks they are doing good business out there, five different businesses were active last year and there will be five this year. They deleted the food bus because they are too far from the central location. The new business this year will be Ultimate Safari's, the helicopter tour company out of Beluga Lake.

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 Special and Regular Meeting Minutes of January 28, 2019. City Clerk. Recommend adoption.
- B. **Memorandum 19-019** from City Clerk Re: Liquor License Renewal for Two Sisters Bakery and Bluff Point Lighthouse Drive-Thru Grill. Recommend approval.
- C. **Memorandum 19-020** from PARC Advisory Commission Re: Approving the 1% Art Selection Committee Appointment Recommendations for the New Homer Police Station Project. Recommend approval.
- D. **Memorandum 19-022** from Mayor Re: Authorization to Spend Budgeted Attorney Dollars. Recommend approval.

Moved to New Business A. Aderhold.

- E. **Ordinance 19-08**, An Ordinance of the City Council of Homer, Alaska Amending the FY 2019 Operating Budget by Appropriating \$39,500 from Fire Reserves to Purchase Replacement Personal Protective Equipment for the Homer Volunteer Fire Department. City Manager/Fire Chief. Recommended dates Introduction February 11, 2019, Public Hearing and Second Reading February 25, 2019.

Memorandum from Acting Assistant Fire Chief as backup

- F. **Ordinance 19-09**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a \$100,000 Service Extension Fees and Authorizing the Extension of City of Homer Water Services to Lot 28, Puffin Acres Milepost 3, East End Road in Kachemak City. Mayor. Recommended dates Introduction February 11, 2019, Public Hearing and Second Reading February 25, 2019.

Moved to Ordinances A. Aderhold.

- G. **Resolution 19-008**, A Resolution of the City Council of Homer, Alaska, Opposing the \$20 Million Dollar Repeal of K-12 State Aid to School Districts for the Fiscal Year Ending June 30, 2019. Aderhold.
- H. **Resolution 19-009**, A Resolution of the City Council of Homer, Alaska, Approving A Lease Amendment to Modify Article Six of the Ground Lease and Security Agreement Held Between Brad Faulkner of Alaska Custom Seafoods and the City. City Manager.

Memorandum 19-024 from Port and Harbor Advisory Commission as backup

- I. **Resolution 19-010**, A Resolution of the City Council of Homer, Alaska, Approving and Accepting the Donation from Brandi Evans of Cary, North Carolina, for a Park Bench in Memory of Johnnie and Annie Flood, Constructed by West Homer 6th Grade Students to be Placed in a Park within the City. City Clerk/PARC Advisory Commission.

Memorandum 19-023 from PARC Advisory Commission as backup

- J. **Resolution 19-011**, A Resolution of the City Council of Homer, Alaska, Deleting Language in the City of Homer Fee Schedule Under Camping Fees. Smith.

Item D. moved to New Business item A. Aderhold

Item F. moved to Ordinances item A. Aderhold

City Clerk Jacobsen read the consent agenda.

Mayor Castner asked for a motion for the adoption of the consent agenda as read.

ERICKSON/ADERHOLD 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 David Bell, Director of Business Development, and Lindsay Hobson, Manager of Communications with Enstar addressed the Council in relation to questions on the current rates and what they have proposed over time to address the current situation.

B. Councilmember Report on Worksession Discussion

Councilmember Lord reported at the worksession Council discussed Memorandum 19-021 from the City Manager outlining legislative priorities and their key messaging around that; and also reviewed the schedule for Council and City Manager traveling to Juneau for the AML Winter Conference next week. Councilmembers Aderhold Smith and Lord and City Manager Koester will be attending.

C. Mayor's Report

1. Letter of Support for Reappointment to North Pacific Fisheries Management Council
2. Public Comment on Pioneer Avenue Potholes

Mayor Castner reported he's spent a lot of time over the last two weeks researching the Enstar issue. He's received comments regarding the pot holes on Pioneer Avenue and understands the problems, but Pioneer Avenue is a State road and he understands that Representative Vance is helping to raise the issue with DOT. He noted his letter recommending reappointment of Buck Laukitis to the North Pacific Fisheries Management Council.

D. Borough Report

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

1. Library Advisory Board

Connor Schmidt, Library Advisory Board member reported the Board met last Tuesday and thanked Councilmember Smith for attending. He said they a light meeting agenda and reported on upcoming Library events.

2. Homer Advisory Planning Commission

Scott Smith, Planning Commissioner, reported he attended the Alaska Planning Conference and learned that serving on a Planning Commission is a complex thing in working with staff and Council. After hearing reports from several communities, Homer has an excellent working relationship with staff and Council. He suggested they may want to revisit the CUP fee schedule, as Anchorage charges \$15,000 for a CUP and Homer charges \$200. At their last meeting Public Works Director Meyer reported on how they are working with storm water runoff at the new Police Station to help them have a better understanding on what's involved. They are working with the City Planner on how to reduce the amount of CUP's his office has to process. The primary features that trigger a CUP are more than one building, 8,000 sf, and lighting issues, so they are trying to evaluate how to codify some of those to reduce the CUP applications. Lastly he reported Planning Technician Travis Brown attended and advised them how the Planning Office follows up with applicants after the permitting is approved.

3. Economic Development Advisory Commission

Councilmember Smith reported the Commission meets tomorrow.

4. Parks Art Recreation and Culture Advisory Commission

David Lewis announced from the audience the Commission hasn't met since their last report.

5. Port and Harbor Advisory Commission

Steve Zimmerman announced from the audience the Commission hasn't met since their last report.

6. Americans with Disabilities Act Compliance Committee

Councilmember Aderhold reported the Committee meets again in March.

PUBLIC HEARING(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. Introduction January 28, 2019, Second Reading and Public Hearing February 11, 2019.

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

Mayor Castner asked for a motion for the adoption of Ordinance 19-06 by reading of title only for second and final reading.

ERICKSON/VENUTI SO MOVED

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- B. **Ordinance 19-07(S)**, 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. Introduction January 28, 2019, Second Reading and Public Hearing February 11, 2019.

Letter to Mayor and Councilmembers from Set Free Alaska, Inc.
Set Free Alaska, Inc. Policy and Procedures
Letters of Support

Mayor Castner opened the public hearing.

Adam Hykes, city resident, shared his experience of homelessness and drug addiction and his growth following treatment. He explained local AA meetings were a good start, but it wasn't until he was involved with a faith based community with a live in residence program that he could address the deeper issues. It was radically transforming for him and he'd love to see it happen for others who are stuck in the same cycles of addiction. He supports Set Free Alaska here in Homer with full funding.

Rick Alward shared his families experience with a daughter who suffered 10 years of meth and heroin addiction. He brought her back to Alaska and spent time speaking to her about

unconditional love and faith, until it finally broke through. He would like to see Set Free Alaska come to Homer, because the thing that is common among these programs is a faith based love.

Kurt Leffler thanked the two previous speakers for their bravery and courage to speak tonight. He supports Set Free Alaska. He also supports the efforts of the Opioid Task Force and grass roots movements here in Homer. He is sober two years and a former gang member in Los Angeles. As a community, we need a coalition of supports to deal with this issue. He shared about his efforts working in peer support, former criminality, marital arts, and efforts to ensure no one is left behind. He would like to see what could be done with the funding to support grass roots movements as well as Set Free's mission.

Marilyn Hueper, city resident, commented in support of Set Free coming to Homer. She shared about a guest who is a part of treatment programs in Anchorage and Wasilla and stayed at her business. The guest said she'd been wanting to move to Homer but would leave Homer when her kids went to high school because of the high risk environment here. Because of that and other interactions she feels a faith based program will have the best results and we can't afford not to do this for our kids and families if we want our community to grow and be safe.

Lanny Simpson, city resident, shared that he lives on Klondike Avenue adjacent to the property being considered. For many years he has seen homeless men come and go in the area and he thinks Set Free Alaska within the range of his home would be a solution, not a problem. There are too many men who have come through Homer with no solution and we need to tackle this issue. Set Free Alaska will be a great addition and he would feel safer.

Ginny Espenshade, city resident, shared that through her volunteer work she meets and gets to know and trust some of the people who are in the midst of the cycles of addiction, and would love the opportunity for someone who is ready to do something to be able to get help. It's a great opportunity for public/private partnership but there is also a tremendous responsibility to do it right. She referenced the letters in the supplemental packet from Dr. Spencer and Hannah Heimbuch, and comments from Mr. Leffler. They are three of the wisest people about the problem in this community and they encourage looking at it across the three prongs of the battle, prevention, treatment, and reduction of harm; and what's the best use of the funding. The supplemental ordinance is a start to that.

David Lewis, city resident, commented we do need a treatment center, but he isn't a fan of city money going toward a faith based program. In the State of Alaska conversion therapy is allowed and it's legal to discriminate against the LBGQTQ population. He shared his awareness of the effects of addiction through his nephew and he supports the idea of a treatment center. He said he wished the location was disclosed sooner so neighbors could comment, and he doesn't think city money should be used.

Amy Smith shared she has lost several loved ones to addiction, some have died and many are still living. They are family and friends, and they should all have a chance to benefit from the

services Set Free can provide. She encouraged them not to let the faith based aspect preclude them from going forward with this. She shared her experience facilitating substance abuse groups through churches and government funded social service agencies. Set Free believes in services being client centered, and these are Medicaid funded services which will help keep it sustainable. She hopes this goes forward to help people have hope and walk free from addiction, because it is possible.

Jaclyn Rainwater shared she has five years clean and sober after getting sober her fifth time around at a faith based facility. After thinking of last meeting, she commented regarding the fear of it being in our back yard. It's not a homeless shelter. She was in an inpatient facility for 16 months with a community of people trying to get sober together and learning life skills. They did kids camps and different events for the community. When sober people see a group who are trying to better themselves its very uplifting and inspiring. When someone in addiction sees another addict becoming successful and staying sober it gives them hope. She pictures this on Pioneer Avenue and seeing the the sign Set Free, just the words are a beacon of hope.

Barbara Smith, city resident, commented she's been involved with non-profit organizations for 20 years. She understands there is a large chunk of money that could be divided among several organizations to help out, or given to one organization. Her feeling is if you want to get the most bang for your buck, it to one group who has already proven they are successful.

Tom Hagen said he doesn't think anyone will deny there's a drug problem here and he applauds the Opioid Task force for all they've done. He thinks our end goal is to see less addicts and less needles needed. Through their research, Set Free Alaska acknowledged they don't need to do redundancy of what's already working well, and decided to jump in and start with outpatient and inpatient program, simultaneously. They have an existing sustainable business model that works and they need help with startup funding for a costly endeavor. He encouraged the community and Council that we want to be seen as a group who is stepping up in front of Alaska and saying we're owning this and addressing it, and not ignoring it.

Steve Zimmerman, city resident, agrees there is a lot of merit to this and there have been some good stories and he doesn't know if he's against or in favor of it, but he's interested in the funding. He questioned how taking money from the police station fund, which he assumes is the construction fund, impacts the money the voters approved for bonding to build the police station and the sales tax increase. They probably didn't vote for it to be used for this project. He's like clarification about that.

Scott Smith, city resident, thinks Homer has an opportunity to create corporate testimony. He commented about the stigma attached to living at end of the road. We have an opportunity to establish within its corporate structure and city expression, an opportunity that says I care the people who are down and out. As one of the council's constituents he encourages them to evaluate this as an incredible opportunity for Homer.

Larry Slone, city resident, referenced page 190 regarding the funding Mr. Zimmerman was questioning. He commented that is an emotional issue and it makes him nervous to make policy decisions this way and that a rational overlay of thought needs to be applied and consider issues raised tonight. The information provided by Set Free Alaska says no one will be required to submit to their faith and that they'll accommodate all persons of all persuasions and perspectives. After listening to tonight's testimony, he has a better understanding of the benefits of a faith-based program over an institutional approach and it has modified his perspective.

Mark Edens commented this is a faith-based program that doesn't endorse any particular church, but promotes faith in God. They are very fiscally responsible, very professional, and he sees it as a program that can change the face of Homer. He grew up here and Homer does have a stigma, but we can make a difference and changes some ideas that have formed out there. Set Free is positioned for a grant and ready to move forward. He supports the full amount go to the program and not be divided up.

Dori Hagan shared about her experience as a licensed professional counselor in Homer and shared that professionals in her field are bound by a code of ethics to not impose their value system on who they see. It's important to meet the client where they're at and establishing safety and coping skills; things like eating, showering, and ways to calm themselves are paramount first for addicts as they are relapse prevention type things. Set Free has the ability to bill Medicaid, but she can't working at Cornerstone Counselling, so she's limited in how often she can see a client. A lot of people need to be seen several times a week or inpatient and Set Free can accommodate that need. She also emphasized the importance of the spiritual piece with regard to healing and recovery from addiction.

Connor Schmidt commented about the prevention lessons at Homer Middle and some of the other schools in the area and a big part is focusing on the spiritual piece and emotional intelligence one needs to be able to get through life. Unfortunately not everyone learns that in their own household because of trauma and other life factors. He supports the ordinance that continues to support the prevention efforts that are already occurring in Homer like MAPP, the Opioid Task Force, and Homer Foundation.

Josh Garvey commented we've heard the substance abuse issue is already in our back yards and we aren't afraid to take the problem head on, front and center, in our community. We've heard Set Free Alaska operates in a safe, secure, and controlled environment with a high success rate and sustainable business model. We've heard faith is often seen as a critical component to successful and sustained recovery. He commented in support of dedicating all of the funds being proposed to Set Free as the best use, and diverting the funds to other organizations will water down the potential to make an impact on the community.

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

ERICKSON/SMITH MOVED TO ADOPT 19-07(S) BY READING OF TITLE ONLY.

ADERHOLD/VENUTI MOVED TO SUBSTITUTE ORDINANCE 19-07(S-2) FOR 19-07(S)

Councilmember Aderhold thanked everyone who shared tonight and said she is on board with a residential treatment center in Homer. She explained that the amount allocated is the entire amount of the Community Assistance funds the city received and were allocated to the police station construction project. This redirects those funds. She appreciates the effort of the two councilmembers who were able to put some time and effort into working on the ordinance, but the rest of the council saw this for the first time two weeks ago. They need time to consider this and how to spend the public's dollars, time to listen to the public testimony, and time to decide on the best way to use the funds. She's had numerous people correspond with her about concerns as most of Council probably has. She supports a residential treatment center and also the ongoing needs of the Opioid Task Force, and other organizations who have been working toward a healthier, more resilient, community related to addiction. We need to look holistically at the ways people receive treatment, and how people recover from addiction. We need to take our time, so we're all comfortable with how we're moving forward. She brought forward a revised proposal, but she's heard questions that need answering and whereas clauses in both ordinances that may need to be evaluated and revised.

Councilmember Venuti shared her concerns with urgent language in the original ordinance and feels it's based on emotion. She's thought about what's working well in the community and hasn't received much, if any, funding. She supports the other groups as well as Set Free Alaska, and doesn't believe the S-2 draft waters anything down, but recognizes we have some local things working really well and it's a fair way to distribute money. She appreciates the people who spoke tonight.

Councilmember Stroozas questioned what would happen to the \$127,000 if Set Free Alaska is unsuccessful in getting the grant because of the reduced amount and said he doesn't see this as a means to impose a faith of any kind on anyone. He sees it as an effort to mitigate as serious issue we have in our community that we've talked about for a long time and will continue to grow.

Councilmember Lord shared she is on board with this program but does have concerns with the faith based program and public money. She wants to ensure they go through a transparent process in utilizing public dollars responsibly for all citizens in the community. She appreciates the policy they shared. Following the last meeting she received feedback about other needs if the City has money. She feels like this should incorporate more people in the process to better be allocate funds appropriately. She shared some brief history of the community assistance funds resulting in allocating it every year by ordinance. The process should be a substantially public one where we work with the community to navigate. At a minimum she'd like to postpone this for more discussion, and to clarify what happens next if Set Free doesn't receive the grant.

Councilmember Smith he's conflicted because MAPP and the Opioid Task Force who have been working to help make progress are amazing and deserve whatever support they can get. He starts having heartburn because they haven't asked for money. Set Free Alaska came with a proposal of what they want to do and he and Councilmember Erickson approached it in a way to find some money. This isn't intended to be disrespectful to any other effort in the community, but is addressing a specific need that was brought to them for an over \$3 million project. We are looking at less than 10% of a match from the community and is specified to go toward the construction or remodeling of a facility. There is no transparency in suggestion with this substitute to give \$50,000 to MAPP because it doesn't say what they'll use it for, and he doesn't know if the Homer Foundation has been contacted about the funds. Regarding language in the ordinance, some of it might be taken as emotionally driven, but there is some reality to it. This is about addiction recovery, not whether its faith based or not. We're all in it together and he'd hate to see this denied because we feel a lack in process. He doesn't feel this is being rushed. He explained Set Free Alaska requested a range from \$175,000 to \$225,000 is what they would need, and they're still going to have to do some fundraising to hit it. He hears some of the concerns, but feels like this is submarining something that has the ability to do something great here.

Councilmember Erickson commented it may seem like this moved quickly, but when she talked to them, they were in the process of writing the grant and we wanted to show support of the City that we felt a facility was important. She shared some personal history about efforts that she's been involved in before and the importance of helping people in need.

There were further comments expressing appreciation for clarifying the amount requested and noting the S-2 does identify how the funds would be used. They continued to address the need for inpatient treatment, the history of service by Set Free Alaska, struggles with limited information, and the need to address questions and concerns that have come forward before making a decision.

SMITH/ADERHOLD MOVED TO POSTPONE TO FEBRUARY 25TH.

Councilmember Smith requested whatever questions are out there be presented in a timely manner so they are given the opportunity to provide the answers sought.

Councilmember Aderhold identified her questions are the ones provided through public testimony regarding the total cost, how is it being divided up, and how specifically will the money be used.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

ORDINANCE(S)

- A. **Ordinance 19-09**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a \$100,000 Service Extension Fees and Authorizing the Extension of City of Homer Water Services to Lot 28, Puffin Acres Milepost 3, East End Road in Kachemak City. Mayor. Recommended dates Introduction February 11, 2019, Public Hearing and Second Reading February 25, 2019.

Mayor Castner asked for a motion for the introduction of Ordinance 19-09 by reading of title only.

ERICKSON/ADERHOLD SO MOVED

Councilmember Aderhold noted the information she requested in the supplemental packet that includes comments from former Mayor Jack Cushing, and a suggestion from Assembly member Cooper that was provided when this came up two years ago. This could be a bad idea and a slippery slope toward extending water outside the city. We haven't provided water to a number of residents inside the city and she feels that should be their priority. Her concern has nothing to do with the low income housing facility itself, it's something that is needed in our commuting and she wishes it was inside the city. At the least, a combined worksession with the Kachemak City Council would be warranted, she'd like to have both bodies working on this, if one is going to.

Councilmember Venuti recognizes the need for low income housing, it is a need in our area, but she isn't in support of extending water to a select group outside city limits. She acknowledged the concerns address by the people in the supplemental packet.

Councilmember Smith said was here last time this came up and he thinks it's a good idea. He thinks this is an opportunity for discussion to be had with Kachemak City. Some valid points were raised by former Mayor Cushing but what resonated with him is that we should be talking to Kachemak City if we're going to do something that affects them, but the reality is it's a deal with one person, not Kachemak City. They buy our water regardless, and waterline is already there. The City ate about \$250,000 of that cost because Kachemak City wouldn't tie into it, or because of the resolution.

Mayor Castner commented this came forward from the company that wants to put housing. They made an unsolicited offer of \$100,000 to tie into the water line. It's \$100,000 that would go into our HAWSP fund. He doesn't think it's a slippery slope, the attorney doesn't think it's a slippery slope, we aren't invading Kachemak City, and we're selling him the right to tie into our pipe.

Councilmember Stroozas commented we aren't getting any revenue from a line that's been there since 2004. Here's someone who's giving us \$100,000 plus buy water from us after the fact. He doesn't see a downside in this.

Councilmember Lord noted for clarification, water/sewer is a utility fund, not part of a general fund. Yes, there are people in the city who don't have water or sewer service, but they also don't pay for it. She touched on infill explaining when we built out pipe, that's not infill but adding more lines of pipe. Infill is taking pipe that exists and adding customers to it. She would like to see this be more collaborative with Kachemak City. We aren't a private company, we have follow process and transparency. To say there's no downside because they're going to give us \$100,000 and put it to HAWSP, that's great, but what about someone else along the line who's been asking for water for a long time but we've said no, we don't extend water service. It's not fair that someone who has a lot of money can broker a deal and get water. She recognizes the need for affordable housing, it's important for the community, but she's trying to figure out how to hold those things in balance. She wants to make sure we're working through a process working government to government when brokering deals, not with individuals or individual entities as a matter of course. We have said no to people before, we have a resolution that says we won't do this.

Councilmember Erickson agrees we need to talk about water issues with Kachemak City, council to council.

Councilmember Aderhold noted the Mayor indicated the City Attorney weighed in on this, but it isn't in the information they've been provided and she'd like to see that. A discussion they had two years ago is that there are tax implications, where someone can build in Kachemak City and still get water, but the tax structure is different as they aren't paying into Homer taxes. Those are things to consider when making this decision.

VOTE (introduction): YES: LORD, ADERHOLD, ERICKSON, STROOZAS, SMITH, VENUTI

Motion carried.

CITY MANAGER'S REPORT

A. City Manager's Report

City Manager Koester reminded Council about the Senior Officials Workshop for All Hazards Preparation on February 21st in the Council Chambers.

B. Bid Report

12. PENDING BUSINESS

13. NEW BUSINESS

- A. **Memorandum 19-022** from Mayor Re: Authorization to Spend Budgeted Attorney Dollars.

Mayor Castner asked for a motion to approve Memorandum 19-022.

STROOZAS/ADERHOLD SO MOVED

Councilmember Aderhold commented there isn't a dollar amount identified in the memo.

City Manager Koester explained that the Council Operating Manual has direction that says if an item is going to take prolonged attorney time, it needs to come to the attention of the body. Significant time has been spent discussing the Enstar issue and Mayor Castner wanted to make sure the body is aware, and this is doing that. The Council needs be kept abreast of the dollar figure one way or another as we progress. The conversation has just developed and she has no numbers at this time, other than we haven't gone over our monthly retainer at this point.

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

Motion carried.

RESOLUTIONS

COMMENTS OF THE AUDIENCE

Ginny Espenshade raised the questions she'd like addressed regarding Ordinance 19-07(S) and (S-2). She'd like for them to get a copy of the grant application because it will include a budget narrative, goals, and objectives. She'd like clarification how many years experiences Set Free Alaska has with residential treatment versus outpatient or counseling. She'd like clarification on success rates, if that can be separated out between alcohol, opioid, and other substances like meth. She'd like to know if the success rate, like 60 or 90 days drug free, includes time while they're still in the facility. If it's only been a couple of years that they have experience with residential, are those success rates indicative of a big enough statistical poll? She'd like them to clarify their approach to medicated assisted treatment, and she's encouraged they've talked to Dr. Spencer about collaborating with her. In their MatSu facility that's residential for women, what's the average length of stay in the facility. She's proud of our community tonight, this is a difficult issue and it's all hands on deck. We've got people raising hands saying no not you, or not right now. That's not what she intends the message to be. Process is important, and especially because people lives are depending on us doing this right. We need to support this program with the right process.

Connor Schmidt asked that they confirm that Set Free is not bringing any form of conversion therapy to Homer. It's something that has come up with faith based organizations in the past.

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 noted someone commented earlier about how we define our community, and he thinks we define it by what we saw here tonight, a lot of very thoughtful, respectful dialog. We can have these discussions, reach resolution, and move ahead. He thanked everyone everyone at home listening and especially the folks who stayed through the meeting.

COMMENTS OF THE CITY COUNCIL

Councilmember Stroozas concurred with the Mayor's comments and said he will be telephonic at the next two meetings.

Councilmember Aderhold shared her appreciation of everyone who came out to speak to them tonight and also to those who wrote to her or any of the others, all comments are equal as far as she's concerned and she definitely reads them all. On Saturday the Homer Conversation on Addiction Recovery will be held at the Community Christian Church 12:00 to 5:00 p.m. She hopes a lot of people attend. The community members will set the agenda so if you have a topic related to addiction please come and give your agenda topic.

Councilmember Erickson also thank those who came tonight and shared. She appreciates when people share their stories and its always rewarding to see them functioning in the community in a positive way. Safe Families turned 1 year old this weekend and if you're looking for a way to help families in need, their office is located in the Church on the Rock office. Safe Families is for families that need help, sometimes it's just having someone there to help the kids if the parent has to go for an operation, or something like that. It can be challenging to bring people into your home, but it's very rewarding to see people get back on their feet again and know they have support. There's a lot coming up the next two weekends and she hopes everyone has a great two weeks.

Councilmember Lord also thanked everyone who testified and who reached out by phone, email, or a stop at the grocery store. It's invaluable to get feedback. Council is limited in the ability to talk to each other, and public feedback is helpful to try to channel it toward something that's productive that we all can get behind and feel comfortable with. She recognized the Chamber for a great Winter Carnival Parade. Paul Banks Elementary partnered with the Coast Guard on their carnival and the proceeds are benefiting the family after the loss of Chief Warrant Officer Mike Kozloski. Seeing the outpouring of love and support has been awesome. She congratulated Safe Families for Children, it's a great organization; and congratulated Brent Sass for winning the Yukon Quest this afternoon.

Councilmember Smith gave a shout out to the Mariner Hockey team for coming in 2nd in the State Championship, it was a close game with the Mariners coming back to take the lead in the 3rd period, but lost in overtime. It was an epic comeback and great representation for Homer High School. He also thanked everyone for their participation, we talked about some weighty matters tonight that are important for the community and he's all for transparency. He tends to take the ball and run, so sometimes he isn't as touchy feely with some of the aspects as others are. That's not a bad thing, it's just how he is, and he continues to learn. He wished everyone a great night.

Councilmember Venuti noted a feel good thing in the packet, and that was donation of a bench from a family in North Carolina to recognize their parents and grandparents who loved to come to Homer, and the bench will be built by our 6th graders. She attended Lunch with a Councilmember and thanked the people who joined her and City Manager Koester. The Winter Carnival was fun, the KPC student's float won for their category. She attended the Girl Scouts Indian Dinner fund raiser where they raised \$4,000 for their trip to India. She recognized Poppy Benson and the Girl Scouts for their efforts. She had a several girls approach her and tell her they are working on badges to help the community with the plastic bag ban. She wished everyone Happy Valentine's Day on Thursday, and reminded everyone to tell people you love them.

ADJOURN

There being no further business to come before the Council Mayor Castner adjourned the meeting at 8:43 p.m. The next Regular Meeting is Monday, February 25, 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: _____



Memorandum 19-027

TO: MAYOR CASTNER AND HOMER CITY COUNCIL
FROM: COUNCILMEMBERS ERICKSON, VENUTI, AND LORD
DATE: FEBRUARY 15, 2019
SUBJECT: PRIORITIES FOR TRANSPORTATION PLAN REVISION

The current Transportation Plan is showing its age and the citizens of Homer could benefit from an update. A successful plan needs to address the concerns of a wide array of users.

A robust effort needs to be made to ensure participation of the various user groups. These efforts should be made apparent in the creation of a successful work plan. This should be called out in the crafting of the RFP and the scoring of the responses. A successful response should include a work plan that best displays the efforts to reach out to the user groups and incorporate concepts that enhance the economic interests of Homer and the surrounding lands.

In addition to being responsive to the concerns of user groups and economic impact, consideration must be given to the unique terrain and climate of our hillside community including slopes, drainages, snow and ice.

I would like to direct the Planning Commission and administration to ensure that an update the plan gives all due consideration to the non-exhaustive list of concerns below:

- Multi-modal connectivity throughout Homer and the region beyond
- Freight movement
- A robust community involvement process
- Terrain and weather
- Tourist travel
- Natural hazards
- Drainage
- Walkability
- Safety
- Non-motorized transportation
- Way finding
- Street scape
- Project funding

Recommendation

Discuss and forward to the Planning Commission and administration.

ORDINANCE REFERENCE SHEET
2019 ORDINANCE
ORDINANCE 19-10

An Ordinance of the City Council of Homer, Alaska, Amending the Operating Budget in the Amount of \$19,700.00 from the Port and Harbor Reserves for the Purpose of Purchasing and Installing Fencing to Divide Lot 12, Homer Spit Subdivision No. 5 Secured Storage into Regulated and Unregulated Cargo Areas.

Sponsor: City Manager/Port Director

1. City Council Regular Meeting February 25, 2019 Introduction

**CITY OF HOMER
HOMER, ALASKA**

City Manager/Port Director

ORDINANCE 19-10

1 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
2 AMENDING THE 2019 OPERATING BUDGET BY APPROPRIATING
3 FUNDS IN THE AMOUNT OF \$19,700.00 FROM THE PORT AND
4 HARBOR RESERVES FOR THE PURPOSE OF PURCHASING AND
5 INSTALLING FENCING TO DIVIDE LOT 12, HOMER SPIT
6 SUBDIVISION NO 5 SECURED STORAGE INTO REGULATED AND
7 UNREGULATED CARGO AREAS.
8

9 WHEREAS, Lot 12, Homer Spit Subdivision No 5 currently has a perimeter fence
10 enclosing the area of a 5 acre concrete pad and additional gravel laydown area; and
11

12 WHEREAS, The City of Homer Port and Harbor's current dual use of the perimeter
13 fenced storage area is as a laydown yard for equipment, gear storage, and other unregulated
14 cargo and also for regulated cargo as needed; and
15

16 WHEREAS, Regulated cargo access and storage requirements often restrict use of the
17 entire secure area, including TWIC card/security awareness training requirements, screening,
18 and escort for any person in the regulated cargo area when regulated cargo is present; and
19

20 WHEREAS, 200 feet of fencing and access gates are needed at the South East end of
21 the concrete pad to separate the concrete storage pad used for regulated cargo from the
22 fenced in gravel lay down yard used for unregulated cargo, equipment, and fishing gear,
23 allowing maximum concurrent use of storage space that matches the varied industrial
24 storage needs present; and
25

26 WHEREAS, The Port and Harbor reached out to several businesses to acquire quotes
27 for the proposed work and of the bids collected the lowest bid was made by Polar Star
28 Construction; and
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30 WHEREAS, In addition to being the lowest bidder the City's local bidder's 5%
31 preference requirements apply for Polar Star Construction; and
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33 WHEREAS, Polar Star Construction's quote for materials and installation of the
34 required fencing and access gates was \$19,700.00.
35

36 NOW, THEREFORE, The City of Homer Ordains:
37

**CITY OF HOMER
HOMER, ALASKA**

City Clerk

RESOLUTION 19-012

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING THE COUNCIL'S OPERATING MANUAL REGARDING TELEPHONIC PARTICIPATION, RE-ORGANIZING SECTIONS, CLARIFYING LANGUAGE, AND ADDING APPENDICES FOR CITY CODE EXCERPTS.

WHEREAS, Over the years sections of the Council Operating Manual have been amended but weren't carried through into other sections or were inserted in such a way that created some discontinuity over time; and

WHEREAS, Ordinance 19-05(A) amends HCC 2.08.100-2.08.120 regarding telephonic participation and those sections are also included in the Council Operating Manual; and

WHEREAS, Two large sections of city code are included in the body of the Council Operating Manual and have been moved to appendices to improve the readability and make it easier to amend the manual when those sections of code are amended; and

WHEREAS, Some sections have been reorganized so topics are located in one place in the manual for ease of reference; and

WHEREAS, Some paragraphs have been deleted because they are no longer relevant or processes have changed over time; and

WHEREAS, Language is included to allow the City Clerk to amend code sections in the Council Operating Manual after they are adopted by ordinance without having to bring the manual back for amendment by resolution; and

WHEREAS, All other amendments to the operating manual will still be required to come before Council by resolution for approval; and

WHEREAS, The amendments are identified in Attachment A through strike outs for items to be deleted and bold underline for new language or language that has been moved.

NOW, THEREFORE, BE IT RESOLVED that the Homer City Council amends the Council Operating Manual regarding telephonic participation, re-organizing sections, clarifying language, and adding appendices for City Code excerpts.

43 PASSED AND ADOPTED by the Homer City Council this 25th day of February, 2019.

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CITY OF HOMER

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HEATH SMITH, MAYOR PRO TEMPORE

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52 ATTEST:

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MELISSA JACOBSEN, MMC, CITY CLERK

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58 Fiscal note: N/A

POLICIES OF THE HOMER CITY COUNCIL

In 1983 the Homer City Council directed that policy directives be drafted to promote routine handling of various categorical business practices. Personnel policies were amended in accordance with policy directives dealing specifically with personnel matters and are found in the City of Homer Personnel Regulations Manual. The balance of these policies are as follows and will be updated regularly.

General Statements

The City of Homer is a first class general law city incorporated March 31, 1964. Homer has a City Manager form of government.

Mayor and Council are elected officials. The Mayor is not a member of the Council and may vote only in the case of a tie vote.

The Mayor of the City of Homer presides over meetings of the City Council, has the power to veto action of the Council (which may be overridden with a 2/3 vote of the Council), and acts in an official capacity ~~to~~ **through** the City Clerk.

The City Council is a body of six elected officials empowered by State Statute and Homer City Code to represent the citizenry in decisions on their behalf. Four members of the Council constitute a majority for quorum and voting purposes.

Policy Directives

Council Relations with Employees & Department Heads:

"The Council acts as a whole, not as individuals, when interacting with employees regarding City business."

Council Relation with City Attorney

"Contact with the Attorney by individual Councilmembers is expected to be judicious, always considering the fiscal impact. Specific information requested from the City Attorney by an individual must be in writing to the City Attorney and copied to each Councilmember. Legal opinions on sensitive, controversial, or potentially costly matters will be brought before the full Council for action and should be in written form whenever possible. "Legal Opinions" are defined as paper products and not intended to include advice/information provided verbally. Legal opinions will be given to all members at the same time it is given to the individual member."

43 "When more than one solicited legal opinion exists on the same subject, the City Attorney's
44 opinion overrides."

45

46 Council Conduct - Statement of Mayor and Council on Behalf of the City of Homer

47

48 "Statements of the Mayor and Council on behalf of the City are based on consensus and
49 resolve of the Council body and substantiated by official record."

50

51 Councilmember/Mayor Absences

52

53 "Every effort should be made to give advance notice of absences. Absences should be
54 coordinated in order to provide the highest possible attendance at Council Meetings."

55

56 City Council and Commission and Board Minutes

57

58 "It is a general consensus that the official record of proceedings, the minutes of City Council
59 and Commission meetings, will be in the "action" format which state clearly the subject
60 considered and the action. Points made in deliberation shall be reflected only. Individual
61 comments of the Council, Commissions and Board are summarized under "Council
62 Comments", "Commission Comments" or "Board Comments". Statements for the record are
63 prefaced with a directive that the comment "is for the record." Public Comments, Public
64 Testimony on Public Hearing Items and Audience Comments shall reflect the subject of the
65 comment or testimony, whether the commenter/testifier is for or against the subject of
66 his/her comments/testimony and shall reflect, in synopsis format, any historical perspective.
67 (Reso 06-115(A), 08/28/06).

68

69 City Council and Commission, Board Agenda Guidelines

70

71 ~~Agenda and Meeting Conduct Guidelines are as illustrated in Section 6.~~

72

73 City Council Meetings

74

75 It is the policy of the City Council to avoid holding regular or special meetings on State and
76 Federal holidays. It is the custom of the Homer City Council to cancel the second regular
77 meeting in December.

78

79 Mayor Pro Tem

80

81 ~~HCC 2.08.080.~~ At the first meeting of the Council following certification of the municipal
82 election each year, there shall be appointed a Mayor Pro Tempore, by majority vote of
83 Council, to act as Mayor during the Mayor's temporary absence or disability. **HCC 2.08.080**

84

85 The Mayor Pro Tem shall, in the absence of the Mayor, act as Mayor of the City of Homer as
86 though they themselves had taken the Oath of Office of Mayor with all duties, responsibilities
87 and power of the Office of the Mayor for the City of Homer, including agenda deadline and
88 review, appointments to boards and commissions, Mayoral Proclamations and Recognitions,
89 and other duties of the Mayor.

90
91 The Mayor Pro Tem, when acting in that capacity, does not lose the privilege or duty to
92 discuss and vote as Councilmember.

93
94 **In the event both the Mayor and Mayor Pro Tem are unable to preside, the most senior**
95 **member will serve as the Presiding Officer and assume the duties as identified for Mayor**
96 **and Mayor Pro Tem.**

97
98 Appointment to Board & Commissions
99

100 ~~City Advisory board and commission appointments are made by the Mayor upon~~
101 ~~confirmation by the Council. **Members of Boards and Commissions are appointed by the**~~
102 **Mayor and confirmed by City Council. (AS 29.20.320(b)** ~~The Mayor will notify Council of~~
103 ~~vacancy and appointment at the next regular meeting if not sooner. Data information sheets~~
104

105 **Applications for appointment to board and commissions** will be on file in the City Clerk's
106 office for those considered for appointment. The Mayor will submit a list the names of those
107 considered to the City Council. Representation of a wide community cross-section is
108 desirable on the commissions and boards. Replacements for vacancies may be
109 recommended by the appropriate Commission or Board.

110
111 Appointment of a City representative on a board, commission, etc., that is not advisory to the
112 City is made by the Council. ~~Economic Development Commissioners are nominated by the~~
113 ~~Mayor and confirmed by the Council for appointment.~~

114
115 Orientation of New Councilmembers
116

117 "A general orientation to municipal government, Council conduct and expectations will take
118 place in close proximity to being sworn into office." The Mayor is responsible for providing
119 the orientation program.

120
121 Release of Telephone, Mailing Address and Location of City Council and Commissions
122

123 "It is the policy of the City of Homer to release all available information on any official unless
124 otherwise directed by the individual official."

125
126 New Liquor License Applications

127
128 ~~"All applications for new liquor licenses will be subject first to a public hearing, duly notified~~
129 ~~and that issuance of the license may be protested for cause pursuant to AS 4.11.480."~~

130
131 Fiscal Notes

132
133 ~~December 10, 1990 via, to begin January 1, 1991 e~~ Every action item on Council's Agenda is to
134 include both negative and/or positive financial impact. If a fiscal note is not required or not
135 applicable the action item is to be so marked. (Memorandum 90-239)

136
137 Use of City Letterhead

138
139 ~~"Any letter being sent out from the Council, using City letterhead, should first come before~~
140 ~~the Council."~~ **Councilmembers should not distribute letters independently on City**
141 **letterhead. Letters sent on behalf of the City Council must come before the Council for**
142 **review and approval.**

143
144 Political Endorsement

145
146 "The Homer City Council takes no position in the endorsement of any political race." "Since
147 the Mayor is not a member of the voting body and is an elected official, there is nothing to
148 prohibit his using his title to endorse a political candidate."

149
150 Lobbying Activities

151
152 Pursuant to, the City Manager will create and deliver to Councilmembers' and the Mayor's
153 mailboxes an initial list of legislation and issues important to the City. (Reso 96-10)

154
155 Each Council member and the Mayor will choose the issue(s) and the bill(s) s/he wishes to be
156 responsible for and will indicate how much time s/he is willing to spend on those items.

157
158 Where necessary, City Council will develop formal, written positions on issues to be voted on
159 outside the CIP list.

160
161 When working with a contract lobbyist or lobbying on behalf of the City, the Mayor, City
162 Manager and Council will be guided by the above-mentioned process. Toward the end of the
163 session, when legislation moves quickly, the City Manager, Mayor or Council members
164 responsible for specific issues may draft a position document and send it to the appropriate
165 players. In that case, a hard copy of the transmittal will be distributed to Council, Mayor, and
166 City Manager immediately thereafter in their mailboxes, with a copy placed in Council
167 packets under Announcements/Presentations/~~Borough and Commission~~ Reports, thereby
168 ensuring public involvement. (Reso 06-54, 05/22/06).

169
170 Upon returning from travel on City business, including lobbying trips or other trips made on
171 behalf of the City, the City Manager, Council members and Mayor will file written reports for
172 inclusion in the next Council meeting packet under Announcements/Presentations/Borough
173 and Commission Reports using the attached format. Each entry describing the activity and
174 subject(s) discussed will be followed by a recommendation. In this way, Councilmembers,
175 the Mayor, or the City Manager following up will have a clear direction to follow. (Reso 00-08,
176 1/10/00; Reso 06-54, 05/22/06).

177
178 Each Councilmember, the Mayor, and City Manager are expected to share his/her lobbying
179 activities with the public in oral and written form under the agenda section marked
180 Announcements/Presentations/Borough and Commission Reports. (Reso 06-54, 05/22/06).

181
182 Travel Report Narratives are required for all travel and will be included under
183 ~~Announcements/Presentations/Borough and Commission Reports.~~ Finance verifies expenses
184 ~~and prepares check, less advance, (if applicable) after receipt of check request from City~~
185 ~~Clerk.~~ (Reso 00-08, 01/10/00; Reso 95-78(A), 10/07/95).

186
187 Committee of the Whole
188

189 ~~The Committee of the Whole may meet prior to every Regular Council Meeting at 5:00 p.m. to~~
190 ~~not run past 5:50 p.m.~~

191
192 ~~This is a device to enable the full Council to give detailed consideration to a matter under~~
193 ~~conditions of freedom approximating those of a committee. The results of any votes taken~~
194 ~~are not the final action of the Council and are recommendations.~~

195
196 ~~The Mayor shall be the presiding officer.~~

197
198 ~~No text may be altered in any agenda item for Council's Regular meeting; however,~~
199 ~~amendments may be recommended.~~

200
201 ~~The agenda shall be noticed the same as a Council's Regular meeting. Only those matters on~~
202 ~~the noticed agenda shall be considered; however, other items not on the Council's Regular~~
203 ~~meeting agenda may be considered if the agenda item is received by the City Clerk no later~~
204 ~~than the Wednesday prior to the meeting. "Old business" shall be added to the Committee of~~
205 ~~the Whole agenda and shall be those items that are not on Council's Regular Meeting agenda~~
206 ~~and that were not discussed at the previous Committee of the Whole meeting due to~~
207 ~~insufficient time. (Reso 09-116(A), 11/23/09; Reso 03-118-08/25/03; Reso 01-24, 04/09/01; Reso~~
208 ~~01-08(S), 02/26/01).~~

209
210 **AMENDMENTS TO THE COUNCIL OPERATING MANUAL**

211
212 **Amendments to City Code that are adopted by Ordinance and are referenced in this**
213 **manual and in the Appendices will be updated by the City Clerk and will not be required**
214 **approved by resolution. All other amendments to the Council Operating Manual will be**
215 **approved by resolution.**

216
217 **PROCEDURES**

218 **GENERAL INFORMATION - (HOW TO'S)**

219
220 Introduction: Robert's Rules, Homer City Code (HCC) and Alaska State Statues (AS) govern
221 powers and operations of the Council. Title 29 specifically deals with municipalities;
222 however, other State Statutes can affect specific subjects of consideration. The following is a
223 quick reference for Councilmembers confronted with the first exposure as an elected
224 government official.

225
226 **ABSENCES (To be excused from meeting)**

227
228 By-laws for Council procedure provides that unexcused absences from three consecutive
229 meetings is adequate basis for declaring the seat vacant. Notification of intent to be absent
230 is the primary prerequisite to being excused.

231
232 Notification of future absences can be made at any Council meeting under Comments of the
233 Council.

234
235 Notification of absence between meetings is accomplished by advising the Mayor, City Clerk
236 or City Manager.

237
238 During opening remarks, the Mayor, or designated presiding officers declares the status of
239 any absence for the record.

240
241 Councilmembers may state objections to absences either when authorization for an absence
242 is required by a Councilmember or declared excused by the Mayor. HCC 2.08.040(l)(5).

243
244 **TELECONFERENCE (To participate telephonically)**

245
246 Mayor and Councilmembers may participate may attend a maximum of three meetings
247 telephonically during the twelve month period commencing November 1st of each year, with
248 the exception of executive sessions and hearings on an ethics charge.

249
250 Mayor or Councilmembers shall notify the City Clerk at least 5 days prior to the scheduled
251 time for the meeting their request to participate telephonically. The City Clerk will notify the
252 Mayor and Councilmembers of the request three days prior to the scheduled meeting time.

253
254 **Procedures regarding telephonic participation are attached in Appendix A and in HCC**
255 **2.08.100-2.08.120.**

256
257 **EXECUTIVE SESSION** - Call for...

258
259 State law pertaining to public agency meetings is applied in the absence of specific City
260 Code. AS 44.62.310(c)(1)-(3) state legal reason for executive sessions. The law is as follows:

261
262 "The following excepted subjects may be discussed in an executive session:

- 263 (1) Matters, the immediate knowledge of which would clearly have an adverse effect
264 upon the finances of the government unit;
- 265 (2) Subjects that tend to prejudice the reputation and character of any person,
266 provided the person may request a public discussion;
- 267 (3) Matters which by law, municipal charter, or ordinances are required to be
268 confidential."
- 269 (4) Confidential records, matters involving consideration of government records,
270 that by law are not subject to public disclosure. HCC 2.80.030
- 271 (5) Attorney-client privilege.
- 272 (6) Exemption for adjudicatory deliberations and decision-making.
- 273 (7) Organizational votes.

274
275 On the Council's Agenda only the Statute number and section are required to be listed as the
276 reason for Executive Session. The issue to be discussed is to be listed in parenthesis after the
277 reason for executive session.

278
279 This section is not applicable to quasi-judicial bodies, i.e. Boards of Adjustment.

280
281 A regular or special meeting may be recessed or adjourned to executive session. Future times
282 for executive sessions may be set by motion. A duly constituted, called meeting with a
283 quorum present is required for consideration of an executive session motion. Vote on the
284 motion is taken by roll call.

285
286 Any Councilmember, the Mayor or City Manager may place consideration of an executive
287 session on the agenda. When placed before agenda closing, the question is decided by 2/3
288 vote. Request falls under the By-Law requiring unanimous consent for additions or deletions
289 to the agenda.

290
291 During Executive Session:

- 292 (1) Stick to the issue
- 293 (2) No action; limited exceptions
- 294 (3) Decision-making in ad judicatory proceeding

295
296 Reconvene in public, make a statement, and take action if necessary. (Reso 03-140, 10/27/03;
297 Reso 01-61, 09/10/01).

298
299 **CONFLICT OF INTEREST - When to Express**

300
301 Council business may present a conflict. It is important to recognize and state the conflict,
302 immediately disqualifying yourself from participation. A conflict of interest is considered to
303 exist when the Councilmember has a substantial financial interest in the matter under
304 consideration. A Councilmember may move to disqualify another member if he does not
305 disqualify himself. It is recognized that from time to time local government officials cannot
306 avoid the circumstance of conflict of interest or appearance thereof. How these possible
307 conflicts are handled is of prime importance to the official and the municipality.

308
309 Key Steps are 1) notification of substantial financial interest which then leads to 2) Mayor or
310 Presiding Officer determination of whether financial interest is substantial.

311
312 Example: City Council Agenda Item - "Resolution to create an improvement district." A
313 potential conflict may exist, for instance, when a Councilmember owns property in an area
314 for which improvements would increase the value or development potential of the land.

315
316 (Notification): Councilmember Landowner states he/she is a property owner in the proposed
317 improvement district for which improvements would increase the value or may occur when
318 the proposed utilities are in place.

319
320 (Determination of Substantial Interest and Action): "I own property in this proposed
321 improvement. I, therefore request to be excused from participating in discussion of or voting
322 on this matter."

323
324 To abstain from voting without giving notice may be a disservice to the other
325 Councilmembers. An abstention counts as a negative vote (Robert's Rules of Order).

326
327 **All procedures regarding conflict of interest and code of ethics are attached in Appendix B**
328 **and in HCC Chapter 1.18 Conflicts of Interest, Partiality, and Code of Ethics.**

329
330 **STANDARD OPERATING PROCEDURE - Motions**

331
332 Public Comment/Testimony and Audience Comment Time Limits for City Council,
333 Commission, and Board Meetings

334
335 The meeting chairperson **Presiding Officer** shall note for the audience's benefit that there is
336 a three minute time limit each time there is a place in the agenda for public

337 comment/testimony or audience comments. Any individual wishing to address the City
338 Council or any of its Advisory Bodies shall adhere to a three minute time limit. It is the
339 responsibility of the Chair **Presiding Officer** to announce under Public Comments, Public
340 testimony on public hearing items and Audience Comments that there is a 3 minute time
341 limit. Time limits may be adjusted by the 2 minutes up or down with the concurrence of the
342 body in special circumstances only such as agenda content and public attendance. (Reso 06-
343 115(A), 08/28/06).

344

345 **Any person making personal, impertinent, threatening or slanderous remarks or who**
346 **shall become boisterous while addressing the Council, shall be forthwith, by the**
347 **presiding officer barred from further audience at the meeting before the Council, unless**
348 **permission to continue be granted by a majority vote of the Council.**

349

350 Liquor Licenses - Application for new, renewal, or transfer of the liquor licenses within the
351 City are reviewed by the Council. The Alcoholic Beverage Control Board allows municipalities
352 the opportunity to protest all such applications before their final consideration and
353 disposition. Status of taxes is checked with the Borough and comment is solicited from the
354 Homer Department of Public Safety by the City Clerk's Office as standard course of action.
355 Any negative reports are stated in informational memoranda about the liquor license. Liquor
356 license applicants are notified of the report given to Council.

357

358 Liquor Licenses are normally placed on the consent agenda, and can be removed for
359 discussion by any Councilmember. The memoranda from the Clerk will clearly state a
360 recommendation to "approve", "object" or "voice no objection" to the action on the license.

361

362 **New Liquor License Applications - All applications for new liquor licenses will be subject**
363 **first to a public hearing, duly notified and that issuance of the license may be protested**
364 **for cause. AS 4.11.480.**

365

366 Games of Chance and Skill Permit - These permits are not transferable, so applications are
367 either new or for a renewal. Alaska Department of Revenue issues the permit. All permits
368 requiring acknowledgment of proof of filing shall be executed upon receipt by the City Clerk's
369 Office, with a Report Memorandum from the Clerk's Office through the City Manager under
370 the City Manager's Report. All permits requiring approval by the local government unit, shall
371 not be executed by the City Clerk until Council has taken action, generally via Consent
372 Agenda at a Regular Meeting. The memoranda from the Clerk will clearly state a
373 recommendation to "approve", "object" or "voice non objection". A simple motion for
374 approval or non objection of the permit advances the application to the State for issuance.
375 Protest is limited to the lack of qualification of the applicant. (Reso 96-110, 12/16/96)

376

377 Vacations of Right-of-Way - AS 29.40.070 governs dedication of right-of-way; vacation
378 thereof. The Council is allowed thirty days following the decision of the platting board to

379 veto that decision. No action on the agenda item constitutes approval. To disapprove, the
380 motion must be to "veto the vacation". This item is generally placed on the Consent Agenda.

381
382 **STATEMENTS/COMMENTS FOR THE RECORD:** Certain statements for the record are SOP; 1)
383 Councilmember qualifying potential conflict, Council." For other statements to be included
384 remarks are prefaced by the directive "For the Record...."

385
386 **APPEALS, COUNCIL AS BOARD OF ADJUSTMENT;** Occasionally the City Council convenes as
387 a Board of Adjustment on appeals from the Planning Commission. HCC 21.91 outlines
388 requirements and board procedures. Essentially, the Council becomes a quasi-judicial body
389 when hearing appeals. Discussion of appeals' subject matter with circumstance. Evidence
390 and testimony should be weighted on its own merit and only as it is presented in written or
391 oral form. No effort should be made to discuss the matter with staff or the parties involved.

392
393 **HOMER CITY COUNCIL**
394 **BYLAWS**
395

396 The following bylaws shall govern the procedures of the City Council of the City:

397 a. To abide by existing Alaska State laws pertaining to cities of the first class.

398 b. To abide by the current edition of Robert's Rules of Order insofar as this treatise is
399 consistent with these bylaws, other provisions of the Homer City Code, or unwritten standing
400 rules adopted by the City Council. In all other cases, bylaws, the code or the standing rule
401 shall prevail.

402 c. The Council's agenda format specified in the City of Homer City Council Operating Manual,
403 as the same may be amended from time to time, is incorporated herein by reference.

404 1. The manual may be revised with Council approval;

405 2. A copy of the manual shall be available to the public during regular business hours at
406 the Homer City Hall and be available during City Council meetings.

407 d. Regular Meetings.

408 1. Second and fourth Mondays of each month at 6:00 p.m., unless otherwise provided by
409 two-thirds vote of the City Council;

410 2. The agenda shall be provided to each Council member 36 hours prior to meeting, by
411 City Clerk;

412 3. Adding items to or removing items from the agenda will be by unanimous consent of
413 the Council;

414 4. Public notice of a regular meeting shall be made as provided in Chapter 1.14 HCC.

415 e. Special Meetings.

- 416 1. Called by Mayor or majority of the Council;
- 417 2. If a majority of members are given at least 36 hours' oral or written notice and
- 418 reasonable efforts are made to notify all members, a special meeting may be held at the
- 419 call of the presiding officer or at least one-third of the members;
- 420 3. Agenda shall be as per subsection (c) of this section;
- 421 4. Public notice of a special meeting shall be made as provided in Chapter 1.14 HCC.
- 422 f. Emergency Meetings.
- 423 1. By unanimous consent of quorum;
- 424 2. Required justifiable reason;
- 425 3. Informal agenda – limited to emergency;
- 426 4. Public notice shall be made as provided in Chapter 1.14 HCC.
- 427 g. Teleconference participation in meetings may be authorized pursuant to
- 428 HCC 2.08.100 through 2.08.120.
- 429 h. Quorum – Voting. Four Council members shall constitute a quorum. Four affirmative votes
- 430 are required for the passage of an ordinance, resolution, or motion. A member of the Council
- 431 acting as Mayor Pro Tem shall not lose his vote as the result of serving in such office. The
- 432 Mayor is not a Council member and may vote only in the case of a tie. The final vote on each
- 433 ordinance, resolution, or substantive motion may be a roll call vote or may be done in
- 434 accordance with subsection (k) of this section (see AS 29.20.160(c)(d)).
- 435 i. Motions to Reconsider. A member of the Council who voted with the prevailing side on any
- 436 issue may move to reconsider the Council's action at the same meeting or at the next regular
- 437 meeting of the body. Notice of reconsideration shall be given to the Mayor or City Clerk within
- 438 48 hours from the time the original action was taken.
- 439 j. Abstentions. All Council members present shall vote unless abstention is required by law
- 440 (AS 29.20.160(d)).
- 441 k. Consensus. The Council may, from time to time, express its opinion or preference
- 442 concerning a subject brought before it to consideration. The statement, representing the will
- 443 of the body and a meeting of the minds of the members, may be given by the presiding officer
- 444 as the consensus of the body as to that subject without taking a motion and roll call vote.
- 445 l. Vacancies. An elected municipal office is vacated under the following conditions and upon
- 446 the declaration of vacancy by the Council. The Council shall declare an elective office vacant
- 447 when the person elected:
- 448 1. Fails to qualify or take office within 30 days after his election or appointment;

- 449 2. Resigns and his resignation is accepted;
- 450 3. Is physically or mentally unable to perform the duties of the office as determined by
- 451 two-thirds vote of the Council;
- 452 4. Is convicted of a felony or misdemeanor described in AS 15.56 and two-thirds of the
- 453 members of the Council concur in expelling the person elected;
- 454 5. Misses three consecutive regular meetings unless excused;
- 455 6. Is convicted of a felony or of an offense involving a violation of the oath of office;
- 456 7. Is convicted of a violation of AS 15.13 concerning Alaska Public Offices Commission
- 457 reporting requirements;
- 458 8. No longer physically resides in the municipality and the City Council by two-thirds
- 459 vote declares the seat vacant; and
- 460 9. Is physically absent from the municipality for 90 consecutive days unless excused by
- 461 the City Council.

462 m. Salaries of Elected Officials.

463 1. The Mayor and each Council Member shall be paid a stipend of \$75.00 for each

464 council-meeting-day in which the person participates in person, or \$50.00 per council-

465 meeting-day in which a majority of the person's participation time is telephonic. A

466 council-meeting-day is any calendar day in which the person participates in any one or

467 more of the following:

468 a. A scheduled and publicly noticed meeting of the City Council, including without

469 limitation a regular meeting, special meeting, committee of the whole meeting and

470 meeting in executive session.

471 b. A scheduled and publicly noticed meeting of the Board of Adjustment, Board of

472 Ethics, or other board or commission that is composed of the Mayor and Council

473 Members.

474 c. Training or continuing education programs, and work sessions, that are required

475 by law or commonly recognized best practice to perform the duties of Mayor or

476 Council Member.

477 The City shall not spend any funds for elected officials' membership in the Public Employees

478 Retirement System. An elected official may not receive any other compensation for service to

479 the City unless specifically authorized to do so by ordinance. Per diem payments or

480 reimbursements for expenses are not compensation under this section.

481 [Ord. 17-01, 2017; Ord. 15-01(A), 2015; Ord. 10-51(A), 2011; Ord. 10-45, 2010; Ord. 09-54 § 1,
482 2009; Ord. 07-45(A)(S) § 4, 2007; Ord. 05-58(S)(A), 2005; Ord. 03-48(A), 2003; Ord. 01-30, 2001;
483 Ord. 99-17(A) § 2, 1999; Ord. 96-07(S)(A) § 1, 1996; Ord. 95-16(S), 1995; Ord. 92-28(S), 1992;
484 Ord. 91-12, 1991; Ord. 90-22, 1990. Code 1981 § 1.24.040].

485
486

487 CITY COUNCIL AGENDA & MEETING CONDUCT GUIDELINES

488

489 1. **CALL TO ORDER, PLEDGE OF ALLEGIANCE**

490

491 HCC 2.08.040(h) (Bylaws)

492 Four council members (quorum) is required.

493

494 Pledge of Allegiance will be said for all Regular and
495 Special Meetings.

496

497 2. **APPROVAL OF THE AGENDA**

498

499 The agenda closes at 11:00 a.m., Wednesday before the Council meeting. HCC
500 2.08.040(d)(3) requires unanimous consent of the Council to add (or remove)
501 business items from the agenda. Tentative agenda items, type of enactment and
502 subject only, need to be to the City Clerk by Thursday of the week proceeding
503 Council packet week. The final packet ready document(s) need to be to the City
504 Clerk as soon as possible prior to 11:00 a.m. on the Wednesday for packet review.
505 Any late agenda item not meeting the tentative agenda deadline and/or not
506 meeting the packet deadline shall be discussed with the Mayor **(or Mayor Pro Tem**
507 **in the Mayor's absence)** by the submitter if a Councilmember. All other late items,
508 unless of an immediate nature, shall be placed on the next tentative agenda. (Reso
509 03-84, 2003; Reso 03-81, 2003).

510

511 3. **MAYORAL RECOGNITIONS AND MAYORAL PROCLAMATIONS**

512

513 Mayoral recognitions and mayoral proclamations must be approved by the Mayor.
514 A request must be made timely for inclusion in the City Council packet. Official
515 action of the City Council is not taken under this agenda item. (Reso 16-122, 2016).

516

517 4. **PUBLIC COMMENTS REGARDING ITEMS ALREADY ON THE AGENDA**

518

519 No prior arrangement is required. The public may have unrestricted access to the
520 City Council for comments regarding matters already on the agenda with the
521 exception of matters listed under Public Hearings or questions on presentations

522 given under Visitors section of the agenda; these should be held until Comments of
523 the Audience. Those giving testimony are requested to preface remarks with their
524 name & address for the record. The Mayor will announce ~~provide time limitations~~
525 ~~on presentations based on the volume of business before the Council.~~ **that there is**
526 **a 3 minute time limit. Time limits may be adjusted by the 2 minutes up or**
527 **down with the concurrence of the body in special circumstances only such as**
528 **agenda content and public attendance.** No official action will be taken by the
529 Council under this business item. Any comments regarding Board of Adjustment
530 hearings must be on procedure only. No comments that contain any argument or
531 new evidence are acceptable and are subject to being cut short by the Mayor
532 and/or Council.

533
534 5. **RECONSIDERATION**
535
536 When a Councilmember has issued notice of reconsideration on an item, the
537 reconsideration is acted upon at this point in the meeting. The Item to be
538 reconsidered is placed under Pending Business, Ordinances or Resolutions -
539 depending on the item.

540
541 6. **CONSENT AGENDA**
542
543 The following business items are appropriate for the consent agenda. These items
544 are acted upon by one motion for approval of the Consent Agenda. If discussion is
545 requested on an item that item may be removed from the Consent Agenda and
546 placed on the Regular Agenda.

- 547
548 1) Minutes approval
549 2) Liquor license renewals and transfers
550 3) Any gaming permit requiring approval of the local government unit.
551 4) Confirmation of Commission & Board Appointments
552 5) Resolutions (of a general nature required for normal business operations of the
553 City)
554 6) Requests to hold Executive Session. (Executive Session will typically be
555 conducted at the end of business, just prior to Audience Comments, unless the
556 Mayor calls for the Executive Session to be held at another point in the agenda.)
557 (Reso 03-140, 10/27/03).
558 7) Change Orders
559 8) Travel Authorization (Reso 00-08, 1/10/00).
560 9) Ordinance introduction and first reading and setting the public hearing date
561 and second reading date. (Reso 00-82, 8/28/00).

562
563 The Mayor or any Councilmember, whether a/the sponsor or not, may remove an

564 item and place that item on the Regular Agenda during the Tentative Agenda
565 period and up until the printing and distribution of the packet. The City Clerk shall
566 notify the sponsor(s) of said change. The Mayor and Council shall have agendas
567 with blank lines under Consent Agenda, Ordinances, New Business and Resolutions
568 for the purposes of keeping track of changes to the Consent Agenda, Ordinances,
569 New Business and Resolutions.

570
571 This format shall be utilized as much as it reasonable for the Standing Committees,
572 Committees, Task Forces and the like. (Reso 06-132, 09/25/06).

573

574 7. **VISITOR(S)**

575

576 These requests must be approved by the City Manager or Mayor. To be placed in the
577 visitors category, an outline, letter, or other descriptive material must be provided
578 (timely) for distribution in the City Council Packet. Official action of the City Council
579 is not taken under this agenda item. NO questions from the audience will be taken
580 until "Comments of the Audience"

581

582 8. **ANNOUNCEMENTS/PRESENTATIONS/ ~~BOROUGH, COMMISSION, & COMMITTEE~~**
583 **REPORTS**

584

585 Announcements are made from the council table (Council Members, Mayor or City
586 Manager). The Chair may be provided written information in advance of the
587 meeting to announce for non-Councilmembers, at the Chair's discretion. **Reports**
588 **may include, but are not limited to, Borough or Advisory Body reports,**
589 **Worksession and Committee of the Whole reports, Mayor's Report, Travel**
590 **reports** ~~may also be presented at this time.~~ No action by Council will be made here,
591 although the Council may request a matter brought to their attention in a report be
592 placed on an agenda for a future meeting. ~~Travel Narrative Reports.~~ (Reso 00-08,
593 1/10/00).

594

595 9. **PUBLIC HEARINGS**

596

597 This agenda item is intended to provide for formal hearing testimony regarding
598 ordinances, resolutions, or as directed by the Chair or majority of City Council.
599 Those giving testimony are requested to preface remarks with their name and
600 address for the record.

601

602 Public Hearing testimony ~~may be time limited by the Chair.~~ **is limited to 3 minutes.**
603 **Time limits may be adjusted by the 2 minutes up or down with the concurrence**
604 **of the body in special circumstances only such as agenda content and public**
605 **attendance.** Council may make inquiries of those giving testimony. After the public

606 has finished testifying the City Council may take final action, including amendments,
607 on an Ordinance, provided that the public has been notified that such action may
608 occur at this time and shall follow the other procedures as outlined under Item 9.
609 (Reso 01-36, 06/11/01; Ord 01-18, 06/12/01).

610

611 10. **ORDINANCES**

612

613 For first and subsequent readings including the final reading of ordinances, and all
614 formal votes on motions of amendment, adoption or other disposition of
615 ordinances. Votes are taken by roll call. Placement of an ordinance is limited to the
616 City Manager, Mayor or Council Members. However, introduction/first reading of
617 Ordinances and setting of public hearing may be placed on the Consent Agenda.
618 Ordinances may be postponed at introduction or subsequent readings to the next
619 regular or special meeting.

620

621 Editing form for Ordinances: Deletions are characterized strike over and may be in
622 brackets. Additions are characterized by bold lettering and underlining.

623

624 Sponsors, authors, Directed by Council or Requested by staff may be placed at the
625 top of the Ordinance. (Reso 01-36, 06/11/01; Ord 01-18, 06/12/01).

626

627 11. **CITY MANAGER'S REPORT**

628

629 The Manager or his designee reports to the City Council. Questions and answers
630 between the Council and Manager are appropriate. Official action is not taken by the
631 Council under this agenda item. A monthly report will be provided in the Council
632 informational packet.

633

634 12. **PENDING BUSINESS**

635

636 Access is limited to the City Manager, Mayor and members of the City Council.
637 Requests for items to be placed on agendas at Council meetings for future council
638 agendas will be subject to vote of the City Council. Voice vote or roll call vote will
639 constitute action of the City Council. Reference HCC 2.08.040(h) for By-law
640 provisions.

641

642 13. **NEW BUSINESS**

643

644 The same provisions as under pending business apply here.

645

646 14. **RESOLUTIONS**

647

648 A City Council Member, Mayor, or City Manager or the City Clerk can may direct that
649 submit a resolution appear to be placed on the agenda for Council consideration.
650 Notation of sponsor can shall appear on the face of the resolution. Formal action of
651 the Council will be by roll call vote. HCC 2.08.040(h).
652 Sponsors, authors, Directed by Council or staff may be placed at the top of the
653 Resolution.

654

655 Council Training & Informational Materials

656

657 Deleted from the Packet by Council consensus and signing of a Memorandum by the
658 Councilmembers on June 8, 1992. Also noted was that backup up materials of any
659 kind are not required in consecutive packets provided a reference sheet is submitted
660 with the item denoting the backup materials previously submitted.

661

662 15. **COMMENTS OF THE AUDIENCE**

663

664 Members of the audience may address the City Council at will on any subject whether
665 or not on the agenda. The Mayor ~~may time limit remarks~~ will announce that there
666 is a 3 minute time limit. Time limits may be adjusted by the 2 minutes up or
667 down with the concurrence of the body in special circumstances only such as
668 agenda content and public attendance.

669

670 16. **COMMENTS OF THE CITY ATTORNEY**

671

672 Reserved for Comments of the City Attorney. Action of the Council is not taken here.

673

674 17. **COMMENTS OF THE CITY CLERK**

675

676 Reserved for comments of the City Clerk. Action of the City Council is not taken here.

677

678 18. **COMMENTS OF THE MANAGER**

679

680 Reserved for comments of the City Manager. Action of the City Council is not taken
681 here.

682

683 19. **COMMENTS OF THE MAYOR**

684

685 Reserved for comments, reports, or notification of the Mayor. No Council action is
686 taken here.

687

688 20. **COMMENTS OF THE COUNCIL**

689

690 Each Council Member may comment regarding any subject whether or not on the
691 agenda. This is an appropriate place to note or bring to the attention of the Mayor,
692 Council and Administration any miscellaneous business or point of interest.
693 Miscellaneous announcements, notifications of absence from future Council
694 meetings, and requests for items to appear on the agenda, are other areas
695 appropriately covered.

696
697 Notice of reconsideration may be given, re: 2.08.040(i).

698
699 **21. ADJOURNMENT/NOTICE OF NEXT REGULAR MEETING**

700
701 Meetings will be concluded by or recessed by midnight, unless Council votes to
702 suspend the rules. The balance of any business will be held over until call of the
703 Chair. Notice of the next regular, and/or special meeting will appear on the agenda
704 following "adjournment". (Reso 18-082 & 18-083, Reso 10-73, 09/13/10; Reso 00-82,
705 08/28/00; Reso 00-08, 01/10/00; Reso 98-58, 07/13/98).

706
707 The Regular Agenda format for all advisory bodies of the City Council shall utilize the
708 following basic agenda format:

709
710 NAME OF BODY DATE OF MEETING
711 PHYSICAL LOCATION OF MEETING DAY OF WEEK AND TIME
712 HOMER, ALASKA OF MEETING
713 MEETING ROOM

714
715 REGULAR MEETING
716 AGENDA

- 717
718 1. CALL TO ORDER
719 2. APPROVAL OF AGENDA
720 3. MAYORAL RECOGNITIONS AND MAYORAL PROCLAMATIONS
721 4. PUBLIC COMMENTS REGARDING ITEMS ON THE AGENDA.
722 (3 MINUTE TIME LIMIT)
723 5. RECONSIDERATION
724 6. APPROVAL OF MINUTES or CONSENT AGENDA
725 7. VISITORS (Chair set time limit not to exceed 20 minutes) (Public may not
726 comment on the visitor or the visitor's topic until audience comments.) No action
727 may be taken at this time.
728 8. STAFF & COUNCIL REPORT/COMMITTEE REPORTS/BOROUGH REPORTS
729 (Chair set time limit not to exceed 5 minutes.)
730 9. PUBLIC HEARING (3 MINUTE TIME LIMIT)
731 10. PLAT CONSIDERATION (Planning Commission only)
732 11. PENDING BUSINESS or COMMISSION BUSINESS

- 733 12. INFORMATIONAL MATERIALS
- 734 (NO ACTION MAY BE TAKEN ON THESE MATTERS, THEY MAY BE DISCUSSED
- 735 ONLY)
- 736 13. INFORMATIONAL MATERIALS (NO ACTION MAY BE TAKEN ON THESE MATTERS,
- 737 THEY MAY BE DISCUSSED ONLY)
- 738 14. COMMENTS OF THE AUDIENCE (3 MINUTE TIME LIMIT)
- 739 15. COMMENTS OF THE CITY STAFF (not required) (Staff report may be at this time
- 740 in the agenda.)
- 741 16. COMMENTS OF THE COUNCILMEMBER (If one is assigned)
- 742 17. COMMENTS OF THE CHAIR (May be combined with COMMENTS OF THE
- 743 COMMISSION/BOARD since the Chair is a member of the Commission/Board.)
- 744 18. COMMENTS OF THE COMMISSION
- 745 19. ADJOURNMENT/NEXT REGULAR MEETING IS SCHEDULED FOR _____ note
- 746 any worksessions, special meetings, committee meetings etc. All meetings
- 747 scheduled to be held in the Homer City Hall Cowles Council Chambers located at
- 748 491 E. Pioneer Avenue, Homer, Alaska. (Sometimes the meeting is scheduled for
- 749 the Conference Room)

750
 751 Contact info for the department constructing the agenda. Example: City Clerk’s Office,
 752 clerk@ci.homer.ak.us. 235-3130.

753
 754 ~~Audience Participation — Audience comments are acceptable when invited by a~~
 755 ~~Councilmember or the Mayor. Audience comments as an agenda item is provided so that~~
 756 ~~anyone wishing to speak to the Council may do so without prior arrangement. The Mayor may~~
 757 ~~limit the time for “Comments Upon Matters Already on the Agenda or Audience Comments.”~~
 758 ~~Comments are generally limited to 3 minutes per person unless authorization to speak~~
 759 ~~longer is granted by Council action. (Reso 06-54, 05/22/06).~~

760
 761 ~~BASIC TIME LIMIT (Public Comments, Public Hearing Testimony and Audience Comments.)~~
 762 ~~Comments are limited to three minutes per person per issue unless authorization to speak~~
 763 ~~longer is granted by Council action. In the interest of time, the Council has found it necessary~~
 764 ~~to place a time limit. It may be desirable to have one spokesperson for special interest~~
 765 ~~groups making a statement to the Council. (Reso 06-54, 05/22/06).~~

766
 767 ~~This is item m. of the Council's ByLaws. Any Councilmember may rise to a Point of Order~~
 768 ~~regarding this issue.~~

769
 770
 771 **GENERAL AGENDA AND PACKET DISTRIBUTION INFORMATION**

772
 773 **Regular City Council Meetings**

774
 775 Tentative Agendas

- 776
777 1. Tentative and Preliminary agenda items, type of enactment and subject only, need to be to
778 the City Clerk by Thursday of the week proceeding Council packet week.
779
780 2. The final packet ready document needs to be to the City Clerk as soon as possible prior to
781 11:00 a.m. on the Wednesday prior to the Council meeting for packet review.
782
783 3. Any late agenda item not meeting the tentative agenda deadline and/or not meeting the
784 packet deadline shall be discussed with the Mayor by the submitter, if a Councilmember.
785
786 4. All other late items, unless of an immediate nature shall be placed on the next tentative
787 agenda.

787
788 **Agenda**

- 789
790 1. Agenda closes at 11:00 a.m., Wednesday preceding the meeting. Allowances will be
791 made for holidays. (Reso 03-81, 05/27/03).
792
793 2. The City Manager, Mayor and City Clerk review the agenda at 11:00 a.m. on Wednesday,
794 preceding the meeting. (Reso 03-81, 05/27/03).
795
796 3. Informational packets are available for pick up and on the City's website usually on
797 Thursdays at 5:00 p.m. but no later than 5:00 p.m. on the Friday preceding the regular
798 meeting. Packets will be posted on the City's website and placed in the Council's mail boxes
799 if requested.
800
801 4. Items may be added or removed from the agenda by unanimous consent of the Council.

802
803 **Special City Council Meeting**

804
805 Called and agendas established by the Mayor or four (2/3) City Councilmembers. Adequate
806 notice must be given to provide for materials preparation and delivery of meeting notice
807 thirty-six (36) hours prior to the meeting.
808

809 **Emergency City Council Meeting**

810
811 By unanimous consent of quorum, four Councilmembers, requires justifiable reason, informal
812 agenda - limited to emergency, public notice as soon as possible and repeated at least two
813 times prior to meeting.
814

815 **Worksessions, Special Meetings, and Executive Sessions**

816

817 May be called at any time, including beginning at 4:00 p.m. and ending not later than 5:50
818 p.m. before a Regular Council Meeting, with proper notice to the public. The agenda and
819 packet information may be handed out at the worksession depending on the nature of the
820 session. No formal action may be taken. May be called by Mayor or four Councilmembers.
821 Public notice requirements are relaxed but should be at least broadcast as soon as possible
822 and repeated at least two additional times prior to the session. Reference: HCC 1.14.

823

824 **Committee of the Whole**

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826 **The Committee of the Whole may meet prior to every Regular Council Meeting beginning**
827 **at 5:00 p.m. and ending not later than 5:50 p.m. when scheduled worksessions do not**
828 **exceed 4:50 p.m. This is a device to enable the full Council to give detailed consideration**
829 **to a matter under conditions of freedom approximating those of a committee. The**
830 **results of any votes taken are not the final action of the Council and are**
831 **recommendations. The Mayor shall be the presiding officer. No text may be altered in**
832 **any agenda item for Council's Regular meeting; however, amendments may be**
833 **recommended.**

834

835 **The agenda shall be noticed the same as a Council's Regular meeting. Only those**
836 **matters on the noticed agenda shall be considered; however, other items not on the**
837 **Council's Regular meeting agenda may be considered if the agenda item is received by**
838 **the City Clerk no later than the Wednesday prior to the meeting. "Old business" shall be**
839 **added to the Committee of the Whole agenda and shall be those items that are not on**
840 **Council's Regular Meeting agenda and that were not discussed at the previous**
841 **Committee of the Whole meeting due to insufficient time. (Reso 09-116(A), 11/23/09;**
842 **Reso 03-118(A), 08/25/03; Reso 01-24, 04/09/01; Reso 01-08(S), 02/26/01).**

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NOTICE

ADDRESSING THE CITY COUNCIL

In order to address the City Council, please:

1. Mayor will call for public comments as appropriate on the agenda.
2. Take the public testimony place in front of the Council table, print your name on the sign in sheet, also address and indicating whether you are a resident of the City.
3. Address the Council as a body.

PUBLIC COMMENTS

There are four places on the agenda where citizens may address the Council.

1. **PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA**, Item 3. This item is on the agenda so you may speak on any item on the agenda, unless the matter is listed under Public Hearings or Visitors. The Mayor will provide time limitations on presentations based on the volume of business before the Council. Changes to the agenda occur just before this item, so if any item is removed you may not address it here; if an item is added, you may. When in doubt, clarify with the Chair. (Mayor or Mayor Pro Tem)
2. **PUBLIC HEARINGS**, Item 9. Public Testimony is taken on any of the matters listed under the public hearing portion of the agenda. Agendas and public hearing information are available at the table in back of the Council Chamber. Public Hearing testimony may be time limited by the Mayor.
3. **VISITORS**, Item 7. This place is for presentations previously arranged with the City Clerk, approved by the Mayor and listed on the agenda. Comments on a visitor's presentation by the audience is restricted to Item 15, Comments of the Audience.
4. **COMMENTS OF THE AUDIENCE**, Item 15. You may address the Council regarding any matter at this point. The Mayor may time limit remarks.

TIME LIMITATIONS: Public comments are limited to no more than 3 minutes per person, per issue unless authorization to speak longer is granted by Council action. The Mayor may limit the time for public comments, public testimony and Audience Comments. In the interest of time, it may be desirable to have one spokesperson for special interest groups making a statement to the Council.

WRITTEN MATERIAL TO COUNCIL: Written material presented to Council on the night of the meeting should also be given to the City Clerk to be added to the record.

RECORDING: This meeting is being recorded and amplified. Please speak up so that a clear recording of your comments can be made and others can hear you.

BOARD OF ADJUSTMENT HCC 21.93.510(a) restricts the Council when sitting as a Board of Adjustment from considering allegations of new evidence or changed circumstances and shall make its decision based solely on the record as prepared by the Clerk.

THANK YOU, YOUR INPUT IS VALUABLE.

897 RESOURCE MATERIALS

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~~After a Councilmember has been sworn in the City Clerk's Office will issue the following items of reference to them:~~

- A. Homer City Code
- B. City of Homer Personnel Regulations
- C. Alaska Statutes, Title 29
- D. Elected Officials Handbook
- E. City of Homer Directory
- F. Comprehensive Plan
- G. City of Homer Procurement Policy
- H. Current Calendar Year - Line Item Budget
- I. Parliamentary Procedure at a Glance
- J. Five Year Capital Improvement Plan
- K. Comprehensive Financial Statement
- L. A.M.L. Elected Officials Handbook
- M. COUNCIL'S OPERATING MANUAL, NEWEST VERSION
- N. ~~OPEN MEETINGS ACT BOOKLET, BY GORDON TANS~~

~~Upon expiration of term, please return these items to the City Clerk's Office so they may be updated and re-issued to the newly elected official.~~

~~A wealth of resource information, reports, studies, and city historical information is available at the City Hall Library. Contact the City Clerk's Office for assistance.~~

Resource materials are available on the City of Homer webpage. Councilmembers may request copies from the City Clerks Office.

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Homer City Council

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Tablet Usage Policy

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1. Purpose

- a. The City of Homer recognizes that the use of digital communications has become necessary to conduct official business. This policy strives to ensure that the Mayor and Council Members are able to be issued a device which will enable them to utilize digital communications in a manner consistent with their role as an elected official and applicable law.

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2. Ownership

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- a. One tablet computer and accessory package (tablet) will be issued to the Mayor and each member of Council. Tablets issued under this policy will remain the property of the City of Homer. The Mayor and members of Council will have no ownership, interest, or right to title of the tablet.
- b. Each recipient issued a tablet is responsible for the security and care of that tablet, regardless of where the tablet is used.
- c. All tablets will be covered by a hardware warranty and supplemental support plan through the manufacturer or a third party. The exact details of the coverage and remaining term will be outlined on the equipment receipt form.
- d. Upon vacating elected or appointed seat, each tablet recipient will ensure that their tablet is returned to the City Clerk, who will ensure that the tablet reimaged and will reissue the unit to the next holder of that seat.

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3. License Agreements

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- a. The City of Homer is the sole licensee of the software included with the tablet. Any copying, modification, merging, or distribution of the software by the recipient, including written documentation, is prohibited. The recipient is responsible for complying with any and all hardware, software and service provider licensing agreements, terms of use, and applicable state and federal copyright and other intellectual property protections. Violation of any such licenses, terms, or laws shall constitute a violation of this policy.

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4. Liability

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- a. Recipients are responsible for all material sent by and/or stored on the tablet issued to them which they will knowingly and intentionally send or store/install. Recipients accept responsibility for keeping their tablet free from all inappropriate or dangerous files.
- b. The City of Homer is not liable for any inappropriate material sent by and/or stored on tablets issued under this policy outside of the scope of use expected by a city official.

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5. Email Usage

- a. The recipient of a device under this policy agrees to conduct all email communications which are stored on this device through their assigned City email account. All emails sent through the City’s email system are archived and retained by the City in a manner consistent with the City’s Record Retention Policy.
- b. Syncing personal email accounts to the issued device, other than the recipient’s assigned City email account, is prohibited.

6. Acceptable Use

- a. The City of Homer only authorizes use of its tablets in a manner that supports the recipient’s role as an elected official of the City.
- b. The device may only be used for limited personal use; that does not interfere with the ability of the device to be used for official intended purposes.
- c. Use of the tablet for any political use including but not limited to campaigning is expressly forbidden.

7. Privacy

- a. All communications made via devices covered under this policy are subject to disclosure under the Open Records Act or for litigation purposes unless a privilege or exception exists that justify withholding the records.

8. Installation of applications

- a. The installation of applications is limited to applications that are consistent with the terms listed in this policy and are available through the tablet’s application store.
- b. Applications will only be licensed and installed by the Information Technology Manager and his staff.
- c. Modification of the tablet’s operating system to allow installation of applications not approved by the manufacturer and/or not available through the “application store” is prohibited.
- d. Applications for personal use that do not interfere with city use may be allowed by the IT Manager on a case by case basis.

9. Care of the Device

- a. Recipients are responsible for the general care of the device issued under this policy. The tablet must remain free of any writing, drawing, stickers, or labels that are not property of the City. Only a clean microfiber cloth, like what is used to clean eyewear, should be used when cleaning the screen.

10. Loss and Damage

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- a. Recipients of tablets under this policy are encouraged to keep the device safe and in good working order. If a user demonstrates extreme negligence with a device, or loses a replacement device within 18 months of being issued a replacement, then he or she shall be financially responsible for the cost of the replacement.
 - b. Loss of or damage to a City of Homer tablet and/or accessory must be reported immediately to City staff.
 - c. Recipients must not modify, upgrade, or attempt to repair tablets and/or accessories issued under this policy without the express permission of the City of Homer Information Technology Manager. All repairs must be made through the provided protection plan. Repairs not covered by the supplied protection plan which are determined to be caused by negligence, shall be covered by the recipient. (Reso 13-035(A), 04/08/13).

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Homer City Council
Off-site Equipment Receipt

I _____ agree and understand that I have received the below listed equipment in good working order.
I acknowledge having received, read, and understood the Homer City Council Tablet Use Policy.
I agree that this equipment will be used solely for the conduct of City business, and in accordance with any and all Homer City Council policies, and applicable laws.
I will return the equipment in good working order, with allowance for normal wear and tear.
I understand that I must provide an inventory of all City of Homer provided equipment used off-site annually, and sign another equipment receipt for same.

Manufacturer	Model	Serial Number	Remarks

Signed: _____ Date: _____
(Equipment Recipient)

Signed: _____ Date: _____
(Information Technology Manager)

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APPENDIX B.

Homer City Code 1.18 reads as follows: (MOVE TO APPENDIX)

1.18.010 Purpose.

a. The proper functioning of democratic government requires ethical behavior by public officials. Ethics involves the commitment to take individual responsibility in creating a government that has the trust and respect of its citizens. The purpose of this chapter is to set reasonable standards of conduct for City officials and the City Manager so that the public may be assured that its trust in such persons is well placed and that the City officials and the City Manager themselves are aware of the standards of conduct demanded.

b. However, recognizing that Homer is a small community, with a limited number of people interested in serving as community leaders, it is not the intent of this chapter to set unreasonable barriers that will serve only to deter aspirants from public service.

c. This chapter also defines conflict of interest and partiality, the standards stating when and to whom it applies, and the procedures for declaration and the proper action of the body when possible conflicts and partiality arise.

d. This chapter is also intended to establish a process which will ensure that complaints or inquiries regarding the conduct of City officials and the City Manager are resolved in the shortest practicable time in order to protect the rights of the public at large and the rights of the City and the City Manager.

e. The City Council intends this code to be interpreted to promote fair, honest, and impartial dealings with members of the public, to ensure proper use of City resources, and to avoid conflicts of interest.

f. This chapter does not create or prevent a private cause of action against any person, City official, or the City Manager. [Ord. 08-24(S-2)(A), 2008].

1.18.020 Definitions.

As used in this chapter and unless otherwise provided or the context otherwise requires, the following terms shall have the meanings set forth in this section:

“Applicant” means any person that is applying for an official action by any official, employee, or body of the City including but not limited to:

1. Any person authorized to act for the applicant;
2. If the applicant is an organization, any person who has an ownership interest in the

1111 organization or serves as an officer, director or manager of the organization.
1112
1113 “Body of the City” means the City Council and the boards, commissions, committees and task
1114 forces appointed by the City Council or the Mayor.
1115
1116 “City Manager” means the person who is hired by the City Council to manage the City of
1117 Homer.
1118
1119 “City official” means a person who holds elective office under the ordinances of the City, or
1120 who is a member of a board or commission whose appointment is subject to confirmation by
1121 the City Council.
1122
1123 “Financial interest” means:
1124 1. An interest currently held by that person or an immediate family member including:
1125 a. Involvement or ownership in a business; or
1126 b. Property ownership, or a professional or private relationship, that is a source
1127 of income, or from which, or as a result of which, a person receives a financial
1128 benefit; or
1129 c. An affiliation with an organization in which the person holds a position of
1130 management, or is an officer, director, trustee, employee, or the like.
1131
1132 2. Financial interest does not include:
1133 a. Affiliation as unpaid volunteer with a legally recognized nonprofit organization; or
1134 b. Financial interests of a type which are generally possessed in common with all
1135 other citizens or a large class of citizens.
1136
1137 “Gratuity” means a thing having value given voluntarily or beyond lawful obligation.
1138
1139 “Hired consultants and contractors” means a person or organization hired by the City as an
1140 independent contractor and not as an employee.
1141
1142 “Immediate family member” means:
1143 1. The spouse of the person;
1144 2. A life partner or person cohabiting with the person;
1145 3. A child, including a stepchild and an adoptive child, of the person;
1146 4. A parent, sibling, or grandparent of the person; and
1147 5. A parent or sibling of the person’s spouse.
1148
1149 “Impartial” means acting in a manner that the City official believes is in the public’s best
1150 interest and not acting to benefit a financial or personal interest of the City official.
1151
1152 “Large class of citizens” means a substantially large group of citizens as decided by official

1153 decision of the City Council made prior to the official action in question.
1154
1155 “Large class of citizens” does not include:
1156 1. A single profession, regardless of the number of persons.
1157 2. An individual business or organization regardless of the number of citizens it
1158 contains.
1159
1160 “Official action” means a recommendation, decision, approval, disapproval, vote, or other
1161 similar action, including inaction (when it is the equivalent of decision to take negative
1162 action), made while serving in the capacity of City official or City Manager, whether such
1163 action or inaction is administrative, legislative, quasi-judicial, advisory, or otherwise.
1164
1165 “Organization” means any business, corporation, partnership, firm, company, trust,
1166 association, or other entity, whether organized for profit or nonprofit.
1167
1168 “Partiality” applies only in quasi-judicial proceedings and means:
1169 1. The ability of a member of the quasi-judicial body to make an impartial decision is
1170 actually impaired; or
1171 2. The circumstances are such that reasonable persons would conclude the ability of
1172 the member to make an impartial decision is impaired and includes, but is not limited
1173 to, instances in which:
1174 a. The member has a personal bias or prejudice for or against a party to the
1175 proceeding including a party’s lawyer;
1176 b. The member or an immediate family member is a party, material witness to
1177 the proceeding or represents a party in the proceeding.
1178
1179 “Person” means a natural person or an organization.
1180
1181 “Political activity” means any act for the purpose of influencing the nomination or election of
1182 any person to public office, or for the purpose of influencing the outcome of any ballot
1183 proposition or question. Informing the public about a ballot proposition or question without
1184 attempting to influence the outcome of the ballot proposition or question is not political
1185 activity.
1186
1187 “Subject of the action” means anything under consideration for official action including but
1188 not limited to:
1189 1. Appointments to any office or position of employment;
1190 2. Any contract, project, property, or transaction subject to the action;
1191 3. A platting, vacation or subdivision action;
1192 4. An application for or other consideration of a license, permit, appeal, approval,
1193 exception, variance, or other entitlement;
1194 5. A rezoning; and

1195 6. Appeals and quasi-judicial proceedings.

1196
1197 “Substantial financial interest” means a financial interest that would result in a pecuniary
1198 gain or loss exceeding \$1,000 in a single transaction or more than \$5,000 in the aggregate in
1199 12 consecutive months. [Ord. 08-24(S-2)(A), 2008].

1200
1201 1.18.025 Scope and duration.

1202 a. Except as otherwise provided in this chapter, this chapter applies to the conduct of City
1203 officials and the City Manager.

1204
1205 b. Enforcement proceedings may be commenced and continue to completion after a person
1206 is no longer a City official or City Manager for conduct that occurred during the time the
1207 person was serving or engaged in such a capacity for the City. [Ord. 08-24(S-2)(A), 2008].

1208
1209 1.18.030 Standards and prohibited acts.

1210 a. City officials, the City Manager, and City hired consultants and contractors, while acting in
1211 such capacity, shall not knowingly make false statements to influence official action.

1212
1213 b. Official Action. No City official or the City Manager shall participate in any official action in
1214 which:

1215 1. The person is the applicant, a party or has a substantial financial interest in the
1216 subject of the official action.

1217 2. Within a period of one year after the action the person will have a substantial
1218 financial interest in the subject of the official action.

1219 3. The person resides or owns land within a 300-foot periphery of any property that is
1220 the subject of any action.

1221 4. The person does or will recognize a substantial financial interest as a result of the
1222 action.

1223 5. Exceptions.

1224 a. This subsection does not prohibit a person from acquiring a substantial
1225 financial interest in the subject of the action after the longer of 12 months after
1226 the official action is approved, or 12 months after the person’s term or
1227 employment ends.

1228 b. This section does not prohibit any gain or loss that would generally be in
1229 common with all other citizens or a large class of citizens.

1230 c. This section does not prohibit any gain or loss that would generally be in
1231 common with other property owners on property that is further than 300 feet from the
1232 periphery of any property that is the subject of an action.

1233
1234 c. City officials and the City Manager acting in the course of their official duties are allowed to
1235 participate in official actions on behalf of the City or when the City itself is the applicant or
1236 subject of the action.

1237
1238 d. Undue Influence. No City official or the City Manager shall attempt to influence the City's
1239 selection of any bid or proposal, or the City's conduct of business, in which the City official or
1240 the City Manager has a substantial financial interest. This subsection does not prohibit a City
1241 official or the City Manager from being an applicant while holding City office or City position,
1242 if the person takes no official action concerning his or her own application. A City official or
1243 City Manager may give testimony and make appearances before City bodies on his or her own
1244 behalf.

1245
1246 e. Participation in Appointments. No City official shall participate in, vote on, or attempt to
1247 influence the selection of an appointee to any board, commission or committee (1) having
1248 authority to take official action on any pending matter or application in which that official
1249 has a substantial financial interest or (2) if that official has a substantial financial interest
1250 with a nominee for the appointment.

1251
1252 f. No official shall participate in, vote on, or attempt to influence the selection of an
1253 appointee to the Homer Advisory Planning Commission if that official has, or could
1254 reasonably be expected to have within one year after the date of the appointment:

- 1255 1. A rezoning, quasi-judicial or platting action pending before the Commission; or
1256 2. An application that would require approval by a quasi-judicial or platting action of
1257 the Commission.

1258
1259 In the case of the reappointment of an incumbent to another term, the prohibition above also
1260 applies to an official who had such a matter pending before the Homer Advisory Planning
1261 Commission within one year before the date of the reappointment. The Board of Ethics may,
1262 upon written request, grant an exception to this one-year period when it determines the
1263 public interest does not require continuing enforcement of the prohibition.

1264
1265 g. Use of Office for Personal Gain. No City official or the City Manager shall seek office or
1266 position or use their office or position for the purpose of obtaining anything of value for
1267 themselves, an immediate family member or a business that they own or in which they hold
1268 an interest, or for the purpose of influencing any matter in which they have a financial
1269 interest. This subsection does not prohibit the receipt of authorized remuneration for the
1270 office or position.

1271
1272 h. Inappropriate Use of Office Title or Authority. No City official or the City Manager shall use
1273 the implied authority of office or position for the purposes of unduly influencing the decisions
1274 of others, or promoting a personal interest within the community. City officials and the City
1275 Manager will refrain from using their title except when duly representing the City in an
1276 authorized capacity. Unless duly appointed by the Mayor or Council to represent the interests
1277 of the full Council, Council members shall refrain from implying their representation of the
1278 whole by the use of their title.

1279
1280 i. Representing Private Interests. No City official shall, for compensation, represent or assist
1281 those representing private business or personal interests before the City Council,
1282 administration, or any City board, commission or agency. Nothing herein shall prevent an
1283 official from making verbal or written inquiries on behalf of constituents or the general public
1284 to elements of City government or from requesting explanations or additional information on
1285 behalf of such constituents. No official may solicit or accept a benefit or anything of value
1286 from any person for having performed this service.

1287
1288 j. Confidential Information. No City official or the City Manager may disclose information they
1289 know to be confidential concerning employees of the City, City property, City government, or
1290 other City affairs, including but not limited to confidential information disclosed during an
1291 executive session, unless authorized or required by law to do so.

1292
1293 k. Outside Activities. A City official or the City Manager may not engage in business or accept
1294 employment with, or render services for, a person other than the City or hold any office or
1295 position where that activity, office, or position is incompatible with the proper discharge of
1296 the official's or City Manager's City duties or would tend to impair the official's or the City
1297 Manager's independence of judgment in performing City duties. This prohibition shall include
1298 but not be limited to the following activities:

1299 1. A person who holds an appointed City office on a board or commission shall not be
1300 eligible for employment with the City in the department related to the board or
1301 commission during the official's term of office and until one year has elapsed
1302 following the period of service. An exception may be made on a case-by-case basis
1303 with the express authorization of the City Council.

1304 2. A person who holds or has held an elective City office shall not be eligible for
1305 appointment to an office or for employment with the City during the official's period
1306 of service and until one year has elapsed following the period of service. An exception
1307 may be made on a case-by-case basis with the express authorization of the City
1308 Council.

1309
1310 l. Gratuities. No City official or the City Manager shall accept a gratuity from any person
1311 engaging in business with the City or having a financial interest in a decision pending with the
1312 City. No City official or the City Manager shall give a gratuity to another City official for the
1313 purpose of influencing that person's opinion, judgment, action, decision or exercise of
1314 discretion as a City official. This subsection does not prohibit accepting:

- 1315 1. A meal of reasonable value;
1316 2. Discounts or prizes that are generally available to the public or large sections
1317 thereof;
1318 3. Gifts presented by an employer to its employees in recognition of meritorious
1319 service, or civic or public awards;
1320 4. A lawful campaign contribution made to a candidate for public office;

1321 5. An occasional nonpecuniary gift insignificant in value;
1322 6. Any gift which would have been offered or given to them if they were not a City
1323 official or the City Manager.
1324
1325 m. Use of City Property. No City official, the City Manager, or City hired consultant or
1326 contractor may use, request or permit the use of City vehicles, equipment, materials or
1327 property for any non-City purpose, including but not limited to private financial gain, unless
1328 that use is available to the general public on the same terms or unless specifically authorized
1329 by the City Council. This subsection does not prohibit de minimis personal use.
1330
1331 n. Political Activities – Limitations of Individuals. A City official may not take an active part in
1332 a political campaign or other political activity when on duty. Nothing herein shall be
1333 construed as preventing such officials from exercising their voting franchise, contributing to a
1334 campaign or candidate of their choice, or expressing their political views when not on duty or
1335 otherwise conspicuously representing the City.
1336
1337 o. Influencing Another City Official’s Vote. A City official may not attempt to influence another
1338 City official’s vote or position on a particular item through contact with the City official’s
1339 employer or by threatening financial harm to another City official.
1340
1341 p. City officials or the City Manager shall not participate in public testimony before any City
1342 body in any matter in which they have a substantial financial interest unless:
1343 1. They or the City is the applicant; or
1344 2. They fully and publicly disclose the nature of their interest in the subject of the
1345 action.
1346
1347 q. No City official may violate HCC [2.04.030](#).
1348
1349 r. City officials shall act impartially when conducting City business.
1350
1351 s. At all times during performance of their official duties, Council members shall comply with
1352 the City's workplace safety policies, harassment prevention, and respectful workplace
1353 polices as set forth in the employee policy manual. [Ord. 18-14(A), 2018; Ord. [16-48\(S\)\(A\)](#) § 1,
1354 2016; Ord. 08-24(S-2)(A), 2008].
1355
1356 1.18.040 Business dealings with City.
1357 a. Not less than 10 days before the date when official action may be taken by the Council or
1358 by any officer, the City Manager, commission or other agency of the City upon business
1359 dealings between the City and a City official or an organization in which the City official has a
1360 substantial financial interest, the City official shall file a statement with the City Clerk. The
1361 statement shall set forth the nature of such business dealings and the City official’s interest
1362 therein. This statement is only required when the person receives a beneficial substantial

1363 financial interest. If all other provisions of this chapter are complied with, the statement shall
1364 be sufficient for continuing transactions of a similar or like nature for one year from the date
1365 of its filing. However, if an official has violated any of the provisions of this chapter, he shall
1366 be precluded from engaging in business with the City on that particular matter for one year.

1367
1368 b. Upon taking office or upon subsequently acquiring the interest, an official shall, within 10
1369 days, file with the City Clerk a statement disclosing any substantial financial interests of the
1370 official or the City Manager in any existing business with the City, including those of any
1371 organization in which the official or the City Manager has a substantial financial interest.

1372
1373 c. The City Manager shall not engage in business with the City outside the duties of City
1374 Manager. [Ord. 18-14(A), 2018; Ord. 08-24(S-2)(A), 2008].

1375
1376 1.18.043 Public disclosure.

1377 a. City officials and the City Manager must annually file the following financial interest
1378 disclosure on forms prepared by the City Clerk:

- 1379 1. For each City official and the City Manager the information that is required on the
1380 following selected schedules from the Alaska Public Offices Commission Public
1381 Official Financial Disclosure Statement: Schedules B (business interests), C (real
1382 property interests/rent to own), E (the portion relating to natural resource leases
1383 only), F (government contracts and leases) and G (close economic associations); and
1384 2. For each elected City official a list of each business in which an immediate family
1385 member is a partner, proprietor or employee to the extent not provided in response to
1386 subsection (a)(1) of this section.

1387
1388 b. The financial interest disclosure must be filed by November 1st each year. A newly
1389 appointed official must file a statement within 30 days after taking office. Each candidate for
1390 elected City office must file a disclosure statement at the time he or she files a declaration of
1391 candidacy, except an incumbent seeking reelection with a current disclosure statement on
1392 file. Refusal or failure of a candidate to file the required disclosure statement before the end
1393 of the time period for filing declarations of candidacy shall require that the candidate's
1394 declaration of candidacy be rejected and the candidate disqualified.

1395
1396 c. The disclosure statement must be true, correct and complete and shall be signed under
1397 oath or affirmation, or certified to be true under penalty of perjury. Not filing a statement
1398 within the stipulated period is a violation of this chapter.

1399
1400 d. The disclosure statement shall be filed with the City Clerk and shall be open to public
1401 inspection and copying at the office of the City Clerk. The disclosure statement will not be
1402 sent to the Alaska Public Offices Commission. [Ord. [16-26](#) § 1, 2016; Ord. 08-24(S-2)(A), 2008].

1403
1404 1.18.045 Procedure for declaring potential conflict of interest – City officials.

1405 a. A City official who has or may have a substantial financial interest in an official action shall
1406 disclose the facts concerning that interest to the body of the City of which the official is a
1407 member prior to the body taking any official action. Any member of the body may raise a
1408 question concerning another member's financial interests, in which case the member in
1409 question shall disclose relevant facts concerning the official's financial interests in the
1410 subject of the action.

1411
1412 b. If the official is a City Council member, the Mayor, or the Mayor Pro Tem in the absence of
1413 the Mayor, shall rule on whether the Council member must be excused from participation or
1414 must vote. The ruling may be immediately overridden by a majority vote of the City Council.
1415 There is no appeal from the action or inaction of the City Council to override or not override
1416 the ruling of the Mayor.

1417
1418 c. If the official is not a City Council member, the official may excuse themselves without a
1419 vote for conflict of interest, otherwise the board, commission, or other body of which the
1420 official is a member shall by majority vote rule on whether the member must be excused from
1421 participation, which must be the ruling when the body determines the official has a
1422 substantial financial interest in the official action. There is no appeal from the ruling of the
1423 body.

1424
1425 d. The official shall abide by the ruling. If the official is not a City Council member, the ruling
1426 applies (without the need for further disclosures and rulings) to all subsequent occasions on
1427 which the same official action comes before the same body, unless there has been a material
1428 change of circumstances. On each such subsequent occasion, the presiding officer shall note
1429 for the minutes that the ruling previously made continues in effect.

1430
1431 e. An official who is ruled to be excused from participation shall leave the official table and
1432 not vote, debate, testify, or otherwise take part in the official action, except an official who is
1433 an applicant may testify on his or her own behalf from the public testimony area.

1434
1435 f. Rule of Necessity. Exceptions to a ruling excusing a member from participation shall be
1436 made in cases where:

- 1437 1. By reason of being excused for conflicts of interest the number of members of the
1438 Council or other body eligible to vote is reduced to less than the minimum number
1439 required to approve the official action;
- 1440 2. No other body of the City has jurisdiction and authority to take the official action on
1441 the matter; and
- 1442 3. The official action cannot be set aside to a later date, within a reasonable time,
1443 when the body could obtain the minimum number of members to take action who are
1444 not excused for conflicts of interest.

1445
1446 When the body determines this exception applies, then all members, except the applicant

1447 when the applicant is a member of the body, shall participate in the official action. [Ord. 08-
1448 24(S-2)(A), 2008].

1449

1450 1.18.047 Procedure for declaring potential conflicts of interest – City Manager.

1451 The City Manager who has or may have a substantial financial interest in an official action
1452 shall disclose the facts concerning the Manager’s financial interests to the City Council prior
1453 to taking any official action. If the City Council determines the Manager has a substantial
1454 financial interest in the action, the City Council shall excuse the Manager and assign another
1455 City employee to the matter. [Ord. 08-24(S-2)(A), 2008].

1456

1457 1.18.048 Procedure for declaring and ruling on partiality in quasi-judicial matters.

1458 a. A City official or the City Manager who has partiality concerning a quasi-judicial matter
1459 shall not advise on matter, adjudicate the matter or serve as a member of a body
1460 adjudicating the matter.

1461

1462 b. A City official who is a member of a quasi-judicial body and who has or may have partiality
1463 concerning a matter to be adjudicated shall disclose the facts concerning the official’s
1464 possible partiality to the body to the parties to the matter prior to the commencement of
1465 proceedings by the body. Any member of the body, and any party to a matter before the
1466 body, may raise a question concerning a member’s partiality, in which case the member in
1467 question shall disclose facts concerning the official’s possible partiality in the matter.

1468

1469 c. After such disclosure, the City official may excuse themselves for partiality without a vote of
1470 the body, otherwise the body (including a body comprised of City Council members when
1471 serving in a quasi-judicial capacity) shall by majority vote rule on whether the member must
1472 be excused from participation, which must be the ruling when the body determines the
1473 official has partiality concerning the matter.

1474

1475 d. Rule of Necessity. Exceptions to a ruling excusing a member from participation shall be
1476 made in cases where:

1477 1. By reason of being excused for partiality the number of members of the Council or
1478 other body eligible to vote is reduced to less than the minimum number required to
1479 approve the official action;

1480 2. No other body of the City has jurisdiction and authority to take the official action on
1481 the matter; and

1482 3. The official action cannot be set aside to a later date, within a reasonable time,
1483 when the body could obtain the minimum number of members to take action who are
1484 not excused for partiality.

1485

1486 When the body determines this exception applies, then all members, except the applicant
1487 when the applicant is a member of the body, shall participate in the official action.

1488

1489 e. The City Manager who has or may have partiality concerning a quasi-judicial matter over
1490 which the Manager has decision-making authority shall either (1) appoint another City
1491 employee to make the decision or (2) disclose the facts concerning the possible partiality to
1492 the City Council and to the parties to the matter prior to taking any official action. If referred
1493 to the City Council and the City Council determines the Manager has partiality concerning the
1494 matter, the City Council shall excuse the Manager and cause another City employee to be
1495 assigned to decide the matter. [Ord. 08-24(S-2)(A), 2008].

1496

1497 1.18.060 Advisory opinions.

1498 a. Where any city official or the City Manager has a doubt as to the applicability of any
1499 provision of this chapter to a particular situation, or as to the definition of terms used herein,
1500 he may apply in writing to the city attorney for an advisory opinion. The city official or City
1501 Manager shall have the opportunity to present his interpretation of the facts at issue and of
1502 the applicability of provisions of the chapter before such advisory opinion is made. The
1503 request must clearly state it is a request for an advisory opinion under this section of the
1504 ethics code.

1505

1506 b. Such opinion, until amended or revoked, shall be binding on the city in any subsequent
1507 actions concerning the public official who sought the opinion and acted on it in good faith,
1508 unless material facts were omitted or misstated in the request for the advisory opinion. An
1509 advisory opinion shall be applicable and binding only to the particular set of facts and
1510 instances of conduct for which it was requested and shall have no force or effect for purposes
1511 of general application. Such opinion shall not be binding or admissible in evidence in any
1512 action initiated by any private citizen. (Ord 08-24(S-2)(A) §1, 2008).

1513

1514 c. Any act or omission taken by any City Official or the City Manager in their official capacity
1515 based upon the advice of the City Attorney provided in writing, during a Council or
1516 Commission meeting or acknowledged by the City Attorney in response to a complaint shall
1517 not be subject to an ethics complaint under Chapter 1.18 HCC. [Ord. 18-14(A), 2018]

1518

1519

1520

1521 1.18.070 Violation and penalty.

1522 Any official who violates any of the provisions of this chapter shall be guilty of a violation
1523 subject to punishment pursuant to HCC 1.16. (Ord 08-24(S-2)(A) §1, 2008).

1524

1525 1.18.090 Distribution of Code.

1526 The city clerk shall cause a copy of this chapter to be distributed to each city official elected
1527 or appointed before entering upon the duties of his office and to the City Manager upon
1528 employment. (Ord 08-24(S-2)(A) §1, 2008).

1529

1530 1.18.100 Application of state statutes.

1531 a. Nothing in this chapter is intended to curtail, modify, or otherwise circumvent the
1532 application of the Alaska Statutes to any conduct involving bribery or other offenses against
1533 public administration.

1534
1535 b. All municipal officers as defined by Alaska Statutes Chapter 39.50 are exempt from the
1536 provisions of AS 39.50 relating to conflicts of interest or financial disclosures. (Ord 08-24(S-
1537 2)(A) §1, 2008).

1538
1539

1540 APPENDIX A

1541
1542 2.08.100 Teleconference participation in meetings.

1543 a. This section through HCC [2.08.120](#) govern the telephonic participation of the Mayor and
1544 members of the Council at all meetings of the City Council, including all other bodies that are
1545 comprised of the Mayor and members of the Council, such as, but not limited to, the Board of
1546 Adjustment and an Ethics Board.

1547
1548 b. The preferred procedure for City Council meetings is that the Mayor and all Council
1549 members should be physically present at the designated time and location within the City for
1550 the meeting. However, physical presence may be waived and the Mayor and any member(s)
1551 may participate in a Council meeting by teleconference, subject to the procedures and
1552 limitations provided in this section through HCC [2.08.120](#).

1553
1554 c. A person participating by teleconference shall, while actually on the teleconference, be
1555 deemed to be present at the meeting for all purposes. The person shall make every effort to
1556 participate in the entire meeting.

1557
1558 d. If the Mayor participates telephonically, the Mayor may vote telephonically to break a tie as
1559 permitted in HCC [2.08.040](#)(h), but the Mayor Pro Tem, or the senior Council member in the
1560 Mayor Pro Tem's absence, shall preside over and perform all other functions of the Mayor at
1561 the meeting.

1562
1563 e. "Teleconferencing" means a means used for remote participation by an official for a
1564 meeting of the City Council which must enable the remote official, for the duration of the
1565 meeting, to clearly hear the Mayor, all Council members, the City Clerk and public testimony
1566 and to be clearly heard by the Mayor, all Council members, the City Clerk and the public in
1567 attendance. [Ord. [16-58\(A\)](#) § 1, 2017; Ord. 07-45(A)(S) § 1, 2007. Code 1981 § 1.24.100].

1568
1569 2.08.110 Teleconference procedures.

1570 a. A Mayor or Council member who cannot be physically present for a regularly scheduled
1571 Council meeting shall notify the City Clerk at least five days prior to the scheduled time for
1572 the meeting of his or her request to participate in the meeting by telephonic means of

1573 communication.

1574

1575 b. Three days prior to the scheduled time for the Council meeting, the City Clerk shall notify
1576 the Mayor and Council of the person's request to participate by teleconference.

1577

1578 c. At the commencement of the Council meeting a telephonic connection will be established
1579 with the person or persons intending to participate telephonically. After a telephonic
1580 connection is established the Mayor shall call for a vote of the Council on whether the
1581 person(s) may or may not participate by telephone. Prior to the vote, the Mayor or Council
1582 members may make such inquiries as necessary to make a decision. Only the Council
1583 members physically present may vote on the question. The Council's determination is final
1584 and not subject to veto or appeal. If a person participates in the meeting telephonically
1585 without a ruling from the Council, it shall be deemed to be with the approval of such
1586 participation by the Council, and all actions taken by the Council with the participation of all
1587 such persons are valid.

1588

1589 d. Subsections (a) and (b) of this section do not apply to special meetings or emergency
1590 meetings of the City Council called under HCC [1.14.030](#) and [1.14.050](#). A Council member or
1591 Mayor who requests to participate in a special or emergency meeting of the City Council must
1592 notify the City Clerk before the time scheduled for the start of the meeting. The Clerk will
1593 notify the Mayor and Council no later than the commencement of the meeting. After a
1594 telephonic connection is established with the person or persons requesting to participate
1595 telephonically, a ruling shall be made on the person's participation in the meeting as
1596 provided in subsection (c) of this section.

1597

1598 e. The means used for a teleconference meeting of the City Council must enable each
1599 member appearing telephonically to clearly hear the Mayor, all other Council members, and
1600 public testimony at the meeting as well as be clearly heard by all other Council members and
1601 members of the public in attendance.

1602

1603 f. The City Clerk shall note in the journal of the proceedings of the City Council all members
1604 appearing telephonically.

1605

1606 g. To the extent practicable, materials to be considered by the Council shall be made
1607 available to those attending by teleconference. [Ord. 07-45(A)(S) § 2, 2007. Code 1981
1608 § 1.24.110].

1609

1610 2.08.120 Teleconference – Limitations.

1611 a. All Council members and the Mayor should make all reasonable effort to be physically
1612 present for every meeting. Teleconference procedures may not be used as a regular means of
1613 attendance at meetings.

1614

- 1615 b. Participation by teleconference may be denied whenever the physical presence of the
1616 individual is considered essential to effective participation in the meeting or to the proper
1617 conduct of the business to be addressed at the meeting.
1618
- 1619 c. If teleconferencing is denied the individual will be listed as absent.
- 1620 d. Each Council member and the Mayor may attend a maximum of three City Council
1621 meetings by teleconference during the 12-month period commencing November 1st each
1622 year.
1623
- 1624 e. Each Council member and the Mayor may attend additional teleconferences as a special
1625 exception if expressly approved for good cause in each instance by a vote of the Council.
1626 Good cause may include, but is not limited to, absence required for extended medical care
1627 needed for the individual or the individual's immediate family.
1628
- 1629 f. No Council member or the Mayor shall attend by telephonic means:
- 1630 1. An executive session of the City Council.
- 1631 2. A hearing on an ethics charge under Chapter [1.18](#) HCC. [Ord. 07-45(A)(S) § 3, 2007.
1632 Code 1981 § 1.24.120].

**CITY OF HOMER
HOMER, ALASKA**

Venuti

RESOLUTION 19-013

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
SUPPORTING THE UNIVERSITY OF ALASKA UNDERSCORING THE
KEY ROLL THE KACHEMAK BAY BRANCH OF THE KENAI
PENINSULA COLLEGE HAS IN HOMER AND ENCOURAGING FULL
FUNDING OF THE UNIVERSITY AT EXISTING LEVELS.

WHEREAS, A well-educated public, from kindergarten through college, contributes to the well-being and economy of Homer, the Kenai Peninsula Borough and the State of Alaska; and

WHEREAS, Governor Dunleavy's proposed budget cut 41% from the University of Alaska overall budget; and

WHEREAS, Governor Dunleavy's proposed budget for the University of Alaska would directly affect the Kachemak Bay Campus, resulting in the termination of critical services and instruction to the students; and

WHEREAS, The Kachemak Bay Campus provides opportunity for post-secondary education for more than seven hundred students, with an emphasis on smaller classes and individual instruction; and

WHEREAS, The Kachemak Bay Campus provides students an opportunity for post-secondary education at a price and location which makes vocational, college, and adult educational options a viable choice; and

WHEREAS, The Kachemak Bay Campus provides for local jobs and promotes economic development within the community of Homer.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska supports full funding of post-secondary education by the State of Alaska and encourages the State Legislature to invest in the youth of Alaska and their future.

BE IT FURTHER RESOLVED that copies of this resolution be sent to Alaska Governor Mike Dunleavy, Senator Gary Stevens, and Representative Sarah Vance.

PASSED AND ADOPTED by the Homer City Council this 25th day of February, 2019

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CITY OF HOMER

HEATH SMITH, MAYOR PRO TEMPORE

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

Fiscal note: N/A

VISITORS



City of Homer

www.cityofhomer-ak.gov

Administration

491 East Pioneer Avenue
Homer, Alaska 99603

(p) 907-235-8121 x2222

(f) 907-235-3148

Memorandum

TO: MAYOR CASTNER AND HOMER CITY COUNCIL

FROM: ECONOMIC DEVELOPMENT ADVISORY COMMISSION

THRU: JENNY CARROLL, SPECIAL PROJECTS & COMMUNICATIONS COORDINATOR

DATE: FEBRUARY 20, 2019

SUBJECT: SUPPORT FOR DEVELOPING A WAYFINDING-STREETScape PLAN FOR THE CITY OF HOMER

This memo updates the City Council on the EDC's evaluation of the benefits of developing a wayfinding-streetscape plan for Homer. Our evaluation leads us to **recommend that City Council support work on a new multi-modal Transportation Plan in which wayfinding-streetscape is an integral component.**

After completing the Business Retention & Expansion Survey Report, the Economic Development Advisory Commission began addressing the top survey suggestions on how to improve Homer's business climate and quality of life: "Beautification improvements", and "Improved walkability and greenspace".

The EDC followed up on these suggestions, and after eleven months of work, developed a Wayfinding - Streetscape Plan proposal. To date we have completed a well-reasoned project scope to recommend to City Council, solidified the economic/quality of life reasons to support a Wayfinding-Streetscape plan and opened discussions of how to fund the plan's development/implementation.

We have weighed different options for completing/implementing a Wayfinding-Streetscape Plan, and we were preparing to recommend that Council authorize a Wayfinding-Streetscape Task Force, which would utilize local expertise and planning capacity to develop parts of the plan and make recommendations to Council for contracting a professional firm to finalize the plan and provide design options.

However, recently, Council began discussing updating the Homer Area Transportation Plan and the Commission has been encouraged to align our efforts with the broader transportation plan.

The EDC supports updating the Homer Area Transportation Plan. Vehicle traffic is growing steadily in Homer and its safe, efficient flow is important to economic development. EDC also strongly supports the inclusion of non-motorized transportation elements (including wayfinding-streetscape) as part of the scope of work.

Why a multi-modal transportation plan?

The City's area transportation plan will help create the future so it is important to consider the broad transportation context that goes into and will be impacted by long-term planning decisions. A multi-modal approach to transportation planning:

- Recognizes the complimentary, interconnected nature of motorized and non-motorized modes of travel. Most transit trips include walking links; improving wayfinding and walking conditions tends to increase transit demand and vice versa.

- Recognizes that non-motorized options, if available and of sufficient quality, can reduce vehicle congestion.
- Recognizes the various demographic and economic trends that are likely to affect future travel demands. Our aging population, increased development of subdivisions close to the center of town, increased health and environmental concerns, and changing consumer preferences are increasing demand for non-auto travel.

A multi-modal area transportation plan allows the City to respond to changing travel demands and emerging community needs, is a good strategy for building desirable neighborhoods and can spur economic vitality for business and tourism.

What is Wayfinding and Streetscape?

Wayfinding is the art of using landmarks, signage, and pathways to help people navigate and experience a place.

Streetscape refers to landscape amenities that reinforce safety and comfort, and that help secure pedestrians' interest in exploring Homer on foot.

Why Does Homer Need a Wayfinding-Streetscape Plan?

The Homer Spit and 'Old Town' have been areas of renewed public interest thanks to place making and investments in pedestrian facilities. Interest in improving Pioneer Avenue has been growing, evidenced by the Pioneer Avenue Revitalization Task Force's efforts to create a more attractive, vibrant business district. And while the City and other organizations have invested recently in footpaths and sidewalks, Homer still lacks a wayfinding system so that the traveling public can easily navigate those paths. Furthermore, Homer was developed in the automobile age: Pioneer Avenue is over a mile long and Homer's destination districts (Homer Spit, Old Town, and Pioneer) are quite spread out.

Spreading the economic benefits of visitor spending across Homer requires the confidence to make the journey and comforts along the way, as well as knowledge of the opportunities. The EDC recommends (1) a good wayfinding plan that quietly helps people orient themselves to where they are and helps people get where they want to be; and (2) streetscape amenities that encourage people to get out of their vehicles and make longer journeys on foot, increasing their exposure to businesses and enjoyment of interests along the way.

A Wayfinding-Streetscape system for Homer supports economic development:

- Improved pedestrian understanding of neighborhoods, landmarks, and amenities increases the opportunities for people finding and using commercial resources in these areas.
- Positive maneuverability contributes to positive experiences in Homer, making Homer a place people want to visit, return to, and live in.
- Cohesive, thoughtful designs that reflect the distinctive and creative character of Homer will contribute to Homer's reputation as an attractive destination and increase activity on the street; people that visit and patronize Homer's three distinct business 'districts' do so partly for the unique experience they offer.
- These factors in turn encourage business investments.

Examples of Application

The plan would be used by the City to guide future City purchases and placement of enhancements such as trash receptacles, benches, pocket parks, etc.; to make landscaping decisions; and to fund and install wayfinding signage. Having such a comprehensive signage/wayfinding plan will save the City staff time and money in the long run: as the need to make decisions arise, they will be efficiently addressed with an easy-to-follow plan that makes the overall process less time-consuming and difficult for City Staff.

Additionally, private businesses may choose to augment the City's efforts by utilizing the plant list; by purchasing coordinating trash receptacles, benches, etc.; or by hosting a wayfinding location. For example, the Realtor's Association approached the City about contributing public benches around town. Kachemak Heritage Land Trust asked what the City's general wayfinding sign design would be for Pioneer Avenue since they are developing signage for the new Poopdeck Trail and want to provide a coordinated look. The Chamber of Commerce is interested in getting RV parking directional signs. A plan would help coordinate a variety of efforts, now and into the future.

Is there Support for a Wayfinding-Streetscape Plan?

Consistent with City of Homer Plans

A Wayfinding-Streetscape system in Homer is consistent with goals and recommendations in already-established City of Homer Plans:

- Goal 5 of the Homer Comprehensive Plan;
- Goal 1 of the Comp Plan's Economic Vitality Plan;
- Goal 2.5 of the Homer Spit Comprehensive Plan;
- Policy 3 Recommendation in the Homer Non-Motorized Transportation & Trail Plan;
- Development goals outlined in the Town Center Development Plan included enhancing signage and streetscape amenities.

Community Support

Letters of support from the following organizations are included as backup to this memo:

- Pioneer Avenue Revitalization Task Force members and affiliates
- Homer Public Library Director, Ann Dixon
- Pratt Museum
- Homer Chamber of Commerce

What is EDC Recommending for Wayfinding-Streetscape Plan Scope?

Over the last several months, with a limited, stand-alone Wayfinding-Streetscape plan in mind, the EDC formulated a Scope of Work and suggested Project Area. While a streetscape-wayfinding plan may expand or change as part of an update to an area transportation plan, below is the EDC's vision.

Homer is a small city with relatively few main thoroughfares. A limited City budget and staff capacity does not allow for a huge rollout and, likewise, requires consideration of maintenance costs over time.

The Wayfinding-Streetscape Plan should be able to be implemented in phases over multiple years as budget becomes available. The plan produced should ideally prioritize improvements, identify potential funding sources, and consider existing City resources and equipment to ensure effective ongoing maintenance.

EDC's Project Area Recommendation

The area covered by this plan includes Pioneer Avenue from the Sterling Highway to Lake Street, and its connections to points of interest within the Central Business District. While there will be a concentration on Pioneer Avenue, connections to and wayfinding between the Central Business District, Old Town, Ocean Drive and the Homer Spit should be evaluated and included, as well as orientation wayfinding at Baycrest Overlook, Homer Airport Terminal and the Pioneer/Deep Water Dock, Homer's three main gateways. The project area includes local and State rights-of-way.

EDC's Project Scope Recommendations

The Wayfinding-Streetscape Plan will primarily emphasize:

- 1) Pedestrian experience, with attention to continuity of vehicle signage, particularly at route decision points and Homer's gateways; and
- 2) Design that is cohesive, but not necessarily identical, that enhances and reflects the distinctive and creative character of Homer.

The plan should consider all aspects of technological and physical wayfinding signage and tools, keeping signage 'clutter' to a minimum.

Wayfinding Scope:

- 1) Assist pedestrians navigating Pioneer Avenue and to points of interest in the Central Business District.
- 2) Orientation wayfinding at Homer's gateways.
- 3) Making connections between Homer's destination areas (i.e. Old Town, the Spit, Farmer's Market and others as identified and agreed upon.)
- 4) Work with Emergency Management to delineate tsunami safe zones on Homer's roads/trails as necessary.

Streetscape Scope:

- 1) Plan should propose realistic streetscape and public space improvement options along Pioneer Avenue and to points of interest within the Central Business District.
- 2) A strategic approach for implementation of any combination of the following possible elements: accessibility, banners, landscaping (plant lists, use of gardens), bench locations for rests/view, pocket parks, pedestrian crossings/safety and aesthetics including the possibility of decorative crosswalks/hardscapes, trashcans.

RECOMMENDATION

At their regular February 12, 2019 meeting, the EDC unanimously supported a recommendation to City Council to support work on a new multi-modal Transportation Plan in which wayfinding-streetscape is included an integral component. If it is not included as part of an update to the Transportation Plan, the EDC recommends City Council consider ways to develop a stand-alone Streetscape-Wayfinding Plan.

ANNOUNCEMENTS
PRESENTATIONS
BOROUGH REPORT
COMMISSION REPORTS

PUBLIC HEARING(S)

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

Ordinances 19-07(S), 19-07(S-2), 19-08, 19-09

A **public hearing** is scheduled for **Monday, February 25, 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 19-07(S), 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.

Ordinance 19-07(S-2), 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 **Mobilizing for Action Through Planning and Partnerships (MAPP) for the Opioid Task Force Coordination; Homer Foundation for City Of Homer Grants Related to Addiction Prevention, Treatment, Harm Reduction, and Recovery; and** Set Free Alaska For The Purpose Of Establishing ~~an~~ **a Residential** Addiction Treatment Center in Homer. ~~Smith/Erickson~~ **Aderhold/Venuti.**

Ordinance 19-08, An Ordinance of the City Council of Homer, Alaska Amending the FY 2019 Operating Budget by Appropriating \$39,500 from Fire Reserves to Purchase Replacement Personal Protective Equipment for the Homer Volunteer Fire Department. City Manager/Fire Chief.

Ordinance 19-09, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a \$100,000 Service Extension Fees and Authorizing the Extension of City of Homer Water Services to Lot 2B, Puffin Acres Milepost 3, East End Road in Kachemak City. Mayor.

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: February 21, 2019

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 19-07(S), 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.

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Ordinance 19-08, An Ordinance of the City Council of Homer, Alaska Amending the FY 2019 Operating Budget by Appropriating \$39,500 from Fire Reserves to Purchase Replacement Personal Protective Equipment for the Homer Volunteer Fire Department. City Manager/Fire Chief.

Ordinance 19-09, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a \$100,000 Service Extension Fees and Authorizing the Extension of City of Homer Water Services to Lot 2B, Puffin Acres Milepost 3, East End Road in Kachemak City. Mayor.

...was distributed on Monday, February 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 February 2019.



Rachel Tussey
Rachel Tussey, Deputy City Clerk I

ORDINANCE REFERENCE SHEET
2019 ORDINANCE
ORDINANCE 19-08

An Ordinance of the City Council Of Homer, Alaska, Amending the FY 2019 Operating Budget by Appropriating \$39,500 from Fire Reserves to Purchase Replacement Personal Protective Equipment for the Homer Volunteer Fire Department

Sponsor: City Manager/Fire Chief

1. City Council Regular Meeting February 11, 2019 Introduction

2. City Council Regular Meeting February 25, 2019 Public Hearing and Second Reading

CITY OF HOMER
HOMER, ALASKA

City Manager/Fire Chief

ORDINANCE 19-08

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
AMENDING THE FY 2019 OPERATING BUDGET BY APPROPRIATING
\$39,500 FROM FIRE RESERVES TO PURCHASE REPLACEMENT
PERSONAL PROTECTIVE EQUIPMENT FOR THE HOMER
VOLUNTEER FIRE DEPARTMENT

WHEREAS, One of the most important items that Homer Volunteer Fire Department (HVFD) can do for its members is to ensure their safety; and

WHEREAS, Upon joining HVFD as a Firefighter 1 volunteers are outfitted with a helmet, boots at gloves at an approximate cost of \$4,000 per set up as part of their Personal Protective Equipment (PPE); and

WHEREAS, The HVFD strives to providing PPE that meets industry standards, is in good condition and fits the user in accordance with the National Fire Protection Association (NFPA) 1851 industry standards; and

WHEREAS, NFPA sets the terms of serviceable condition that is to be maintained and the life span of 10 years for Personal Protective Equipment; and

WHEREAS, The HVFD currently plans and budgets replacement of up to four sets of PPE annually, but a recent increase in recruitment response resulted in the lack of properly fitted gear for the new recruits and the annual equipment inventory showed that the majority of helmets were meeting or nearing their useable lifespan; and

WHEREAS, Additional funding would provide for the necessary replacement and extra safety equipment essential to outfitting new and existing firefighters.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The Homer City Council hereby amends the FY 2019 Operating Budget by appropriating \$39,500 from the Fire Reserves for the purpose of purchasing replacement personal protective equipment:

44 Appropriation/Transfer From:

45

46	<u>Account</u>	<u>Description</u>	<u>Amount</u>
47			
48	156-0393	Fire Reserves	\$39,500
49			

50 Expenditure:

51

52	<u>Account</u>	<u>Description</u>	<u>Amount</u>
53			
54	100-0151-5602	Safety Equipment	\$39,500
55			

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

58
59 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this ___ day of _____,
60 2019.

61 CITY OF HOMER

62
63 _____
64 KEN CASTNER, MAYOR

65 ATTEST:

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67 _____
68 MELISSA JACOBSEN, MMC, CITY CLERK

69
70 YES:
71 NO:
72 ABSTAIN:
73 ABSENT:

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75 First Reading:
76 Public Hearing:
77 Second Reading:
78 Effective Date:

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80 Reviewed and approved as to form.

81
82 _____
83 Katie Koester, City Manager

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85 _____
86 Holly C. Wells, City Attorney

87
88 Date: _____

89
90 Date: _____



Memorandum 19-025

TO: MAYOR CASTNER AND HOMER CITY COUNCIL
THROUGH: KATIE KOESTER, CITY MANAGER
FROM: DAN MIOTKE, ACTING ASSISTANT CHIEF
DATE: JANUARY 30, 2018
SUBJECT: FIRE DEPARTMENT FIREFIGHTER PPE NEEDS

One of the most important items that HVFD can do for its members is to ensure their safety. On the front line of this is providing PPE that meets the current industry standards, is in good condition, and fits the user appropriately. NFPA 1851 sets the industry standard for this equipment and is what we strive to meet. The NFPA standard sets a life span of the FF PPE to 10 years of use and in what serviceable condition it is to be maintained.

Our current budget is \$16,000/ year for safety equipment. To outfit a firefighter with helmet, boots, and gloves is around \$4,000. This allows us to purchase around 4 sets of gear per year.

In January, HVFD did an inventory of all of its current personal protective equipment for age and condition. This information will be used for planning purposes to allow us to budget appropriately for future purchasing needs of the department. Unfortunately, several immediate needs became apparent. First, the majority of our helmets, although in good condition, are out or soon to be out of this 10 year period. Secondly, we had an outstanding recruitment for our firefighter class that started this month. Our average class is 5-8 students and this one is currently has 13. Although this is good problem to have, it has put a large strain on our gear inventory.

Firefighting PPE is also made custom to fit person who is wearing it. As we all know, people come in every size and shape. This makes an interesting dilemma when fitting members for gear. We can't allow firefighters to operate in hazardous conditions with gear that is too small and could allow a sleeve to ride up their arm and expose skin to the heat of a fire. The gear also must also not be so large as to not allow the firefighter to move and work safely. Due to these circumstances, we have some inventory of gear available but it's not meeting the safety levels we require.

To meet the current needs of the Department, we are requesting addition funding for 8 sets of gear to the 4 we already have budgeted FY2019 and 25 helmets to replace the current inventory that is over the 10 year life span. This totals to \$32,000 for gear and \$7,500 for helmets.

ORDINANCE REFERENCE SHEET
2019 ORDINANCE
ORDINANCE 19-09

An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a \$100,000 Service Extension Fee and Authorizing the Extension of City of Homer Water Services to Lot 28, Puffin Acres Milepost 3, East End Road in Kachemak City.

Sponsor: Mayor

1. City Council Regular Meeting February 11, 2019 Introduction

2. City Council Regular Meeting February 25, 2019 Public Hearing and Second Reading

CITY OF HOMER
HOMER, ALASKA

Mayor

ORDINANCE 19-09

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
ACCEPTING AND APPROPRIATING A \$100,000 SERVICE
EXTENSION FEE AND AUTHORIZING THE EXTENSION OF CITY OF
HOMER WATER SERVICES TO LOT 28, PUFFIN ACRES MILEPOST 3
EAST END ROAD IN KACHEMAK CITY.

WHEREAS, In 2004, in conjunction with the Alaska Department of Transportation East End Road Improvement Project, the City of Homer was afforded a very cost effective opportunity to extend the water and sewer lines along East End Road to Kachemak Drive; and

WHEREAS, When the East End Sewer was extended, Kachemak City was allowed to pay for a portion of the sewer improvement (based on the area and lots potentially served) with grant monies and assessments Kachemak City levied on Kachemak City benefited lots; and

WHEREAS, Resolution 04-42(A) authorized the City of Homer to proceed with the petitioning process as outlined in HCC 17.04.030 that eventually established the East End Road Sewer Local Improvement District (LID) and the East End Road Water LID; and

WHEREAS, While approximately half of the cost of the construction was allocated to the lots within the LID, the unallocated portion became known as the “Kachemak City Share”; and

WHEREAS, The Kachemak City Share of East End Road Water Extension Improvements was calculated at \$265,069.88 (.484% of the total based on the area and lots potentially served plus a standard 5% administrative fee) for creating water assessments to be collected in some fashion at such time as connections are permitted; and

WHEREAS, The City of Homer has been approached by East End Partners, LLC a company constructing affordable housing units in Kachemak City that needs access to a reliable water source; and

WHEREAS, Affordable housing has been identified as a need by the City of Homer in the Comprehensive Plan and Comprehensive Economic Development Strategy; and

WHEREAS, East End Partners, LLC will build 24 units of varying sizes that will help fill this need for the greater Homer area; and

42 WHEREAS, East End Partners, LLC has proposed to pay a service connection fee of
43 \$100,000 to have access to City water; and

44
45 WHEREAS, The service connection fee will go to the Homer Accelerated Water and
46 Sewer Program (HAWSP) to help fund future water system distribution improvements; and

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48 WHEREAS, The connection of City water fronting Lot 28 does not change **the City's**
49 policy on extending water outside City limits established in Resolution 04-42(A); and

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51 WHEREAS, At which time a sewer only customer in Kachemak City hooks up to City
52 water, their water usage will be metered and no longer billed under the sewer only rate
53 structure; and

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55 WHEREAS, A service fee of \$5 is charged to every water customer outside of City Limits
56 in lieu of City of Homer sales tax.

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58 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

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60 Section 1. The Homer City Council hereby amends the FY 2019 Capital Budget by
61 accepting \$100,000 from East End Partners, LLC and appropriating it to the Homer Accelerated
62 Water and Sewer Program for future water and sewer distribution improvements as follows:

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64 Appropriation/Transfer From:

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<u>Description</u>	<u>Amount</u>
Service connection fee for Lot 28, Mile Post 3, East End Road, Kachemak City	\$100,000

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71 Section 2. The \$100,000 service connection fee is an independent arrangement
72 between the City of Homer and East End Partners, LLC and will not be applied to any potential
73 future agreement to extend water to the lots along East End Road in Kachemak City that front
74 a water main.

75
76 Section 3. This ordinance is a budget amendment ordinance only, is not permanent in
77 nature and shall not be codified.

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79 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this ____ day of _____,
80 2019.

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CITY OF HOMER

KEN CASTNER, MAYOR

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ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

First Reading:

Public Hearing:

Second Reading:

Effective Date:

Reviewed and approved as to form.

Katie Koester, City Manager

Holly C. Wells, City Attorney

Date:_____

Date:_____

To City of Homer

Attn. Katie Koester, City Manager

491 East PioneerAve, Homer Ak 99603

Request and Proposal

From East End Partners, llc

For connection to Homer City Water

For

60398 East End Road, Kachemak, Alaska.

The Homer area has a significant need for affordable housing. Communities throughout the state where housing costs overburden residents tend to lose population which has a negative impact on the economic vitality of the region. In Homer hospitality workers, teachers, Safeway employees, and others are struggling to find decent housing at affordable rates. A recent market study indicated that the existing affordable housing around Homer has a 0 percent vacancy rate and significant waiting lists exist at these properties. Even regular market rate rental properties have very few vacancies.

To address this need for additional affordable housing, East End Partners, LLC., an Alaskan based company, is developing 24 new rental units at 60398 East End Road. Affiliates of East End Partners have built over 1,000 similar housing units throughout Alaska including in Anchorage, Kodiak, Fairbanks and Juneau.

The East End Road project will be called East End Cottages. Construction is expected to start this summer and units will be finished a year later. 80% of the units in this development will target those making 60% or less of median income and the balance will have no income restrictions. The 24 units will be split up into 20 two bedroom units and 4 three bedroom units. Some units will be set aside

for those with physical or mental disabilities and those that are coming out of transitional housing (homeless). The 1.46 acre site will include parking for 50 cars. There will also be a playground.

Focus will be placed on developing a property that functions efficiently. Units will meet the Alaska Building Energy Efficiency Standards (5 Star plus BEES rating), all appliances in the units will be Energy Star rated, and special attention will be placed on equipping units with low flow faucets, shower heads, dishwashers, and washer and dryers. In addition, both solar photovoltaic and solar thermal alternative energy system will be incorporated into the building design. These systems will reduce energy consumption by at least 10%.

Developments like this have many challenges. One the biggest obstacles in this particular case is delivering high quality water to our tenants. Water wells in the area show poor results and would require treatment and monitoring. Hauling water is possible but it is expensive and logistically challenging. We have calculated that 1,500 gallons would need to be delivered to the property every day. Hooking into the Homer waterline that runs along East End Road would be a much more practical alternative.

Under the circumstances, we request that the City of Homer allow us to hook into the City's water system. In return, East End Partners would agree to pay a \$100,000 hook up fee and any costs associated with tapping into the water line. East End Partners LLC would pay the established rate for water, set by the City of Homer for multi-family properties, thereafter.

Please present this proposal to the City Council as soon as possible for consideration. The project is entering the final design stages and the design would change if not relying on well water or hauling water to the development.

East End Partners LLC, is excited to be part of Kachemak and the Homer community. We hope that this water hook-up proposal will be well received. Please let us know if we can provide any additional information. A concept drawing has been included for your reference. We look forward to providing affordable housing in the Homer area and being good long-term neighbors.

Best regards,

A handwritten signature in blue ink, appearing to read "John McGrew". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

John McGrew, Managing Member

East End Partners, LLC

9831 Main Tree

Anchorage, Alaska 99507

Executive Summary

1. Project Narrative – this section must describe the following:

- **The target population to be serviced by the project:** East End Cottages is an affordable rental townhome development project targeting families whose household incomes are between 50% and 60% of the area median income. 20% of the units will have no rent restrictions. Six (6) units in the development will be fully equipped (mobility and sensory) for tenants with a family member with physical disabilities and one (1) additional unit will be sensory equipped. Eleven (11) units will be set aside for tenants with disabilities and two (2) units will be set aside for homeless families. Swell, LLC will be coordinating special supportive services for these residents through agreements with several local agencies.
- **Configuration of the units and buildings within the project:** East End Cottages will consist of two story homes in 4 buildings on about 1.46 acres of land. The mix of two-bedroom homes (20), and three bedroom homes (4) are positioned to take in as much natural sunlight as possible with some having views of Kachemak Bay and the Homer Spit. All units have multiple parking spaces so there is ample parking throughout the site. In fact there are 51 parking spaces for 24 units.
- **How the project's design will facilitate serving the needs and lifestyles of the target populations (e.g. singles, families, senior populations, persons with disabilities, etc.):** The East End Cottages project will offer families a housing option with more affordable rents in an ideal suburban neighborhood. The property is located on East End Road, which is the main artery running through the Homer area. The property is located next to and across the street from several local businesses that offer employment opportunities for East End Cottage residents. Tenants are also within 5 miles of all schools and the main commercial district of the lower Kenai Peninsula. The ADA units are specifically designed for Homer area seniors. Swell will be working with The Homer Senior Citizens Center, which provides transportation, to insure that senior tenants can get to medical appointments, shopping,

and the Homer Senior Center. Each residential unit is designed to provide a family or individual with privacy and maintenance free accommodations. Units will meet the Alaska Building Energy Efficiency Standards (5 Star plus BEES rating), saving residents 20% – 30% on their utility costs - all within a neighborhood setting that is attractive, comfortable and a safe place to raise a family. The new residential units at East End Cottages offer 2 bedroom one and a half bath units (900 square feet of living space), and three bedroom two bath units of 1,100 square feet. All the residential units will have large storage areas, washer and dryer hookups, microwave ovens, and dishwashers. All appliances in the units will be Energy Star Rated.

- **If the project includes 20 or more units, applicants are required in this section to identify how they will satisfy the 5% (rounded down) special needs set-aside.** The East End Cottages project is required to set aside one unit for a tenant with special needs. Swell has chosen to go beyond the basic special needs requirement and is setting aside eleven (11) units for those with physical/mental disabilities, and two (2) units for homeless families. In addition, East End Cottages has a homeless and veterans preference as part of its management plan.

2. Project Cost – this section must describe the following:

- **The basis for the construction cost estimates used in the project budget. Have these been checked with historical construction estimates in the community or State (specify which)? What similarities and differences exist, with regards to time and scope, between the proposed project and the buildings whose cost data were used to evaluate the reasonableness of the cost estimates provided in the budget?** Swell has built 30 to 50 units annually in different parts of the state over the last few years so it has very good construction cost data. For purposes of this funding application Swell solicited a conceptual bid from SR Bales Construction who is currently building Spruce Cape Homes Phase I in Kodiak. SR Bales self performs much of the construction work including the civil work so they are able to provide solid numbers on labor. Material pricing, especially lumber, has been rising

quickly but Bales has the most recent data since they are buying materials for Spruce Cape Homes I now. Swell intends to bid out the construction work post funding award to satisfy procurement requirements and also insure that we receive the best pricing. Although East End Cottages is subject to many of the same challenges that Spruce Cape Homes I has experienced (lack of vendor competition and weather), East End Cottages has some unique challenges, principally providing water to the site and poor soils. Bales has accounted for these issues in its East End Cottages estimate.

- **Inflation assumptions that have been made regarding the project costs and timeline (e.g. for materials, labor, freight, etc.).** Construction pricing is a little volatile right now due to the recent weather events in the lower 48 and the on-going trade war with China. Even so, it is believed that, through contingency and value engineering, project cost increases that may occur over the next six months can be absorbed within the current construction pricing. The developers have demonstrated the ability to significantly value engineer previous projects under difficult economic circumstances.
- **Contingency amounts: If the contingency has been set below 50% of the contingency cap for your project type, please provide an explanation for the lower contingency amount. If cost-overruns manifest, that exceed the specified contingency, what resources will be made available to ensure project completion?** The contingency has been set at 5% which is the maximum allowed under the GOAL program for new construction. If cost overruns exceed the contingency, the development team will use developer fee to pay for cost overruns. Members of the development team have built more than 20 tax credit projects and have never exceeded the contingency.
- **Timeline for when the project costs will be incurred (e.g. 20% at property closing, 40% by milestone X, etc.).** Design, engineering, and environmental costs will be incurred during predevelopment. These items along with legal fees, permit fees, insurance and bond fees, construction loan costs, title/closing costs, tax credit syndication costs, and a portion of the developer fee will be paid at the initial closing in the spring of 2019 when the tax credit investor enters the limited liability company. The amount expended at initial closing represents about 12% of the total development costs.

The costs paid at the initial closing will be funded with tax credit equity and construction loan financing.

Construction is slated to take 12 months. Each month a construction draw of about \$320,000 will be paid to the contractor. These costs will be paid primarily through the construction loan. Rasmuson funding and HOME money will also come in during construction. The project is expected to be completed by July 2020. Within eight months of construction completion, the ownership entity will close on the First National Bank Alaska permanent loan and the construction loan will be paid off by the permanent loan and additional tax credit equity. About 10% of the tax credit equity will be withheld from the project until IRS 8609 forms are completed, at which time most of the developer fee will be paid. Swell is expected to carry a deferred developer fee of \$140,000, which will be paid over 12 years at 0% interest.

3. Project Funding – this section must describe the following:

- **Each proposed funding source:**
 - Nature of the funding provided by each source (e.g. loan, grant, property tax abatement, etc.):
 - a.) Tax Credit Equity - \$4,291,054 (inc. solar tax credit equity)
 - b.) FNBA Hard Loan - \$466,789
 - c.) Rasmuson Soft Loan - \$325,000
 - d.) HOME loan - \$847,808
 - e.) Swell Deferred Developer Fee - \$140,000
 - f.) FNBA Construction Loan - \$4,800,000
- **Repayment schedule and terms associated with each source** (e.g. from cash flow, scheduled payments, tax abatement for specified period of time, etc.) The construction loan will be paid off at the final closing around April 2021 using permanent loan proceeds and tax credit equity. The FNBA first loan will be paid from cash flow remaining after paying for all operating expenses. The debt coverage ratio of 1.97 at this point in the cash flow waterfall means that there will be a significant

amount of cash available (\$35,225) after the FNBA loan is paid. Of the \$35,225, \$14,415 will go towards paying the Rasmuson hard second loan. The debt coverage ratio after the hard second loan is paid will be 1.41. Following the payment of the second loan, the deferred developer fee payment of \$11,667 will be made out of available cash flow. The deferred developer fee payment is soft and dependent on available cash flow. The FNBA first loan will be refinanced in 16 years. The Rasmuson loan will also be refinanced in year 16.

- **Timeline for how each of the identified funding sources will enter the project.** Approximately 5% of tax credit equity will come in at initial closing and the start of construction to pay a portion of the developer fee, syndication costs, and predevelopment expenses. The construction loan will be available at closing to pay for design and construction costs. During construction, the Rasmuson funds will be used. At construction completion, the tax credit investor will put another 25% of their equity into the project. 60% of equity will come in around April 2021 when the closing on the permanent loan is planned. The final 10% of equity is expected when 8609's are issued in July of 2021. The late entrance of the tax credit equity will help insure that we're getting the best tax credit pricing.
- **If LIHTC equity is anticipated, describe the anticipated equity pay-in structure and the associate milestones. When describing milestones, please identify the anticipated date(s) these milestones will be realized (e.g. units brought on-line, 8609, etc.).** The first capital contribution of tax credit equity (5% of the total amount) will come into the project in June 2019 when construction is starting. When the project is 100% complete (July 2020) the investor will provide another 25% of their equity. In April of 2021, at perm loan closing, the largest slug of cash (60% of the total equity) will come into the project, The final 10% of equity will enter the project in July 2021 once 8609's are generated.
- **4. Project Operations:** this section must describe the following:
- **Assumptions for utilities and operating expenses: If rehab, detail utility and operating expense assumptions and reference documentation supporting the change in utility and operating costs**

from historical levels. We are primarily relying on operating information from our property managers, Quantum Management, who currently manage the Conifer Woods Apartments in Homer. Quantum manages other Kenai Peninsula apartment complexes including Woodridge Apartments in Kenai, Kimberly Court in Seward and Northwood Apartments in Soldotna. The data from Quantum was also back checked with operating information that Swell has from CDI and VOA properties. We are also beginning to get operating data from our Mill Bay Townhomes property in Kodiak and Turnagain Place in Anchorage. These properties are now complete and 50% to 70% occupied. The biggest unknown on the operating side is the water. Our plan is to drill a well and if the water is good then tenants will use this for all their water needs. Under this scenario, on-going water costs would be low (water testing of about \$5,000 per year). We have done some water testing of a well in the area which has led us to believe that water quality will be poor. If that turns out to be the case, then our plan is to truck in water to tenants, which is considerably more expensive. The “trucking in” water scenario is the one that we have accounted for in our budget. To help combat high utility costs we are installing solar thermal and solar PV systems. In this particular development the owner is shielded to a certain extent from utility spikes because the tenants are paying their own electricity. The owner is paying for heat and hot water, natural gas for cooking, water and sewer, trash, and a small amount of common area electricity. In an effort to make the property run efficiently special attention is being placed on equipping units with low flow faucets, shower heads, dishwashers and washer and dryers. By meeting the BEES and IECC standards and certifications, structures at East End Cottages should be very energy efficient which will dramatically assist in keeping heating costs down. Milder weather conditions (relative to Anchorage) should also help.

- **Assumed inflation of utility costs. If standard 3% assumed in trending is appropriate, please state why; if a different trending percentage is appropriate, please provide the rationale and include evidence in the Financial Feasibility attachments section of the application.** The East End Cottages family project will use the standard 3% operating cost and 2% income escalators. These

percentages are consistent with the actual performance of rental properties that we own. Quantum, our property manager, is also comfortable with these escalator percentages.

- **Repair / maintenance and replacement needs for the property. Based on the project design, materials used and target population(s), please identify the cost-drivers for these repair / maintenance and replacement numbers.** Family housing projects with larger bedroom counts and lots of children and youth tend to take more punishment than smaller bedroom projects. The development team will use a commercial grade rubber or asphalt roof, cementitious board and metal siding, and durable flooring materials to improve the durability of the project and lengthen the time that replacement of building systems needs to be contemplated. Also, the project is placing \$86,400 in a replacement reserve at perm loan closing which will be available for unforeseen building system failures. After the first twelve years this reserve will be supplemented by \$300 per unit per year throughout the remaining life of the project.
- **How will unforeseen events during the project operations be addressed (e.g. vacancy spikes, flat rental income growth, etc.)? Are there operating reserves in the project budget sufficient to accommodate a reasonable mix of these events?** The debt coverage ratio on the first loan and second loan is quite comfortable (1.41). After paying these loans, there is expected to be almost \$21,000 in available cash flow that should allow the property to weather operating cost spikes or vacancy problems. The investor member of the owner entity will also fund an operating reserve of \$115,424.
- **If any special needs and / or diverse populations will be served by the project, please summarize the management approach to successfully accommodate the divergent interests of the tenants through a cohesive management policy.** Swell has established memo of agreements with several local service providers including Homer Haven and The South Peninsula Behavioral Health Center. Within the East End Cottages development there will be units specifically set aside for those with disabilities. These tenants will be provided services from The South Peninsula Behavioral Health Center (SPBHC). Swell has also signed an involvement agreement with the SPBHC which means that

this non-profit group will be intimately involved in the design and operations of East End Cottages to insure that the needs of tenants with mental and physical disabilities will be met. Homeless services and referrals will be provided by Homer Haven. The onsite manager will assist tenants by helping to coordinate bringing in services. The developers have experience with similar projects that had higher percentages of special needs units and have noted very little negative tenant interactions. Quantum will work with the on-site manager, with input from the owners, to smooth out any tenant versus tenant issues which could develop.

- ***5. Service Enriched Housing – Spruce Cape Supportive Services Plan**

The Supportive Services Plan for East End Cottages’ residents with disabilities and/or homeless families will include two components: 1) service coordination and 2) services provided by local community agencies. All services included in this Supportive Services Plan are backed by a Memorandum of Agreement (MOA) between the service provider and the Owner of the property. The East End Cottages on site manager will coordinate the delivery of services provided by other community partner agencies. Swell will also provide ongoing training opportunities for the on-site manager so that tenants are given the best opportunity to get services that they need.

Services to Be Provided by Other Community Agencies- The agencies and individuals listed below have provided written commitments of services and/or will provide resident referrals to East End Cottages.

Organization	Population Served	Service Provided

Homer Haven	Homeless	Temporary emergency shelter for victims of domestic violence, child care food program, advocacy and referrals for employment and housing, and assistance with police, court, and hospital interaction.
South Peninsula Behavioral Health Center	Physical/Mental Disabled	Case management, daily living skills training, medication monitoring, counseling for those with depression, anxiety, and drug and alcohol issues, licensed psychiatry services, and respite care.



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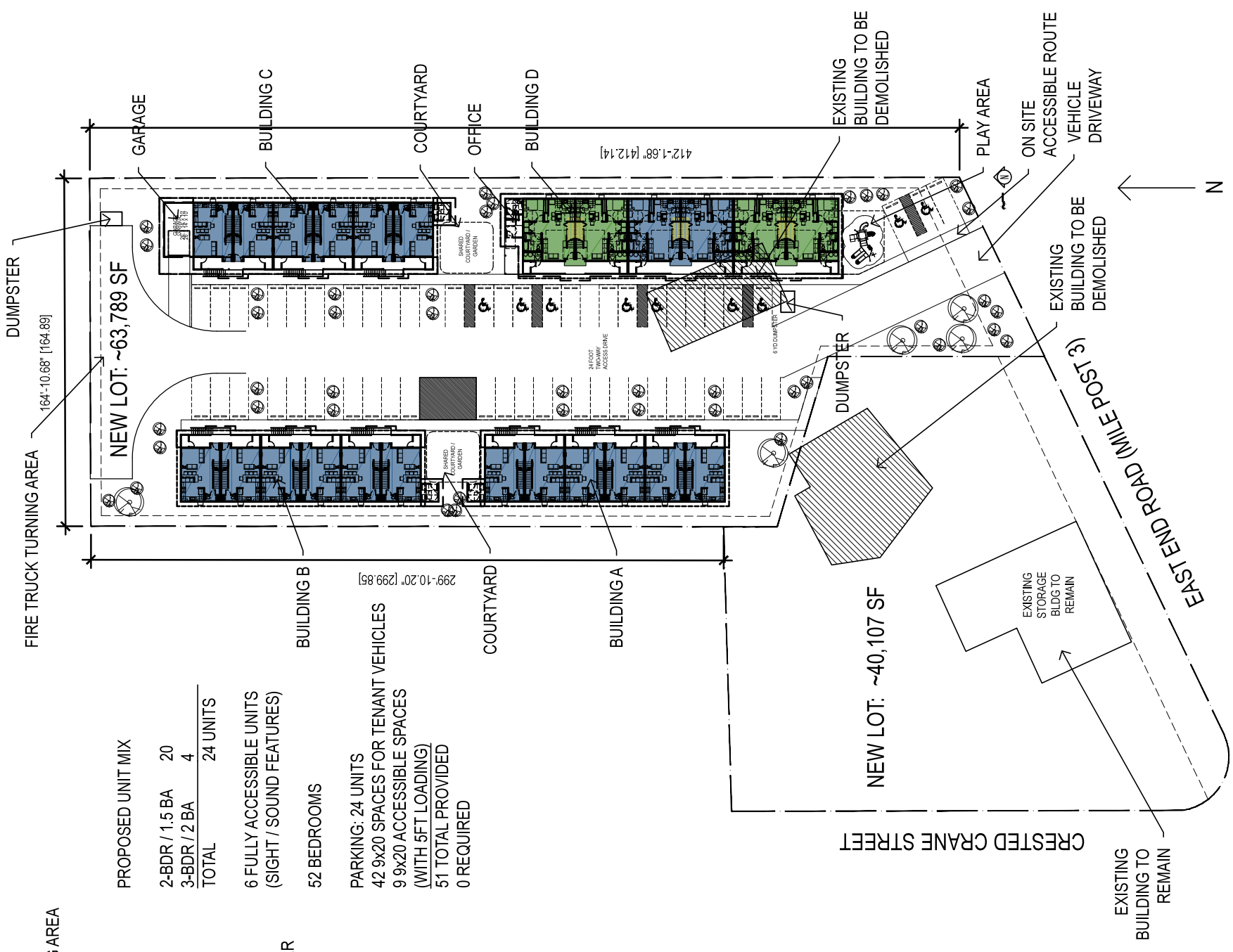
KACHEMAK COTTAGES

LOT 2B, PUFFIN ACRES - MILEPOST 3, EAST END ROAD
KACHEMAK CITY, AK

Date: 11-14-18
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Sheet No.

A0



PROPOSED UNIT MIX

2-BDR / 1.5 BA	20
3-BDR / 2 BA	4
TOTAL	24 UNITS

6 FULLY ACCESSIBLE UNITS (SIGHT / SOUND FEATURES)

52 BEDROOMS

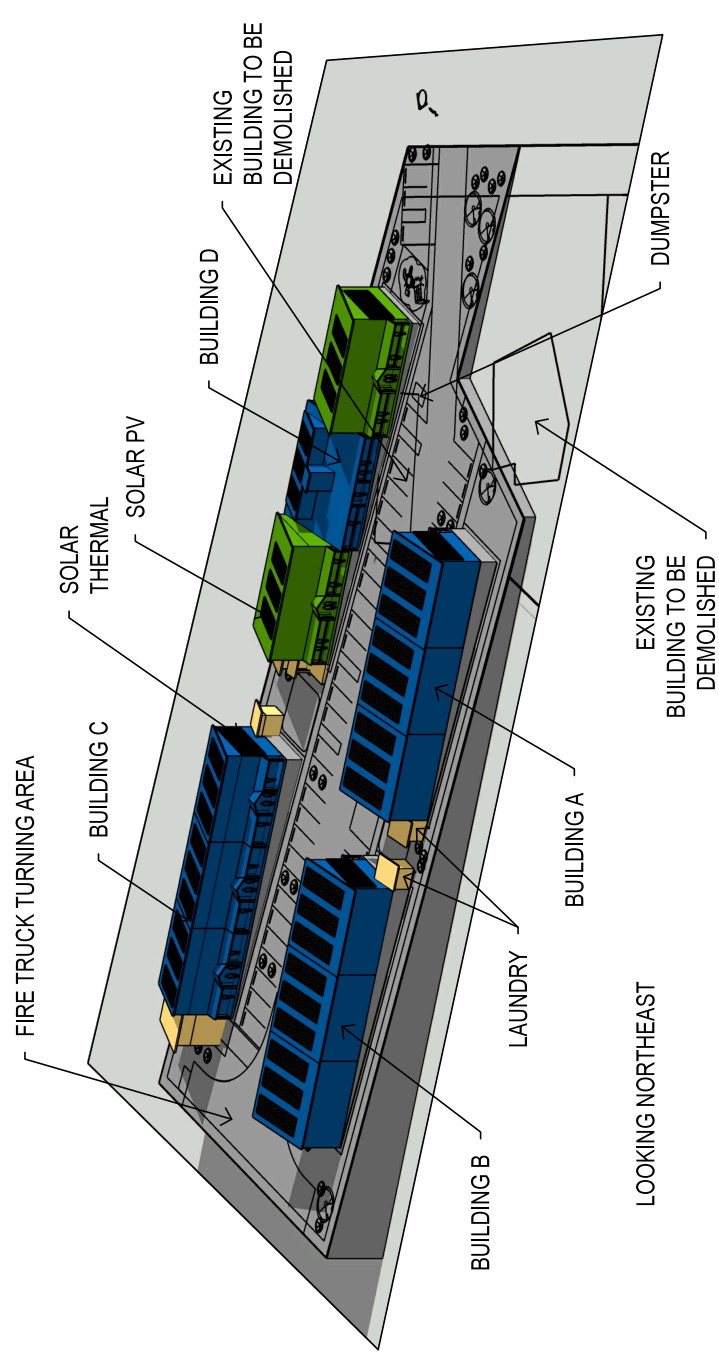
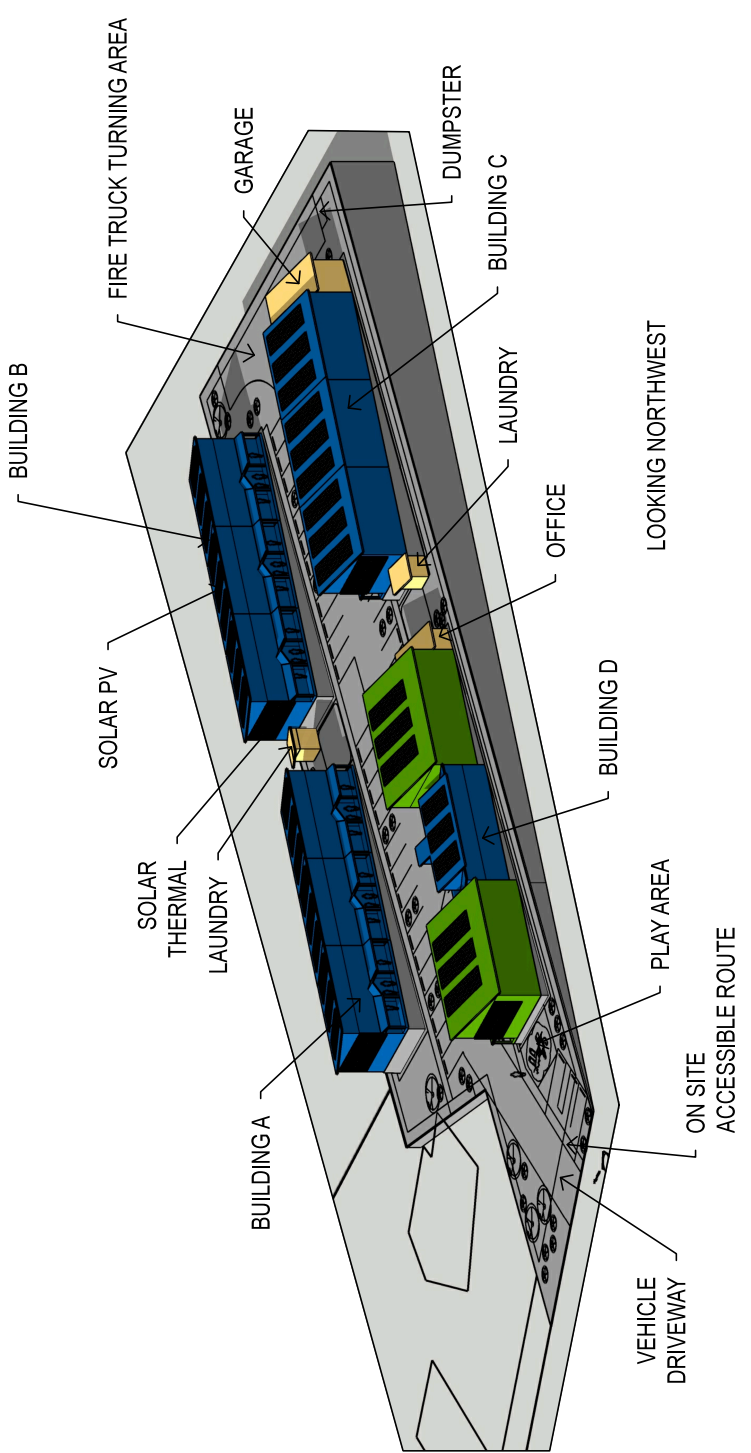
PARKING: 24 UNITS

42 9x20 SPACES FOR TENANT VEHICLES

9 9x20 ACCESSIBLE SPACES (WITH 5FT LOADING)

51 TOTAL PROVIDED

0 REQUIRED



CONCEPTUAL SITE PLAN
SCALE: 1/64" = 1'-0"

MASSING MODEL
SCALE: NTS



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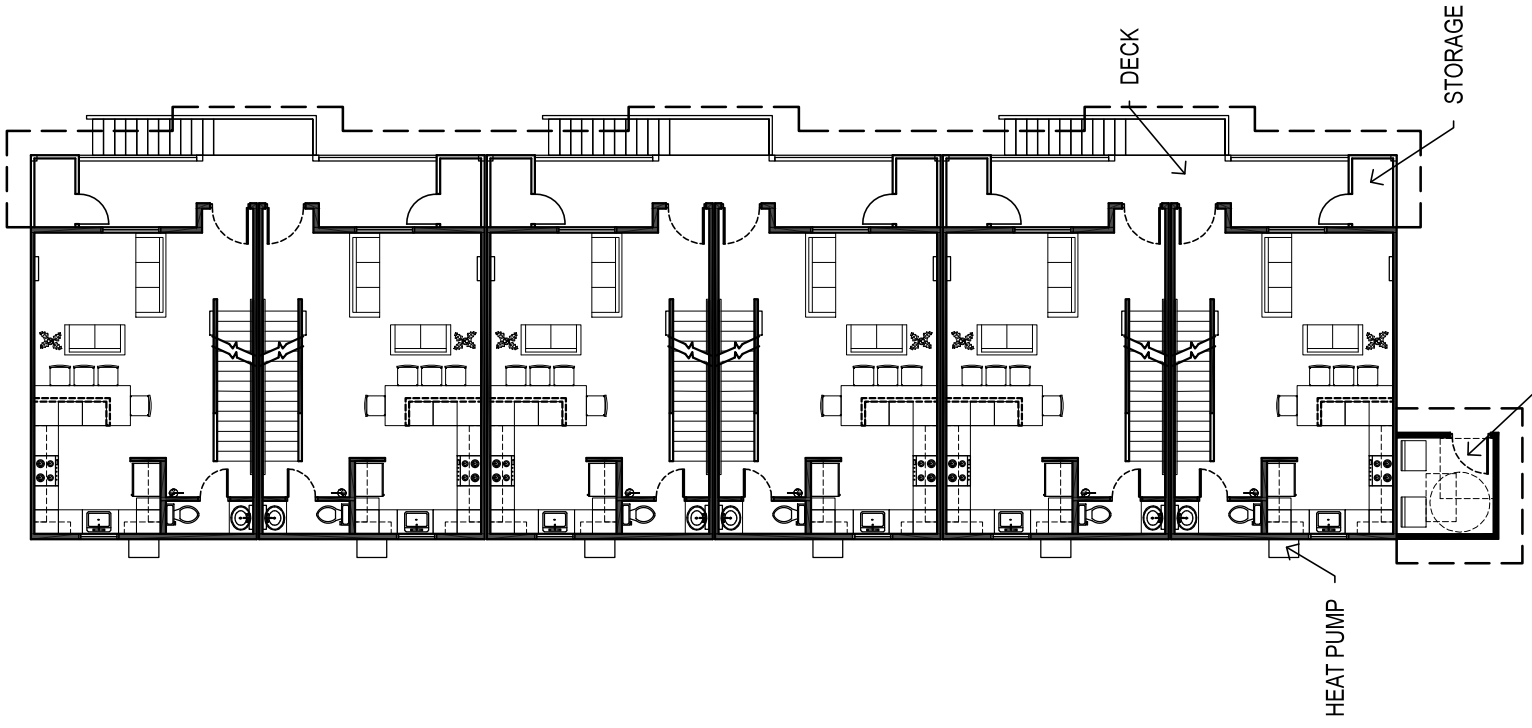
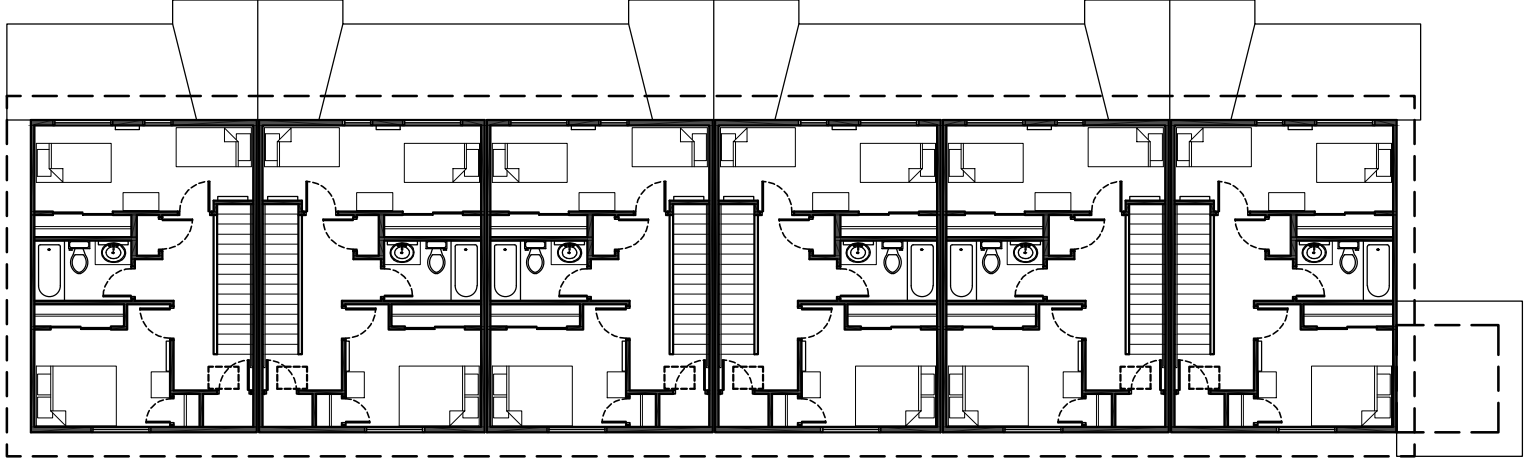
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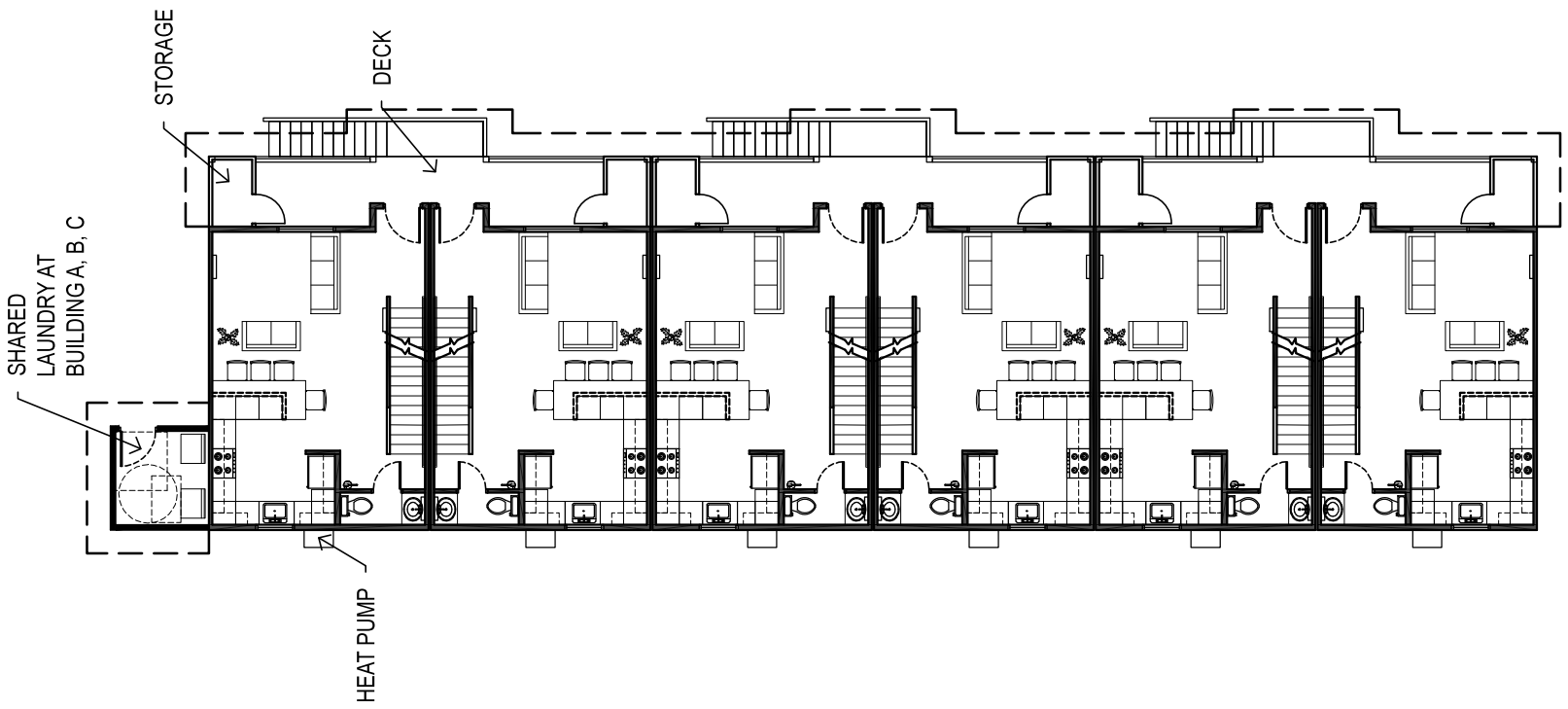
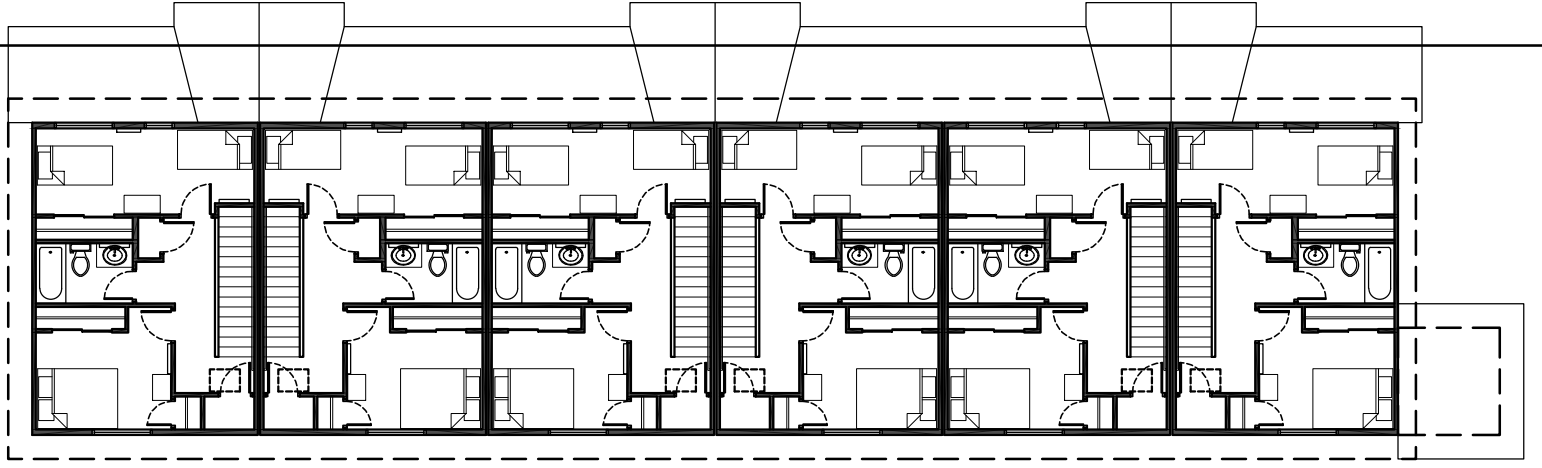
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A1



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BLDGA
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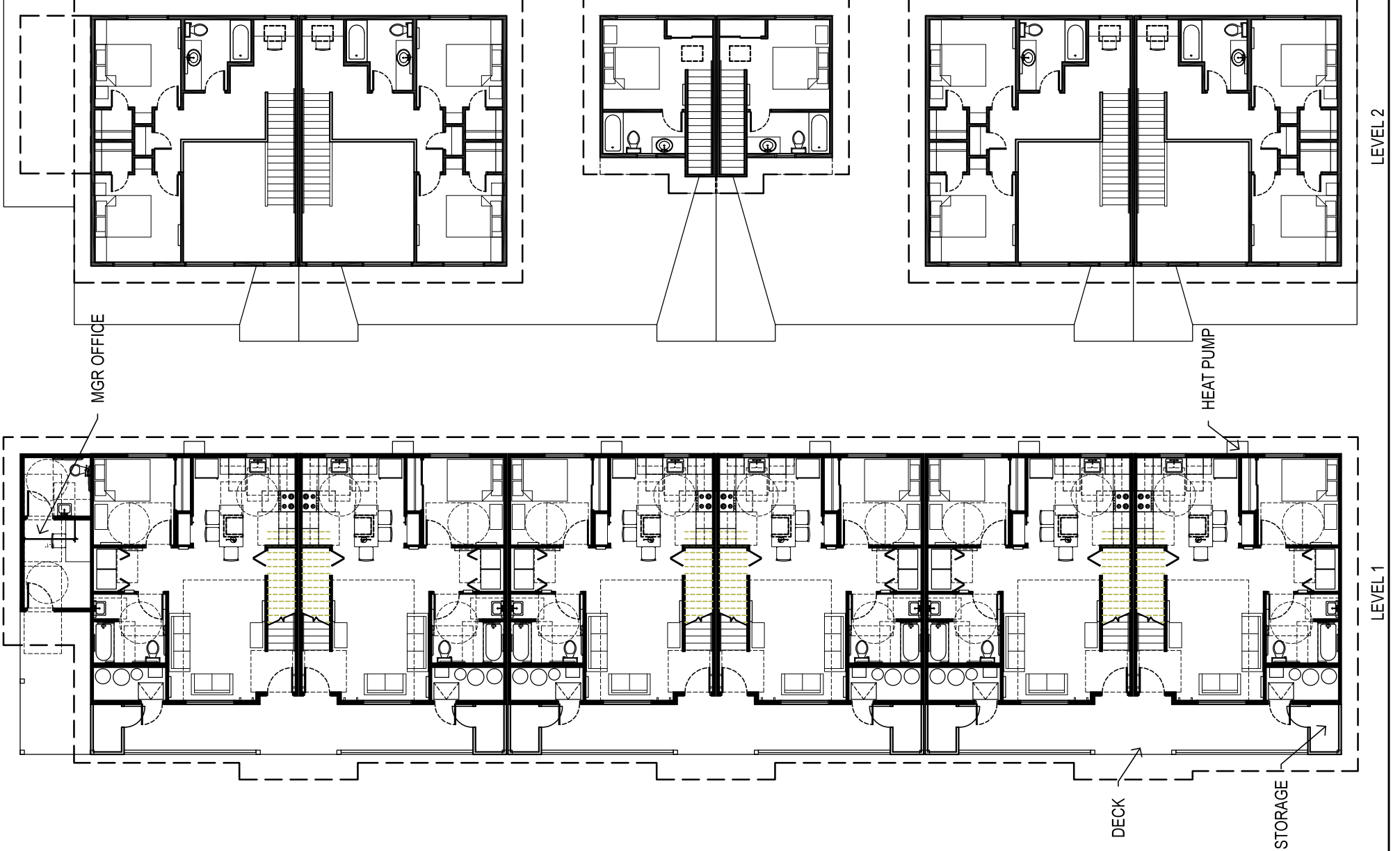
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KACHEMAK COTTAGES
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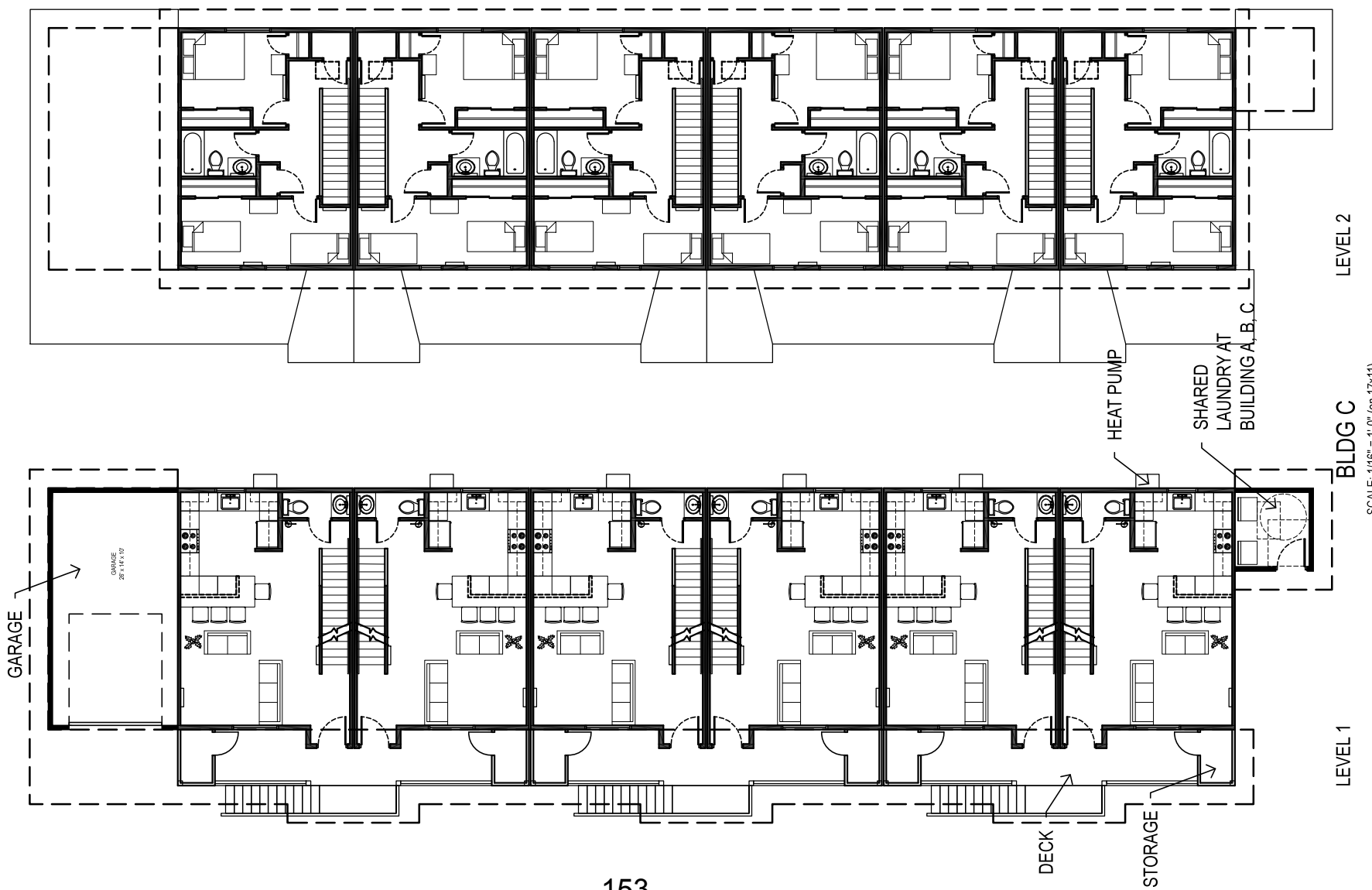
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BLDG D

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BLDG C

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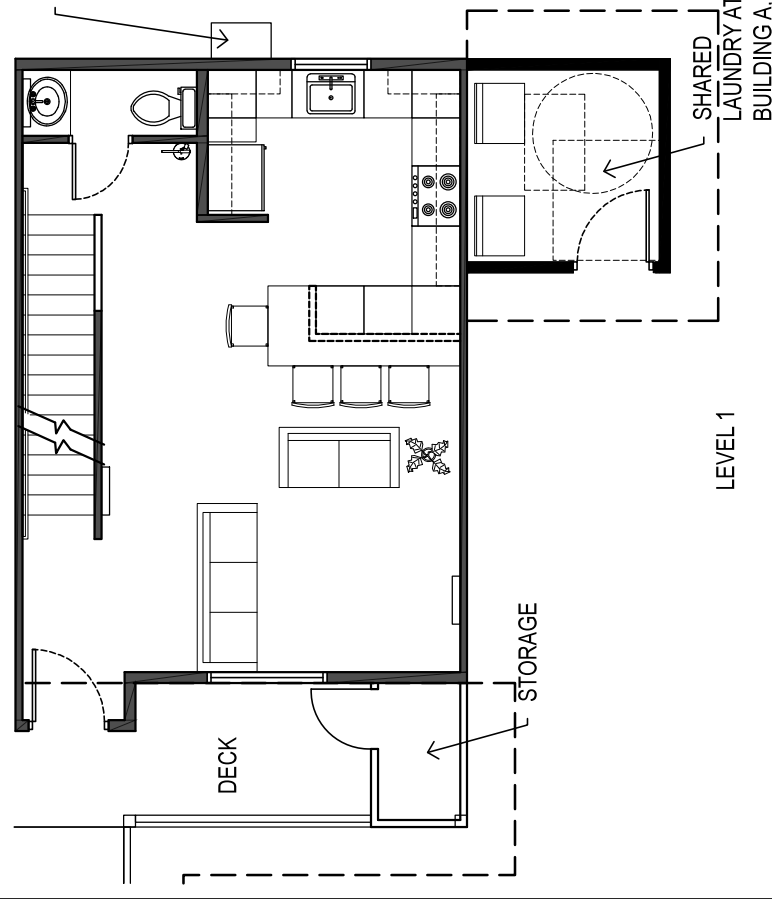
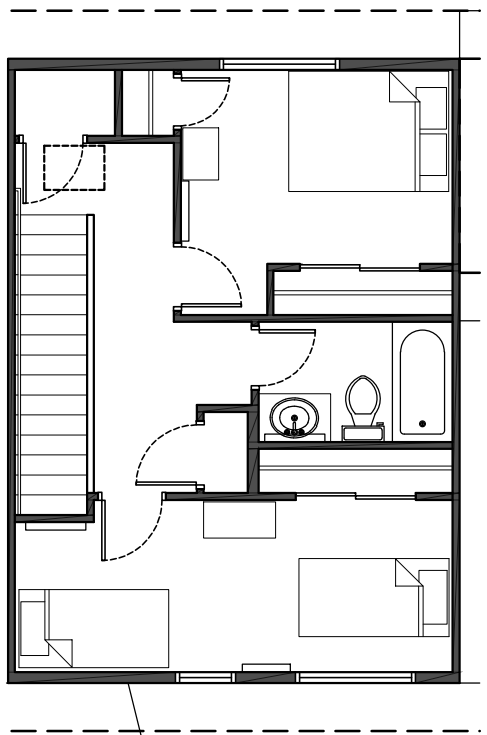
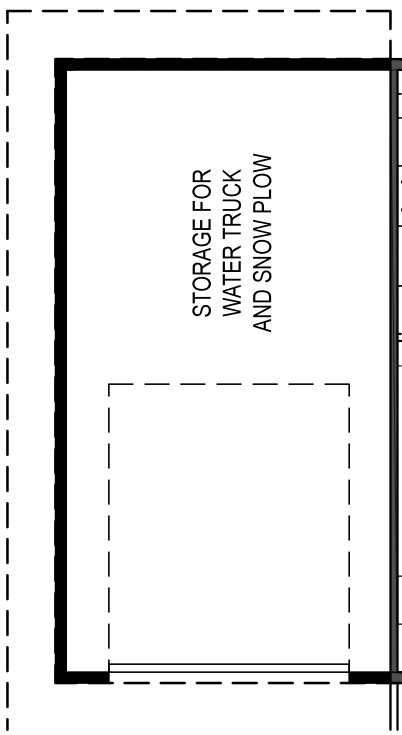
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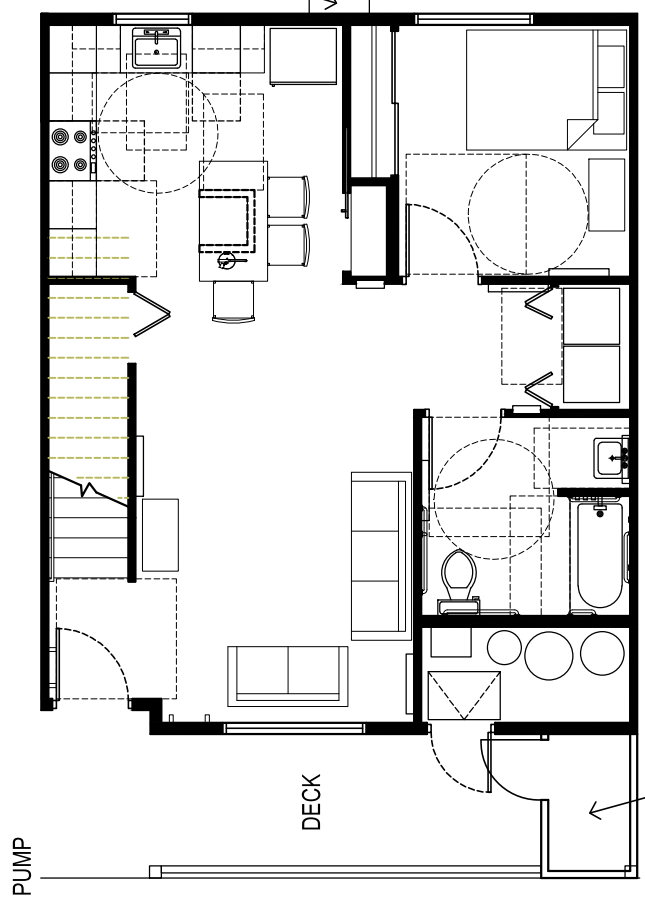
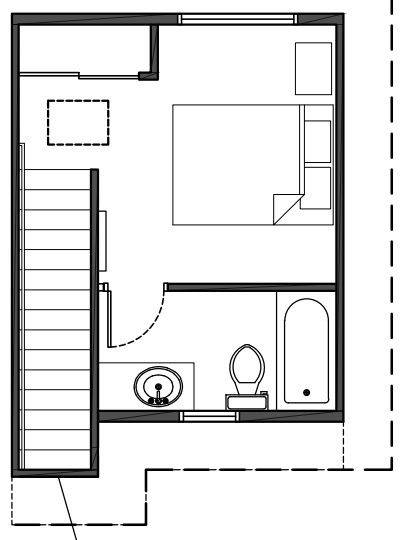
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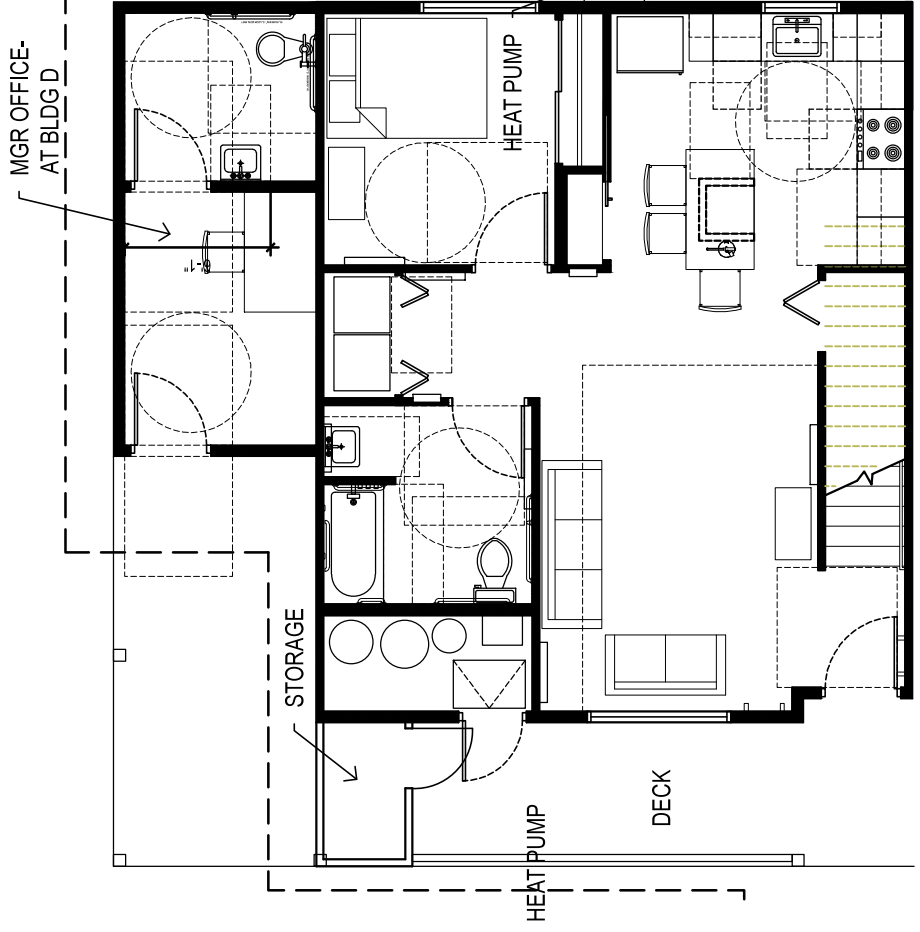
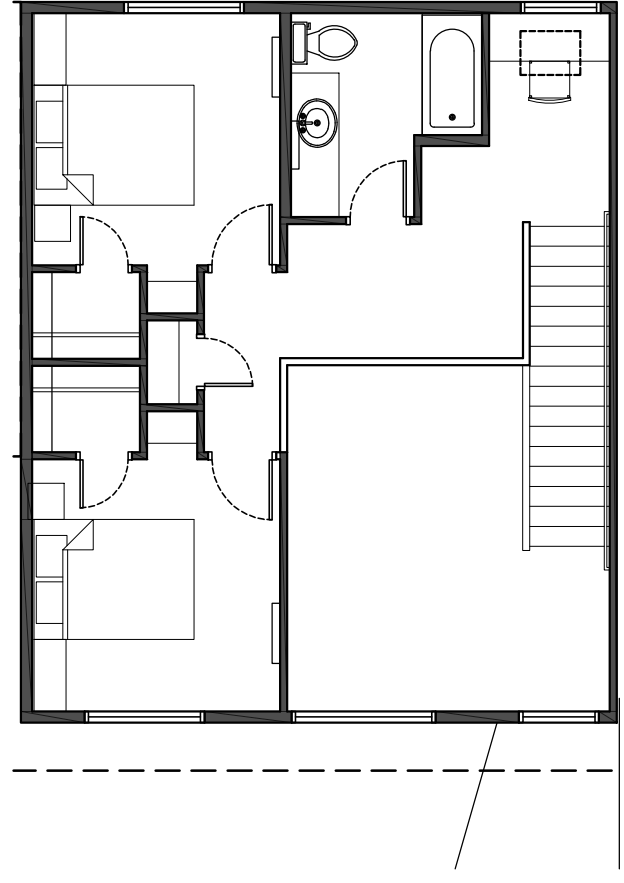
A3



2- BDR (835 nsf)
SCALE: 1/8" = 1'-0" (on 17x11)



2-BDR ACCESSIBLE (813 nsf)
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3-BDR ACCESSIBLE (1,116 nsf)
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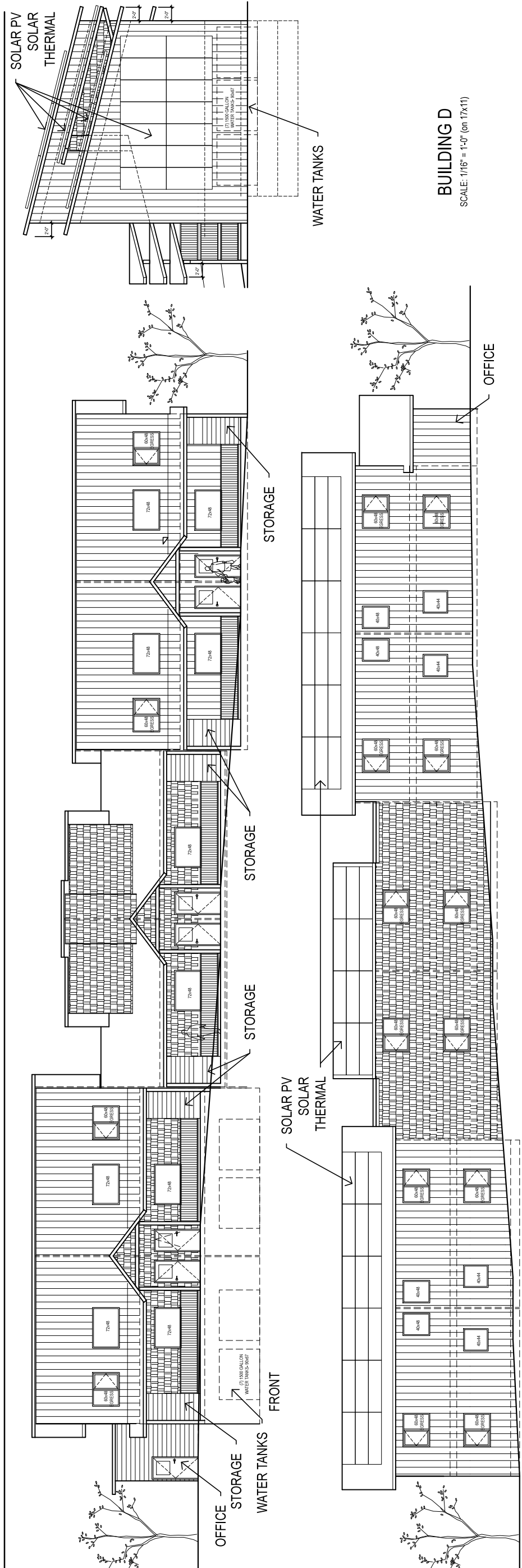
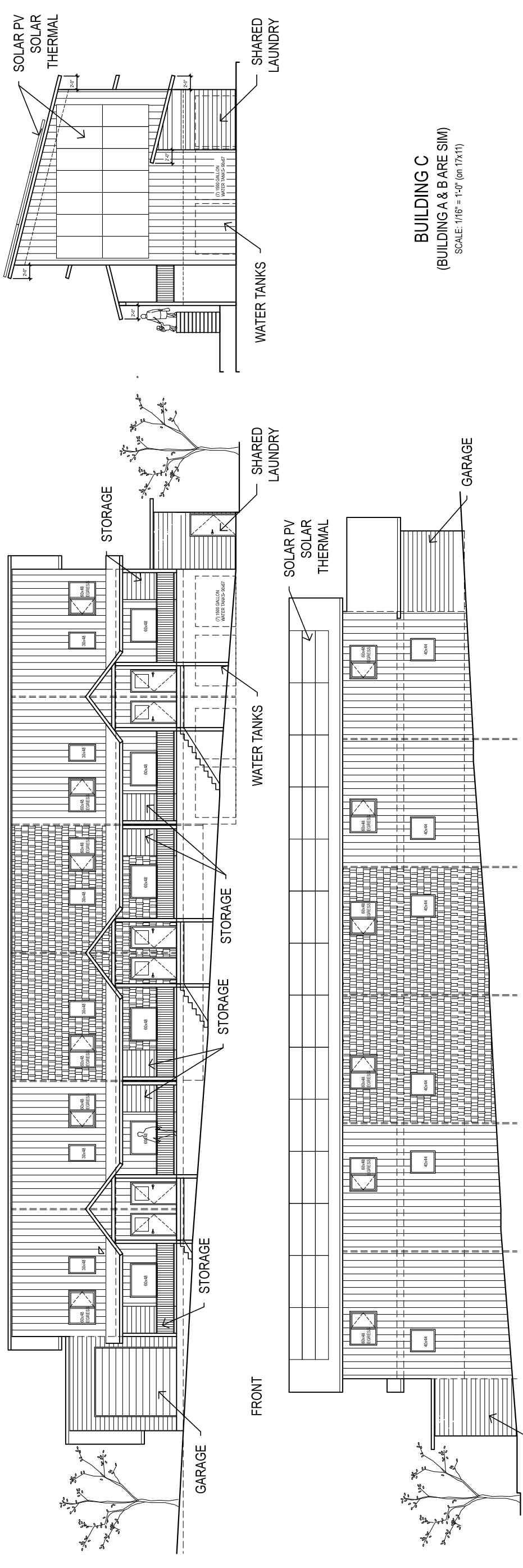
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KACHEMAK CITY, AK

Date: 11-14-18
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Sheet No.

A4



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

2. City Council Regular Meeting February 11, 2019 Public Hearing and Second Reading

Letter to Mayor and Councilmembers from Set Free Alaska, Inc.
Set Free Alaska, Inc. Policy and Procedure

Ordinance 19-07(S-2), 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 **Mobilizing for Action Through Planning and Partnerships (MAPP) for the Opioid Task Force Coordination; Homer Foundation for City Of Homer Grants Related to Addiction Prevention, Treatment, Harm Reduction, and Recovery; and** Set Free Alaska For The Purpose Of Establishing an **a Residential** Addiction Treatment Center in Homer. ~~Smith/Erickson~~ **Aderhold/Venuti.**

3. City Council Regular Meeting February 25, 2019 Public Hearing and Second Reading

Ordinance 19-07(S-3), 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 **and \$7,827.95 from the General Fund** to **Homer Foundation for City of Homer Grants Related to Addiction Prevention, Treatment, Harm Reduction, and Recovery; and** Set Free Alaska for the Purpose of **to aid the Construction of a Residential and Out-Patient** Addiction Treatment Center in Homer. **Aderhold/Venuti/Smith/Erickson**

1 CITY OF HOMER
2 HOMER, ALASKA

Erickson/Smith

3
4 ORDINANCE 19-07(S)

5
6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
7 AMENDING THE FY 2019 CAPITAL BUDGET BY REAPPROPRIATING
8 FY2019 COMMUNITY ASSISTANCE IN THE AMOUNT OF
9 \$177,172.05 FROM THE POLICE STATION FUND TO SET FREE
10 ALASKA FOR THE PURPOSE OF ESTABLISHING AN ADDICTION
11 TREATMENT CENTER IN HOMER.

12
13 WHEREAS, Homer is experiencing an opioid epidemic with rates of opioid related
14 crime and death skyrocketing; and

15
16 WHEREAS, The community of Homer has come together to form the Opioid Task Force
17 with representation from across the community to combat the epidemic; and

18
19 WHEREAS, The City of Homer realizes the solution to this epidemic will require the
20 partnership and effort of the entire community; and

21
22 WHEREAS, The City of Homer passed Resolution 16-008 supporting the establishment
23 of a syringe exchange program in Homer City Limits; and

24
25 WHEREAS, Homer City Council is supportive of the efforts of the **Southern Kenai**
26 **Peninsula** Opioid Task Force and has a standing quarterly report from **the Task Force** on
27 their meeting agenda; and

28
29 WHEREAS, The closest residential addiction treatment for Homer area residents is the
30 central peninsula; and

31
32 WHEREAS, Set Free Alaska is an Alaskan non-profit that has successfully run an
33 addiction treatment center in the MatSu Valley since 2009; and

34
35 WHEREAS, Set Free Alaska's program completion rate ranges from 20-35% higher than
36 the statewide average for addiction treatment; and

37
38 WHEREAS, Set Free Alaska's goal is to establish a comprehensive array of subsistence
39 abuse services including inpatient, outpatient and prevention in Homer; and

40
41 WHEREAS, Set Free Alaska is applying for a \$1.5 million grant with the State of Alaska
42 to establish a residential addiction treatment facility within the Homer city limits; and
43

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

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

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

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

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

61
62 WHEREAS, It is appropriate and in the City's interest to ~~appropriate funds from FY~~
63 ~~2020 State Revenue Sharing to move this project forward~~ spend Community Assistance funds
64 on this community wide project; and

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

68
69 **WHEREAS, The 2019 budget appropriated the 2017 surplus of \$250,000 to the**
70 **police station project; and**

71
72 **WHEREAS, Reappropriating FY2019 Community Assistance from the Police**
73 **Station to Set Free Alaska leaves \$7,615,000 in available funds after bonding to**
74 **construct the Police Station which exceeds the \$7.5 million budget Council established**
75 **for the project; and**

76
77 WHEREAS, A financial contribution from the City to pay part of the cost of Set Free
78 Alaska's startup costs for an addiction treatment facility in Homer is in the best interest of the
79 City and its residents, and will serve a public purpose of the City.

80
81 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

82
83 Section 1. The City of Homer hereby amends the FY 2019 Capital Budget by
84 appropriating \$177,172.05 from the Police Station Fund to Set Free Alaska for the startup
85 costs associated with an addiction treatment facility in Homer.

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Revenue:

Account

Description

Amount

Police Station Fund

\$177,172.05

Expenditure:

Account

Description

Amount

Set Free Alaska

\$177,172.05

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

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

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

CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

First Reading:

Public Reading:

Second Reading:

Effective Date:

128 Reviewed and approved as to form:
129
130
131 _____
132 Katie Koester, City Manager
133
134 Date: _____

Holly Wells, City Attorney
Date: _____

1 CITY OF HOMER
2 HOMER, ALASKA

3 Erickson/Smith
4 Aderhold/Venuti

5 ORDINANCE 19-07(S-2)

6
7 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
8 AMENDING THE FY 2019 CAPITAL BUDGET BY REAPPROPRIATING
9 FY2019 COMMUNITY ASSISTANCE IN THE AMOUNT OF
10 \$177,172.05 FROM THE POLICE STATION FUND TO **MOBILIZING**
11 **FOR ACTION THROUGH PLANNING AND PARTNERSHIPS**
12 **(MAPP) FOR THE OPIOID TASK FORCE COORDINATION;**
13 **HOMER FOUNDATION FOR CITY OF HOMER GRANTS RELATED**
14 **TO ADDICTION PREVENTION, TREATMENT, HARM**
15 **REDUCTION, AND RECOVERY; AND** SET FREE ALASKA FOR THE
16 PURPOSE OF ESTABLISHING AN **A RESIDENTIAL** ADDICTION
17 TREATMENT CENTER IN HOMER.

18
19 WHEREAS, Homer is experiencing an opioid epidemic ~~with rates of opioid related~~
20 ~~crime and death skyrocketing~~; and

21
22 WHEREAS, The **Homer and surrounding** communities ~~ies~~ of Homer has **have** come
23 together to form the **Southern Kenai Peninsula** Opioid Task Force with representation from
24 across the community to combat the epidemic; and

25
26 WHEREAS, The City of Homer realizes the solution to this epidemic will require the
27 partnership and effort of the entire community; and

28
29 WHEREAS, The City of Homer passed Resolution 16-008 supporting the establishment
30 of a syringe exchange program in Homer City Limits; and

31
32 WHEREAS, Homer City Council is supportive of the efforts of the **Southern Kenai**
33 **Peninsula** Opioid Task Force and has a standing quarterly report from **the Task Force** on
34 their meeting agenda; and

35
36 **WHEREAS, Financially supporting Mobilizing for Action through Planning and**
37 **Partnerships (MAPP) with \$40,000 for Task Force coordination would ensure the**
38 **continuation of the Task Force's important efforts in the community; and**

39
40 **WHEREAS, Contributing \$10,000 to the Homer Foundation's City of Homer grant**
41 **fund specifically for Homer-based organizations conducting programs and events**
42 **related to addiction prevention, treatment, harm reduction, and recovery would benefit**
43 **all of Homer and the surrounding area; and**

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

46
47 WHEREAS, Set Free Alaska is an Alaskan non-profit that has successfully run an
48 addiction treatment center in the MatSu Valley since 2009; and

49
50 WHEREAS, Set Free Alaska's program completion rate ranges from 20-35% higher than
51 the statewide average for addiction treatment; and

52
53 WHEREAS, Set Free Alaska's goal is to establish a comprehensive array of subsistence
54 abuse services including inpatient, outpatient and prevention in Homer; and

55
56 WHEREAS, Set Free Alaska is applying for a \$1.5 million grant with the State of Alaska
57 to establish a residential addiction treatment facility within the Homer city limits; and

58
59 WHEREAS, Set Free Alaska has letters of support for the treatment facility from
60 multiple diverse community organizations; and

61
62 WHEREAS, Set Free Alaska has received in kind donations from local organizations
63 and has a local fundraising committee dedicated to generating additional local cash
64 donations for a Homer treatment center; and

65
66 WHEREAS, By contributing \$1277,172.05 the City of Homer will help close the gap
67 between the state grant and the amount the local community can fundraise and allow Set
68 Free Alaska to establish a treatment facility in Homer; and

69
70 WHEREAS, The Homer City Council adopted Ordinance 15-16 removing State Revenue
71 Sharing from the City of Homer Operating budget with the intention of using those funds on
72 one-time purchases; and

73
74 WHEREAS, The most recent amount received in Community Assistance for State fiscal
75 year 2019 was \$177,172.05; and

76
77 WHEREAS, It is appropriate and in the City's interest to appropriate funds from FY
78 ~~2020 State Revenue Sharing to move this project forward~~ spend Community Assistance funds
79 **on opioid and other addiction related projects and programs in the Homer community**
80 ~~this community wide project~~; and

81
82 ~~WHEREAS, It is the intent of the Homer City Council to reimburse the General Fund for~~
83 ~~this expenditure with the anticipated State FY 2020 Community Assistance~~; and

84

85 **WHEREAS, The 2019 budget appropriated the 2017 surplus of \$250,000 to the**
86 **police station project; and**

87
88 **WHEREAS, Reappropriating FY2019 Community Assistance from the Police**
89 **Station to MAPP, the Homer Foundation’s City of Homer grant fund, and Set Free Alaska**
90 **leaves \$7,615,000 in available funds after bonding to construct the Police Station which**
91 **exceeds the \$7.5 million budget Council established for the project; and**

92
93 WHEREAS, A financial contribution from the City ~~to pay part of the cost of Set Free~~
94 ~~Alaska’s startup costs for an addiction treatment facility in Homer~~ **for the following**
95 **purposes:**

- 96
- 97 • **To pay for a portion of MAPP’s coordination expenses related to the Southern**
- 98 **Kenai Peninsula Opioid Task Force;**
- 99 • **To provide grant funds for Homer-based organizations to conduct programs**
- 100 **and events related to addiction prevention, treatment, harm-reduction, and**
- 101 **recovery through the Homer Foundation’s City of Homer grant fund; and**
- 102 • **To pay part of the cost of Set Free Alaska’s startup costs for a residential**
- 103 **addiction treatment facility in Homer**
- 104

105 is in the best interest of the City and its residents, and will serve a public purpose of
106 the City.

107
108 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

109
110 Section 1. The City of Homer hereby amends the FY 2019 Capital Budget by
111 appropriating \$177,172.05 from the Police Station Fund to Set Free Alaska for the startup
112 costs associated with an addiction treatment facility in Homer.

113
114 Revenue:

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

117
118 Expenditure:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
	<u>MAPP</u>	<u>\$40,000.00</u>
	<u>Homer Foundation</u>	<u>\$10,000.00</u>
	<u>Set Free Alaska</u>	<u>\$127,172.05</u>

123
124 **Section 2. Funding to MAPP is for coordination expenses related to the Southern**
125 **Kenai Peninsula Opioid Task Force. Use of the funds will be presented to the Homer City**
126 **Council during quarterly reports.**

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Section 3. Funding to the Homer Foundation will be added to the City Homer’s grant fund for the purpose of grants to organizations based in Homer to conduct programs and events related to addiction, treatment, harm-reduction, and recovery. The Homer Foundation shall have the discretion to establish specific criteria and eligibility requirements. Information on the grants awarded will be included during the Homer Foundation regular report to the City on the City of Homer grant fund.

Section 4. Funding to Set Free Alaska is contingent on them receiving a grant from the State of Alaska for a residential addiction treatment facility in Homer. Funds to Set Free Alaska are designated for the construction of a residential addiction treatment facility in Homer.

Section 5. All funding authorized in this ordinance is one time only.

Section 3.6. This is a budget amendment ordinance, is temporary in nature, and shall not be codified.

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

CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

First Reading:

Public Reading:

Second Reading:

Effective Date:

169 Reviewed and approved as to form:
170
171
172 _____
173 Katie Koester, City Manager
174
175 Date: _____

Holly Wells, City Attorney

Date: _____

1 CITY OF HOMER
2 HOMER, ALASKA

3 Erickson/Smith
4 Aderhold/Venuti
5 Smith/Erickson
6

7 **ORDINANCE 19-07(S-3)**
8

9 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
10 AMENDING THE FY 2019 CAPITAL BUDGET BY REAPPROPRIATING
11 FY2019 COMMUNITY ASSISTANCE IN THE AMOUNT OF
12 \$177,172.05 FROM THE POLICE STATION FUND **AND \$7,827.95**
13 **FROM THE GENERAL FUND TO HOMER FOUNDATION FOR CITY**
14 **OF HOMER GRANTS RELATED TO ADDICTION PREVENTION,**
15 **TREATMENT, HARM REDUCTION, AND RECOVERY; AND** SET
16 FREE ALASKA FOR THE PURPOSE TO **AID THE CONSTRUCTION**
17 **OF AN A RESIDENTIAL AND OUT-PATIENT** ADDICTION
18 TREATMENT CENTER IN HOMER.
19

20 WHEREAS, Homer is experiencing an opioid epidemic with rates of opioid related crime
21 and death skyrocketing; and
22

23 WHEREAS, The **Homer and surrounding** communities of Homer has **have** come
24 together to form the **Southern Kenai Peninsula** Opioid Task Force with representation from
25 across the community to combat the epidemic; and
26

27 WHEREAS, The City of Homer realizes the solution to this epidemic will require the
28 partnership and effort of the entire community; and
29

30 WHEREAS, The City of Homer passed Resolution 16-008 supporting the establishment
31 of a syringe exchange program in Homer City Limits; and
32

33 WHEREAS, Homer City Council is supportive of the efforts of the **Southern Kenai**
34 **Peninsula** Opioid Task Force and has a standing quarterly report from **the Task Force** on their
35 meeting agenda; and
36

37 **WHEREAS, Contributing \$10,000 to the Homer Foundation's City of Homer grant**
38 **fund specifically for Homer-based organizations conducting programs and events related**
39 **to addiction prevention, treatment, harm reduction, and recovery would benefit all of**
40 **Homer and the surrounding area; and**
41

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

44
45 WHEREAS, Set Free Alaska is an Alaskan non-profit that has successfully run an
46 addiction treatment center in the MatSu Valley since 2009; and

47
48 ~~WHEREAS, Set Free Alaska's program completion rate ranges from 20-35% higher than~~
49 ~~the statewide average for addiction treatment; and~~

50
51 WHEREAS, Set Free Alaska's goal is to establish a comprehensive array of subsistence
52 abuse services including inpatient, outpatient and prevention in Homer; and

53
54 WHEREAS, Set Free Alaska is applying for a \$1.5 million grant with the State of Alaska to
55 establish a residential addiction treatment facility within the Homer city limits; and

56
57 WHEREAS, Set Free Alaska has letters of support for the treatment facility from multiple
58 diverse community organizations; and

59
60 WHEREAS, Set Free Alaska has received in kind donations from local organizations and
61 has a local fundraising committee dedicated to generating additional local cash donations for
62 a Homer treatment center; and

63
64 WHEREAS, By contributing ~~\$177,172.05~~ **\$175,000.00** the City of Homer will help close
65 the gap between the state grant and the amount the local community can fundraise and allow
66 Set Free Alaska to establish a treatment facility in Homer; and

67
68 WHEREAS, The Homer City Council adopted Ordinance 15-16 removing State Revenue
69 Sharing from the City of Homer Operating budget with the intention of using those funds on
70 one-time purchases; and

71
72 WHEREAS, The most recent amount received in Community Assistance for State fiscal
73 year 2019 was \$177,172.05; and

74
75 WHEREAS, It is appropriate and in the City's interest to ~~appropriate funds from FY 2020~~
76 ~~State Revenue Sharing to move this project forward~~ spend Community Assistance funds on
77 **opioid and other addiction related projects and programs in the Homer community** ~~this~~
78 ~~community wide project; and~~

79
80 ~~WHEREAS, It is the intent of the Homer City Council to reimburse the General Fund for~~
81 ~~this expenditure with the anticipated State FY 2020 Community Assistance; and~~

82
83 **WHEREAS, The 2019 budget appropriated the 2017 surplus of \$250,000 to the**
84 **police station project; and**

85

86 **WHEREAS, Reappropriating FY2019 Community Assistance from the Police Station**
87 **to MAPP, the Homer Foundation’s City of Homer grant fund, and Set Free Alaska leaves**
88 **\$7,615,000 in available funds after bonding to construct the Police Station which exceeds**
89 **the \$7.5 million budget Council established for the project; and**

90
91 WHEREAS, A financial contribution from the City to pay part of the cost of Set Free
92 Alaska’s startup costs for an addiction treatment facility in Homer **for the following purposes:**

- 93
- 94 • **To provide grant funds for Homer-based organizations to conduct programs**
95 **and events related to addiction prevention, treatment, harm-reduction, and**
96 **recovery through the Homer Foundation’s City of Homer grant fund; and**
- 97 • **To pay part of Set Free Alaska’s construction costs for a residential and out**
98 **patient addiction treatment facility in Homer**
- 99

100 is in the best interest of the City and its residents, and will serve a public purpose of the
101 City; and

102
103 **WHEREAS, The City Manager is authorized to develop a Memorandum of**
104 **Understanding between the City of Homer and the Homer Foundation to disperse the**
105 **funds.**

106
107 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

108
109 Section 1. The City of Homer hereby amends the FY 2019 Capital Budget by appropriating
110 \$177,172.05 from the Police Station Fund to Set Free Alaska for the startup costs associated
111 with an addiction treatment facility in Homer.

112
113 Revenue:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
	Police Station Fund	\$177,172.05
	General Fund	\$7,827.95

114
115
116
117
118 Expenditure:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
	Homer Foundation	\$10,000.00
	Set Free Alaska	\$175,000.00

119
120
121
122
123 Section 2. Funding is contingent on Set Free Alaska receiving a grant from the State of
124 Alaska for an addiction treatment facility in Homer.

125
126 **Section 2. Funding to the Homer Foundation will be added to the City Homer’s**
127 **grant fund for the purpose of grants to organizations based in Homer to conduct**

128 **programs and events related to addiction, treatment, harm-reduction, and recovery. The**
129 **Homer Foundation shall have the discretion to establish specific criteria and eligibility**
130 **requirements. Information on the grants awarded will be included during the Homer**
131 **Foundation regular report to the City on the City of Homer grant fund.**

132
133 **Section 3. Funding to Set Free Alaska is contingent on their receipt a grant from**
134 **the State of Alaska for a residential addiction treatment facility in Homer. Funds to Set**
135 **Free Alaska are designated for aid to construct a residential and out patient addiction**
136 **treatment facility in Homer.**

137
138 **Section 4. All funding authorized in this ordinance is one time only.**

139
140 Section 3 5. This is a budget amendment ordinance, is temporary in nature, and shall
141 not be codified.

142
143 ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER, ALASKA, this _____ day of
144 _____ 2019.

145
146 CITY OF HOMER

147
148 _____
149 KEN CASTNER, MAYOR

150
151 ATTEST:

152
153
154 _____
155 MELISSA JACOBSEN, MMC, CITY CLERK

156
157 YES:

158 NO:

159 ABSTAIN:

160 ABSENT:

161
162 First Reading:

163 Public Reading:

164 Second Reading:

165 Effective Date:

166
167 Reviewed and approved as to form:

168

169

170 _____
171 Katie Koester, City Manager
172
173 Date: _____

Holly Wells, City Attorney

Date: _____



February 12, 2019

Mr. Mayor and Councilmembers,

I am writing this letter in response to questions that arose during the City Council meeting February 11th, 2019. Thanks to the KBBI App I was able to listen in from Juneau while meeting with various legislators and statewide leaders. I appreciate your support of Set Free, our project to provide residential treatment in Homer, and your desire to do what is best for your constituents. It was clear to me that the entire council (based on the initial and substitute ordinances) are in favor of our project moving forward. Below are my responses to the questions forwarded to me by Councilmember Smith as well as responses from other comments at the meeting.

1. Has a location been determined? Set Free Alaska has identified a potential site on Pioneer Street. With remodel, this site will perfectly suit the needs of this program. In addition, the owners of the facility have generously committed funding in the form of rent and purchase reduction as a contribution towards the project. Until the funds are secured, there is no lease in place and therefore the site is not yet secured.
2. Has Set Free considered zoning codes and permits? Yes, the agency has met with the City Planner and received an application for the appropriate permit. The organization has researched and ensured that its usage meets the city code requirements for the pending location.
3. What services will the facility include? A 16-bed residential program for men and a co-ed outpatient program. The project with the state is for residential only as well as this ordinance with the city. However, eventually the organization would like to provide outpatient services as well.
4. If the project starts and does not finish will the city recoup investment? Set Free Alaska will not move forward with the project until 100% of the project funding is secured. If the project falls short of the necessary funds, then it will either be delayed or cancelled. There is no risk of the project being partially completed. If Set Free receives funding from the City of Homer and does not secure additional funding necessary, then the City could reconsider allocating the funding as they see fit.
5. What is the budget, and how will Set Free spend the City of Homer money? The project launch totals approximately \$2.7 million dollars. This budget includes operating costs to get the program off the ground such as personnel, utilities, and other ongoing expenses for the first 1.25 years. The operating costs of the project during this period are covered by the state grant. Additionally, the budget includes capital startup costs to the program such as facility renovations and purchasing of necessary items such as furniture, bedding, supplies, appliances, etc. The Homer City funding will be applied 100% towards capital startup costs for facility remodel and startup purchases.
6. How will Set Free treat trans-gender clients? Set Free Alaska treats all clients with dignity, love, and respect.

7. What will happen if the City of Homer funding is reduced? Any reduction at this point will require Set Free to raise the money elsewhere. Funding reduction could either delay, or potentially cease the project from moving forward. If Set Free is unable to raise additional funds reduced from this ordinance, we will have to deny the state grant award (as we would be unable to comply with the grant requirements) and the residential program will not move forward.
8. Why is this project happening so quickly? John Wooden once said, “when opportunity knocks it is too late to get prepared.” This is very true of state grants. The Request for Proposal for this project was released and as usual there was a very short window of time in which to apply. Typically, the state gives you 30-45 days to put a complete proposal together and submit. Set Free Alaska was already pursuing the potential of providing service in Homer, so we were ready. We had discussions with many partners in the community and everyone seemed to want a residential program so this appeared to be an opportunity to make it happen. Due to state grant timelines we needed to act fast. In addition, the community needs assessment supported the discussions we had about the need for services. Since this has been a huge need for so long and no one to this point has been able or willing to address it we did not foresee such opposition to the rapid timeline as we thought it would be a welcome idea that we could reach this goal so quickly.
9. What is the timeline of the project? We should hear back from the state around the beginning of March (depending on how quickly they move and whether they are on schedule). The project timeline is set to begin April with remodel and facility preparation. We will seek to hire and train over the summer with a goal of launching the program late summer/early fall.
10. What is the sustainability and economic impact of this project? With one-time start up funding this project will be completely sustainable after year one. Set Free has a history of successful program launches from outpatient, intensive outpatient, children’s, residential, and peer support. We are known in our community and statewide for our ability to successfully develop, implement, launch, and sustain programs which is why the state is so willing to partner with us. This program will hire 15 full time employees. These employees will work, play, and live in Homer. In addition, there will be construction, lease payments, procurement, and other economic benefits to the City of Homer far outweighing and outlasting the cost of this funding ordinance.
11. Will Set Free Alaska’s program be ADA accessible? All facilities which house Set Free programs are modified to be ADA accessible. Any facility in Homer will be renovated to meet ADA standards. This is a good example of one of the capital start up remodel expenses in which the Homer ordinance will be directed. Set Free Alaska’s programs provide reasonable accommodations for individuals with disabilities to ensure they can access necessary help.
12. Will Set Free provide a full copy of the state grant application? No, this is a competitive grant process. The application includes proprietary information along with personnel salary data. We are doing our best and going above and beyond to answer questions and provide information within reason; however, this is not a reasonable request.
13. Does Set Free Alaska provide or approve of MAT treatment? Set Free does not provide MAT treatment as we are not a medical provider. We are supportive of MAT treatment in the context of SAMHSA recommendations and when appropriate for each individual client needs. Our plan will be to partner with other medically trained and certified organizations to provide this service through collaborative partnerships.



-
14. Can you share success data and length of stay information? Set Free Alaska's FY19 residential completion percentages were 47% vs. 31% statewide average. FY19 YTD completion percentages for Set Free are 50% vs. 35% statewide average. This data is pulled from the State of Alaska's AK AIMS system. These numbers include all clients admitted into the residential program including individuals who admit and leave within the first week. Success numbers of individuals who make it through the first week and engage in more of the therapeutic services are far greater. Our program length of stay is a minimum of five months; however, length of stay is based on individual client needs and medical necessity. In 2018, 88% of clients (in all programs) evidenced a reduction in substance use, 84% evidenced an improvement in overall mental health, and 94% said that they were treated with respect and satisfied with the services they received. This data is also pulled from the State data management system AK AIMS.
 15. Does Set Free provide Diversion Therapy? No, Set Free Alaska does not provide Diversion Therapy. This is a medical type model (such as Shick Shadle). We provide evidence-based modalities including but not limited to Cognitive Behavioral Therapy, EMDR, and MRT.
 16. Does Set Free have a client discharge exit strategy? Yes, clients leave the program with a robust discharge plan including relapse prevention. Client who are in the program from other communities will work with the case manager and receive transportation assistance to assist them in returning to their community of origin whether or not they successfully complete.
 17. Can Set Free fill the 16-bed capacity? Yes, the state issued this funding proposal based on data from the lack of residential treatment programs statewide including long wait lists. Set Free Alaska's program located in Mat-Su has been at full capacity with a wait list since its inception.
 18. Will there be a local preference for admissions? Set Free Alaska must abide by statewide standards for admissions and waitlist priority populations. So long as it aligns with those standards, Set Free Alaska will give preference to individuals from the local community. In addition, case managers locally will work with individuals to ensure that they are receiving assistance with their admissions process.

Again, I thank you for your time and consideration. We simply want to do what we can to help Homer reach its long-time goal of having a residential substance abuse treatment program. The last three community needs assessments conducted by MAPP have identified substance abuse as the number one issue Homer is facing. This is not the only answer; however, it is a big step in the right direction. We appreciate your support and look forward to working together with you for years to come.

Sincerely,

A handwritten signature in black ink, appearing to read "Philip Licht".

Philip Licht
Executive Director
Set Free Alaska

From: [Mary Griswold](#)
To: [Melissa Jacobsen](#)
Subject: Fw: Ord 19-07(S) Set Free funding
Date: Monday, February 11, 2019 8:31:16 PM

(please include in the next council packet)

From: [Mary Griswold](#)
Sent: Monday, February 11, 2019 8:28 PM
To: carolinevenuti@ci.homer.ak.us ; donnaaderhold@ci.homer.ak.us ; heathsmith@ci.homer.ak.us ; mayor@ci.homer.ak.us ; rachellord@ci.homer.ak.us ; shellyerickson@ci.homer.ak.us ; tomstroozas@ci.homer.ak.us ; kkoester@ci.homer.ak.us
Subject: Ord 19-07(S) Set Free funding

Thank you for postponing Ord 19-07 funding Set Free. In addition to my other concerns, I now raise an important question of process with the proposed re-appropriation of the \$177,000 dedicated to the police station. Keeping the cost of the new police station at a minimum was consistently a very high priority. This \$177,000 was dedicated by the council to reduce the bonding cost to the taxpayer. It was a big selling point by the city to promote the bond. During the 2019 budget process, the council voted to appropriate \$250,000 from the general fund fund balance to the police station to further protect the taxpayer burden, again cited as a very high priority. It is not fair or reasonable to pull the rug from under one project to fund the next shiny opportunity. That becomes a bait and switch.

From: [Tess Dally](#)
To: [Melissa Jacobsen](#)
Subject: City councilmembers
Date: Wednesday, February 13, 2019 10:01:53 AM

Dear Council members, As a member of the Homer City ADA compliance committee I would like to bring to your attention a population in our community that faith based treatment facilities are exempt from providing accessible services. People with physical disabilities experience addiction at 2 to 4 times the rate of the general population.

Thank you, Tess Dally

Title III of the ADA: Public Accommodations

What does Title III of the ADA cover?

Title III covers private businesses that *own, lease, lease to, or operate* any of twelve types of “places of public accommodation.” Examples include hotels, restaurants, theaters, shopping centers, banks, museums, zoos, day care centers, private schools, and health spas. Title III also covers private businesses that offer classes or tests related to applications, licensing, certification, or credentialing for secondary or post-secondary education, professional, or trade purposes. Examples include the GED, SAT, GRE, LSAT, and MCAT tests, as well as classes designed to prepare students to take these examinations.

Title III addresses disability-based discrimination, including ensuring access to goods and services, making reasonable policy modifications, and communicating effectively with individuals who have vision, hearing, or speech disabilities.

Are religious entities covered by Title III of the ADA?

No, religious entities are completely exempt from Title III of the ADA. All of their facilities, programs, and activities, whether they are religious or secular in nature, are exempt.

Are religious entities' programs covered by Title III if they are open to the general public?

No. For example, if a religious entity controls a school that is open to both members and non-members of the religious entity, the school is still considered a religious entity and is exempt from Title III. Likewise, if a religious entity holds an event, such as a festival or performance, which is open to the general public, it is exempt.

--

Tess Dally



February 5, 2019

Mr. Mayor and Councilmembers,

Set Free Alaska seeks to provide substance abuse counseling services to the residents of Homer alongside other community providers. As we have been invited in and supported in this effort, it is our desire to partner with the city, community members, and other organizations to the best of our ability. This letter and attached policy serve to communicate our intention to provide this treatment service as a Christian program, however, in a non-discriminatory and respectful manner.

As a provider of service since 2010, our organization has been certified by Alaska's Department of Health & Social Services. We have received funding directly and indirectly from the State of Alaska, the federal government, various foundations, individual donors, and more. Our commitment with such funding is to assist individuals in finding freedom from addiction. Clients choose our program knowing that although we are Christian in our worldview and philosophy, we will respect their freedom of choice regarding personal faith.

As our policy clearly indicates, Set Free Alaska does not require clients to be Christian upon entry into the program. Nor does the program require any conversion while in the program, or upon graduation. Clients in our outpatient and residential programs are free to pursue spirituality in a way that is personal and meaningful to them. Clients are also respected in their choice to pursue no form of spirituality if they choose. Many clients specifically choose Set Free Alaska as it is their desire to incorporate spirituality into their recovery process. In addition, many clients choose Set Free knowing our Christian approach does not align with their personal belief system but regardless they will receive good quality care.

We are so grateful for the kindness and welcome we have received from the residents of Homer. We look forward to serving this need together. Thank you for your partnership as we pursue our goal of Freedom From the Bondage of Addiction!

Sincerely,

A handwritten signature in black ink, appearing to read "Philip Licht".

Philip Licht
Executive Director
Set Free Alaska

Set Free Alaska Policy & Procedure	Policy Number: Pages: Attachments: n/a
Subject: Agency's Christian Approach	

POLICY:

Set Free Alaska is a Christian treatment center that uses a mind-body-spirit approach to recovery. Our multi-generational programs facilitate hope, healing, and resilience resulting in lasting change. The faith-based initiative ensures that individuals have equal access to faith-based programs, while also assuring neither staff nor clients experience discrimination.

In accordance with state and federal laws, Set Free Alaska will provide services to clients as a Christian organization. The agency's founders and current leadership believe that this is the best way to accomplish its vision and mission. We do not require our employees, contractor or clients to believe any, some, or all of the following, but believe it useful to provide the foundation from which Set Free offers services.

Set Free Alaska Bylaws Article III Sections 1-4:

- Section 1.** We believe that the Bible is the inspired Word of God equally in all parts and without error in its original manuscripts, absolutely infallible, and our source of supreme revelation from God, superior to conscience and reason, though not contrary to reason; and it is therefore our infallible rule of faith and practice. (II Timothy 3:16; 1 Peter 1:23-25; Hebrews 4:12)
- Section 2.** We believe in the pre-existence, incarnation, and virgin birth of Jesus Christ who came into this world to reveal the Father, and was the brightness of His glory and the express image of His person; that Jesus Christ was the creator of all things, for by Him the worlds were made. We further believe that in Jesus Christ dwelt all the fullness of the Godhead bodily and that He was very God and very Man. (John 1:1,2 &14; 1 Timothy 3:16; Acts 7:37,38.)
- Section 3.** We believe in Jesus Christ's sinless life, miracles, substitutionary death, bodily resurrection, and His ascension into Heaven, and acknowledge His Lordship—that Jesus Christ is Lord over all things in heaven and in earth, and under the earth. (Philippians 2:9,10)
- Section 4.** We believe that Jesus desires to set people free from the bondage of addiction. (Luke 4:18; Acts 10:38)

PROCEDURE:

1. Set Free Alaska does not discriminate in its hiring. Staff will be respected in their own spiritual journey and belief system regardless whether it aligns with the organization's.
2. Set Free Alaska does not discriminate in its services to clients. Clients will be respected in their own spiritual journey and belief system regardless of whether it aligns with Set Free.
3. Staff are permitted to pray with, incorporate scripture, and use Biblical Christian principles in the context of treatment:
 - a. Set Free serves clients of many faiths and those without a faith background. When clients come to Set Free they are aware, or made aware at the outset, of its foundation as a Christian program. Staff will be mindful to meet each client where they are and be respectful of their unique belief system, regardless what it is.

- b. Clients who do not wish to incorporate Christian principles into their recovery process will either be reasonably accommodated within the Set Free Alaska program, or referred to a more appropriate program, depending on each unique situation.
 - c. Staff will not be required to pray and/or promote Biblical Christian beliefs if they do not align with their own, or if they are not comfortable doing so. Reasonable accommodations will be made upon request based on sincerely held religious beliefs, practices – or lack thereof – if an accommodation will not impose an undue hardship on the conduct of the business.
4. As a Christian organization and in accordance with agency bylaws (Article III Section 1) the Bible is the only religious material provided to clients.
- a. A Bible is offered as a gift to clients at admissions. Some clients accept, some decline, and Set Free’s clients are free to do either.
 - b. Staff will not be required to give a Bible to clients, if doing so makes them feel uncomfortable, or if doing so does not align with their own belief system.
 - c. Staff are not permitted to promote and/or give religious materials other than the Bible.
 - d. Treatment curriculum that is religious in nature must align with a biblical worldview and be approved by the Executive Leadership Team (Ex. Boundaries Series).
5. Clients may desire to pursue spirituality and/or religion outside of Christianity and/or the Bible.
- a. In such a case, staff will assist the client in an appropriate clinical way as they walk their personal journey.
 - b. Clients living within Set Free Alaska facilities will be allowed to have religious materials other than the Bible.

From: [Tess Dally](#)
To: [Melissa Jacobsen](#); [Rachel Tussey](#)
Subject: City Council Members, Set Free Homer LGBTQ
Date: Monday, February 11, 2019 12:45:09 PM

My concern is discrimination toward providing services to the LGBTQ community under a faith based umbrella. In Anchorage there was a case where a women's shelter denied access to a transgendered woman. An estimated 20-30 percent of the LGBTQ community experiences addiction compared to the estimated 9 percent of the general population. As a city will we give money to an organization that will use religious liberty to deny access to individuals based on their LGBTQ status?

Tess Dally

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Tess Dally

From: [Mary Griswold](#)
To: [Melissa Jacobsen](#)
Subject: Fw: Ord 19-07(S) Set Free funding
Date: Monday, February 11, 2019 8:31:16 PM

(please include in the next council packet)

From: [Mary Griswold](#)
Sent: Monday, February 11, 2019 8:28 PM
To: carolinevenuti@ci.homer.ak.us ; donnaaderhold@ci.homer.ak.us ; heathsmith@ci.homer.ak.us ; mayor@ci.homer.ak.us ; rachellord@ci.homer.ak.us ; shellyerickson@ci.homer.ak.us ; tomstroozas@ci.homer.ak.us ; kkoester@ci.homer.ak.us
Subject: Ord 19-07(S) Set Free funding

Thank you for postponing Ord 19-07 funding Set Free. In addition to my other concerns, I now raise an important question of process with the proposed re-appropriation of the \$177,000 dedicated to the police station. Keeping the cost of the new police station at a minimum was consistently a very high priority. This \$177,000 was dedicated by the council to reduce the bonding cost to the taxpayer. It was a big selling point by the city to promote the bond. During the 2019 budget process, the council voted to appropriate \$250,000 from the general fund fund balance to the police station to further protect the taxpayer burden, again cited as a very high priority. It is not fair or reasonable to pull the rug from under one project to fund the next shiny opportunity. That becomes a bait and switch.

From: [sarah spencer](#)
To: [Department Clerk](#)
Subject: Tonights public hearing comments
Date: Monday, February 11, 2019 9:52:20 AM

I cannot attend the meeting tonight, but I would be interested in submitting some comments by email.

I understand that there is a proposal under discussion to provide funding to "set-free Alaska" to assist them in the development of a Men's residential substance use disorder (SUD) treatment facility.

As the only local addiction medicine specialist, I fully support the development of a residential treatment facility in Homer. I also support the use of city finds to help support this effort. I would like to clarify, though, that the letter of support written by myself for Set-free was written to support their State Grant application, not this city proposal, and I would like to document to be labeled in that way so that it is clarified.

It has come to my attention that another alternative funding proposal has been submitted to split some of the proposed funds and give some to local agencies (such as the Homer foundation and Maapp). I think that supporting local efforts is also very important, given that they have been instrumental in providing critical services around addiction for the past 2 years in Homer and are struggling with little to no funding at this time. The Opioid task force has been instrumental in providing education and uniting the service organizations to streamline care for patients. The Exchange has been highly successful in distributing Narcan kits that have reversed over 12 overdoses in our community and helped 6 clients get into SUD treatment, and likely prevented multiple cases of Hepatitis C transmission. The bearded sisters foundation has been supporting recovery by starting the fit-to-recover program. These organizations have been able to make dramatic headway in filling gaps in SUD care in our community, and can continue to provide substantial services with only small amounts of money required.

I'm not sure what the right answer is to choosing the best proposal at this time, but if other homer addiction and recovery efforts are not included at this time, I would strongly encourage the city to consider offering support to these organizations in the near future.

Thank you for your attention to this matter.

Dr. Sarah Spencer
Addiction Medicine Specialist (ABAM)
Volunteer Medical Director of Homer Exchange

From: [Mary Griswold](#)
To: [Department Clerk](#)
Subject: Fw: Ord 19-07 Set Free Alaska funding
Date: Monday, February 04, 2019 7:00:23 PM

(Please include in the upcoming council packet)

From: [Mary Griswold](#)
Sent: Monday, February 04, 2019 6:56 PM
To: carolinevenuti@ci.homer.ak.us ; donnaaderhold@ci.homer.ak.us ; heathsmith@ci.homer.ak.us ; mayor@ci.homer.ak.us ; rachellord@ci.homer.ak.us ; shellyerickson@ci.homer.ak.us ; tomstroozas@ci.homer.ak.us
Subject: Ord 19-07 Set Free Alaska funding

I have concerns about contributing city funds to a faith-based organization. Set Free Alaska uses a mind-body-spiritual approach to recovery, according to its website. "This unique approach fuses healthy spiritual principals with proven clinical and therapeutic techniques." At the last council meeting, their spokesperson said they will accept clients of all persuasions. However, will clients be required to participate in spiritual rehab? I do not object to Set Free Alaska operating in Homer, but I do not favor using city funds to support religious proselytizing no matter how lofty or needed the goal.

From: [Hannah Heimbuch](#)
To: [Hannah Heimbuch](#)
Subject: Ordinance 19-07(S)
Date: Monday, February 11, 2019 10:32:22 AM

Dear Council Members and Mayor Castner —

I am writing to provide comment on Ordinance 19-07(S), which re-appropriates funds to Set Free Alaska for an addiction treatment facility. I am unable to attend most of the Council meeting tomorrow, so will direct my comments to you here.

I am a City of Homer resident, and participate occasionally on the Opioid Task Force as a community member and as co-founder of a non profit focused on recovery and sober living issues.

First off, I am profoundly supportive of the steps the city is taking in funding addiction treatment and recovery services. This is a tremendous community need, impacting all families in one way or another. Thank you for the attention being given to this issue, I commend you for making this a priority.

I am very supportive of Set Free Alaska coming to Homer. They appear to have the passion, skills and capacity to provide excellent care and services here, and I look forward to seeing those services expand. This is a landmark moment for our community and I celebrate this important development. I will admit that I have misgivings about faith-based programs and institutions, however, I appreciate and have confidence in the distinct polices laid out by Set Free that establish openness and acceptance around the diverse spiritual convictions of individuals, and prioritize quality care over a particular faith-based agenda. **I believe this distinction is critical to their ability to serve the entire community without prejudice, critical to gaining the trust of those in need, and critical to determining the appropriateness of directing any city funds to this program.**

I understand from the Ordinance language that the city is considering providing a portion of the funds needed to close the gap between Set Free's pending State of Alaska grant and their final budget needs, and that the remainder will be generated through their additional fundraising. I am overall supportive of this decision and look forward to seeing the Council pass this or a version of this Ordinance in the near future. I also look forward to supporting through community advocacy the remaining fundraising needed to bring this project to fruition. Before the *city* appropriates funds to this project, however, I think there are a few things that should be included in the public record in order to truly incorporate this important project into the fabric of a collaborative approach to addiction established by the Opioid Task Force.

The proposed funding amount (\$177,172.05) is, as stated in the Ordinance, the most recent amount received in Community Assistance for State fiscal year 2019. During their presentation to the City Council on January 28, Set Free Alaska requested that the entirety of that specific amount be directed to their Homer-based project. This is a smart and timely request on their part. However, I think it is prudent and important for the City Council to request, for public record and review, a copy of the budget into which these funds will be incorporated, and a copy of the grant proposal(s) they are intended to complement. I believe this is good practice for appropriating public funds to any outside entity, and reflective of the

gravity and complexity of the issue the funds are intended to address. Moreover, it would give city residents and applicable health organizations greater opportunity to review and comment on this ordinance with what I think is a necessary level of detail, not currently included in Council documents. As you know, the letters included in this week's city packet are in support of Set Free coming to Homer, and in support of Set Free's State of Alaska grant proposal, but not directly applicable to this Ordinance. **Even Set Free's letter does not name a specific dollar amount or a reasoning for that dollar amount.** I believe due diligence requires that additional information, if only to establish the intent and use of these important and particular funds, and generate much deserved support for this exciting new project.

As a comparison, the City directed \$179,250 to Alaska Mindful Paws in 2016 to operate the animal shelter over a 2 year time period. In order to obtain this contract, AMP submitted an operating plan and simple budget for review by the Homer Police Department, which reported to the Council on the substance and quality of this plan, the specific reasoning for the submitted budget, the quality of the proposed staffing, and its ability to meet the distinct needs of the service. The city was contracting for an outside organization to run a city service, so this is a somewhat different scenario. But I think it is a good example of a private organization submitting robust information to the city, requesting a distinct funding amount through a detailed proposal, and receiving said funds. I support Set Free Alaska's project in Homer, and I support city funding going to it. But there needs to be a budget and project proposal for public review. This is too big a step to not incorporate those elements, and it would be difficult for me to believe that a very temporary delay in appropriating these funds would compromise the project's success.

This minimal additional time and information would also give the Opioid Task Force an opportunity to discuss this project specifically. They have not had an opportunity as yet to do so. Though there has certainly been discussion and broad support from the Task Force for Set Free coming to Homer, and they have given input on the type of services needed, they have not as a group discussed and given input on a particular project proposal or the components of it that seek local municipal funding. The Ordinance recognizes that the City receives quarterly reports from the Opioid Task Force, which is a highly diverse community coalition dedicated to addressing addiction issues on the Southern Kenai Peninsula. Given the complexity of the issue and the system of collaborative problem solving established by the Task Force and supported by the City, I think it makes sense for them and other members of the public to review at least a basic project description and budget. If the organization is already seeking additional grant funds for this project, both of those things should be readily available, and could be provided in short order.

As a community member, outspoken advocate for recovery and addiction services, and a participating member of the Opioid Task Force, I want this project to go forward with the maximum amount of community confidence. I believe having a full understanding of how these substantial public funds will be incorporated into Set Free Alaska's overall project vision and budget will do a great deal to generate that confidence. As an independent entity bringing a private operation to Homer, they do not owe anyone that explanation. As an entity potentially receiving \$177,172.05 in public funds, they absolutely do.

My comments here should not indicate a lack of support for Set Free. I am immensely supportive of what they are doing. But what I have learned from my time engaging with the Task Force is that it takes a high degree of collaboration and communication to develop a comprehensive approach to treating this incredibly dynamic community health issue. It cannot

be addressed by any one approach or any one organization. Because of this complexity I do not believe we should direct city funds to a specific project without having a robust understanding of how those funds will be utilized, and feedback from those in the community that have been active and collaborating on addiction services.

In summary — please request a project budget and a copy of partnering grant proposals to accompany this funding request, allowing time for the public to review and provide comment. In my opinion, this would reflect smart public process surrounding a vitally important issue and community project.

Thank you,
Hannah Heimbuch
907.299.4018

From: [Lynn Spence](#)
To: [Department Clerk](#)
Subject: Rehab Center
Date: Monday, February 11, 2019 11:35:19 AM

Dear Council,

I have not been paying attention to the research that has gone into getting a rehab facility in Homer but after listening at the last council meeting I walked away feeling a bit uncomfortable. My discomfort has more to do with process than what agency will provide services. It felt a bit like a salesman offering candy to children. I just want to know that you have approached this like any other expenditure the city makes. I hope you have some kind of written agreement on how the money will be used and what the program really is. Will local people have some kind of preference or is it a statewide program? Do you know how people are prioritized for the program or do they just take the next person who asks for help?

There are a lot of things the city could spend money on so it seems important to know exactly what we are spending our community money on. It is easy to understand spending it on the police station to reduce the debt load on a city building. It is harder to understand giving it to a private entity even if they provide a service we want.

I am just sharing my thoughts.

Lynn Spence
331 Mountain View Drive
Homer, AK

From: [Stephanie Stillwell](#)
To: [Heath Smith](#); [Tom Stroozas](#); [Donna Aderhold](#); [Shelly Erickson](#); [Caroline Venuti](#); [Rachel Lord](#); [Mayor Email](#)
Subject: Ordinance 19-07(S)
Date: Monday, February 11, 2019 9:12:28 AM

Good Morning Council Members and Mayor Castner,

First of all, I would like to say thank you for bringing forward the ordinance for the appropriation of funds for Set Free Alaska. As I mentioned in my presentation during the last city council meeting, any opportunity to talk about addiction and recovery is great.

I also want to express that as a community member, I support any opportunity for the community to work together to fill a need that has been identified, and as you all are aware, that includes access to a residential treatment facility. Set Free Alaska has a great reputation for providing substance use treatment services and I believe this would be a great asset for individuals that need higher levels of treatment services in our community.

With that being said, I also need to be sure that I advocate for the local organizations that have been working hard in our community to enhance existing programs, create new grassroots programs and are and have been actively engaged in the task force. I would also like to highlight that the majority of the successes that our community has achieved in the past 2 years has done so without any additional funding to support these efforts, including the efforts and coordination of the opioid task force.

Our community has really been proactive in creatively filling the needs and creating programs, offering training and educational opportunity by relying on sponsors and donations from individuals. As my presentation highlighted, our community has really rallied together to make these things happen with very limited resources.

Regardless of whether funding comes from this ordinance, a different city proposal, a private community member or a completely different source, I feel that it is my duty to share that funding is needed and to share the impact that any intentional funding for addiction prevention, treatment, recovery and harm reduction efforts in our community could really mean for Homer, and how even just a small amount of money can really stretch and create a positive impact for many people.

What could intentional funding related to addiction prevention, treatment & recovery efforts provide to our community:

- Opportunity to kick start programs for grassroots efforts and offer support to existing local groups that have already been working hard to fill gaps in services needed.
 - For example, funding to sponsor local folks to have peer support training for further engagement of this evidence based practice, raising emergency funds for

programs like The Exchange, having accessible funds for events, outreach, printing, materials and other needs related to educating the community.

- Multiple local grassroots organizations and programs have been created in response to the need for creatively approaching this extremely complex issue, including recovery and peer support programs, reentry and addiction, harm reduction and youth prevention. Local funding for these groups to access would create immediate opportunity for engagement with the folks that need these services while working to create solutions for long term sustainability.
- Funding to support opioid task force coordination would create more hours available for community engagement, increased opportunity for communication and collaboration between agencies, the city, and other community efforts. MAPP has been supporting the efforts of the opioid task force however there has been no additional funding to support this effort, and is not currently sustainable to support this role for much longer into the future with the capacity that it has been operating.
- In general, having local funding available specifically to address issues related to addiction prevention, treatment, harm reduction and recovery would serve as the opportunity to create more immediate solutions to address any community needs as they arise.

What I really appreciate about this ordinance is that it brought the issue of funding to light, because having intentional conversations about how the city can financially help with this effort is now on my radar. I feel that as the coordinator of the task force, I did not connect the idea that the city would even potentially have funding that could be used to address issues related to addiction. I have been discussing the need for funding with folks for awhile, including Philip with Set Free. When he informed me that the city was in support of Set Free and wanted to contribute to funding this, I was of course happy to hear that there was such support for Set Free although I also felt that there was a missed opportunity to support our local efforts. Set Free is great and certainly filling a gap, I just want to be sure that this is not overshadowing all the great work our community has been doing. If the task force were engaged in the conversations about how city funding could have been appropriated to this issue, folks around the table would have likely been engaged in how best this could be used. And again, I want to be sure that I am not projecting any opposition to Set Free being a part of our community and do not want to jeopardize their project.

Again, I thank you all for the work you are doing and willingness to engage in these efforts and to be part of the solution.

Stephanie Stillwell
907-756-3780

ORDINANCE(S)

CITY MANAGER'S REPORT

PENDING BUSINESS

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

NEW BUSINESS

RESOLUTIONS

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

