



City of Homer

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Memorandum Supplemental Packet

TO: MAYOR CASTNER AND HOMER CITY COUNCIL
FROM: RENEE KRAUSE, MMC, DEPUTY CITY CLERK
DATE: MAY 23, 2022
SUBJECT: SUPPLEMENTAL PACKET AND LAYDOWNS

WORKSESSION

Sidewalks

- HART PowerPoint Presentation **pg 3**
- Memorandum 22-093 from City Planner re: Sidewalks and Trails **pg 13**
- HART Policy Manual 2019 **pg 16**

COMMITTEE OF THE WHOLE

City Lobbyist Report

- Budget Overview **pg 21**
- Capital Items **pg 27**

REGULAR MEETING

REPORTS

g. Planning Commission

Planning Commission written report for Regular Meeting May 18, 2022 **pg 33**

PUBLIC HEARINGS

Ordinances 22-26 through 22-28 Appropriating HART Funds for Roads and Trails Projects

- Excerpt of Planning Commission May 4, 2022 Regular Meeting Minutes **pg 35**
- Excerpt of Economic Development Advisory Commission May 10, 2022 Regular Meeting Minutes **pg 37**
- Memorandum from Recreation Manager re: Deploying HART Road/Trails Funds to Accelerate Non-Motorized Transportation and Road Repair **pg 38**

H.A.R.T.

ROADS & TRAILS

Sidewalks and Trails

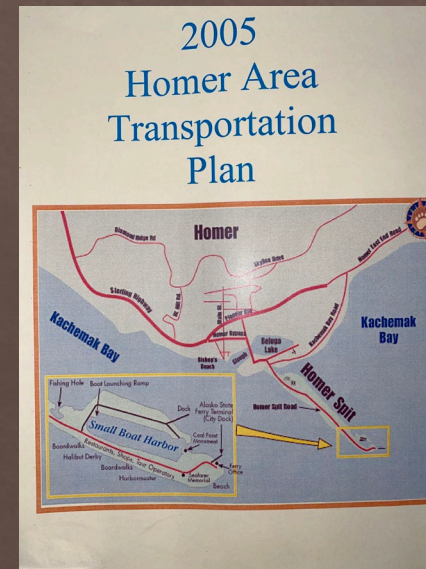
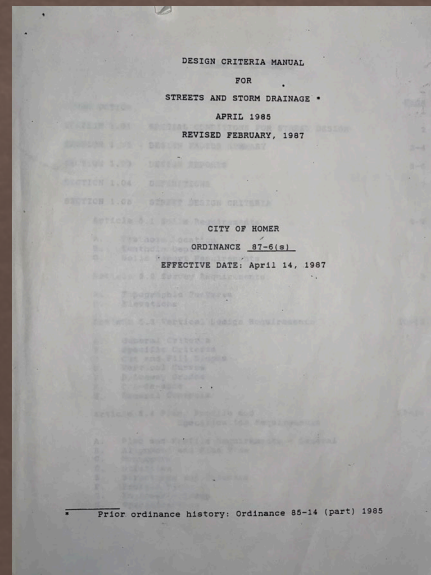
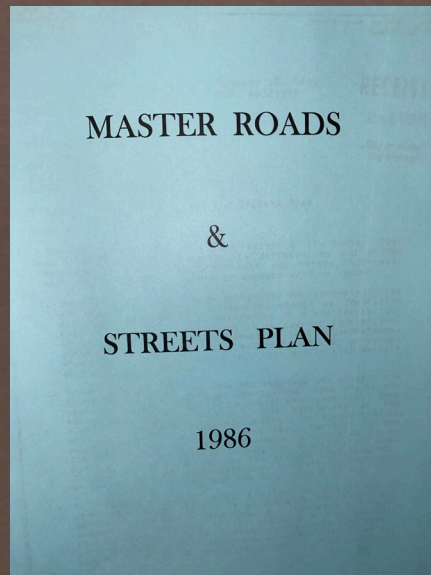
- ◆ How did we get there?
 - ◆ Elements of the Homer Comprehensive Plan designate routes
 - ◆ City code has adopted manuals that prescribe design



Where do we go now?
Plan + Fund + Build

History of Plans

- ◇ Design Criteria Manual for Streets and Storm Drainage, 1987
 - ◇ A technical document not part of Homer Comprehensive Plan (HCP)
- ◇ Master Roads and Streets Plan, 1986 - element of the HCP
- ◇ 2005 Homer Area Transportation Plan – element of the HCP
- ◇ Non-Motorized Transportation and Trail Plan, 2004 – element of the HCP



Comprehensive Plan Revision



1985-87 – Big years for rules; not much has changed

- ◆ Road Standards
- ◆ Construction within City Rights of way (Title 11)
- ◆ Subdivisions (Title 22)
- ◆ Design Criteria Manual
- ◆ Standard Construction Specs
- ◆ Master Streets and Roads Plan
- ◆ **Voters approve sales tax for Roads, HARP created**



Homer Accelerated Roads and Trails Policy Manual

**2004: Non-motorized Transportation and Trails
Plan adoption**

2006: Voters approved

- ◆ 20 year extension of the dedicated sales tax
- ◆ The use of funds for trails and new roads

2009: Adopted Trail Manual

**Various Title 21, 22 and 11 code changes adopted,
based on the plan**

- ◆ The HART FUND Policies are set by Council
and adopted via the policy manual



In the absence of requested projects...

- ◇ Road money accumulated
- ◇ Trails construction occurred less frequently than it could have – lack of capacity.
- ◇ **OPPORTUNITY FUND**

Fiscal Pressures: Changes to tax collection (sales tax on food, reallocation for operations)

- ◇ City has funds
- ◇ Needs to use them wisely because they will not re-accumulate as fast
- ◇ Sidewalks + Infrastructure is expensive. Soundview sidewalk was ~ \$225 foot

HART in Action - Projects

- ◆ Trails

- ◆ Poop Deck Trail

- ◆ Sidewalks

- ◆ Main Street Sidewalk, Ben Walters Way Sidewalk

- ◆ Roads

- ◆ Frost boil dig-outs – Eagle View Drive, Eagle Place & Sprucewood Drive, east

- ◆ Drainage

- ◆ Woodard Creek Culvert Replacement

- ◆ Storm Drain Leads in multiple streets



HART in Action - Operations

- ◆ Gravel Roads \$275,468
- ◆ Paved Roads \$250,876
- ◆ Winter Roads \$379,948
- ◆ Heavy Equipment



What's Next?

◆ Maintain existing programs:	
◆ Small Works Drainage Repair Program	\$ 50,000
◆ Small Works Road Repair Program	\$ 230,614
◆ Small Works Trails Program	\$ 56,803
◆ IDIQ Contract	\$ 230,614
◆ Create new programs:	
◆ Non-Motorized Transportation Opportunity Program	\$ 850,000
◆ Pavement Restoration Program	<u>\$ 500,000</u>
Total Investment	\$1,918,031

Summary

- ◇ Update Transportation plan + all the plan pieces into one modern document
- ◇ HART sidewalks + trails. Use community interest to guide policies
 - ◇ Requires active city + community partnership
- ◇ Implement Funding ordinances



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Memorandum 22-093

TO: Mayor Castner and the Homer City Council
FROM: Rick Abboud, AICP, City Planner
DATE: May 18, 2022
SUBJECT: Trails & Sidewalks in Code and Plans

Introduction

Today's presentation is meant to provide Council with information on code, plans, programs, and current efforts under way to enhance sidewalks and other forms of non-motorized transportation. First, I will discuss the function of various documents and codes that provide the regulatory environment for the creation of non-motorized facilities. Next, Julie Engebretsen, our Economic Development Manager will review our past efforts to fund and develop non-motorized facilities. Finally, Jan Kaiser, our Public Works Director will discuss our current and proposed efforts to fund and construct public improvements.

I have been putting together some information on the regulatory environment related to non-motorized facilities for the Planning Commission. Below are codes citing the plans that deal with non-motorized transportation including elements of the Homer Comprehensive Plan. Newly proposed streets are subject to the criteria in the various documents.

HCC 22.10 Subdivision Improvements

- Intent of code is to supplement the Kenai Peninsula Borough subdivision ordinance
- Requires rights-of way to be built to standards of *Design Criterial Manual*, HCC 22.10.050
- Requires utility easements and other easements such as, sidewalks, bike paths, and other non-motorized transportation facilities as identified in the *Non-Motorized Transportation and Trail Plan*. Other non-required easements (such as trails and path not identified on the plan) may be accepted by the City Council, HCC 22.10.051.

Title 11 Streets, Sidewalks and Driveway Construction

- This Chapter deals with construction
- Adopts classification system of the *Master Roads and Street Plan* map and building standards associated with the classification, HCC 11.04.050.
- Requires streets to be built to minimum requirements of the plan, "however, that the City may, upon direction of the City Council, elect to require construction to the full standards and pay to the developer the cost difference between the required street and the proposed street." (HCC 11.04.050(c))
- "The City Council shall be empowered to designate additional routes as arterials and collectors beyond those adopted on the Master Plan map." (HCC 11.04.050(d))

- Adopts by reference the “Design Criteria Manual for Streets and Storm Drainage,” dated April 1985 and revised February 1987 (HCC 11.04.058).
- Technical specs and references for construction and reconstruction including:
 - HCC 11.04.120 Sidewalks and non-motorized transportation corridors.*
 - a. New streets to be accepted by the City and identified as public access corridors in the adopted Homer Non-Motorized Transportation and Trail Plan shall have easements for sidewalks, bicycle paths or other non-motorized transportation facilities to ensure convenient mobility and convenient access to parks, recreation areas, trails, playgrounds, schools and places of public assembly.*
 - b. New streets to be accepted by the City and not identified as public access corridors in the Non-Motorized Transportation and Trail Plan may, at the developer’s option, have sidewalks, bicycle paths or other non-motorized transportation facilities.*
 - c. Sidewalks, bicycle paths and other non-motorized transportation facilities shall be designed in accordance with the design criteria of the City of Homer Design Criteria Manual.*

Design Criteria Manual for Streets and Storm Drainage, April 1985 Revised February, 1987

- The document is the technical design criteria and includes specifications for construction of Sidewalks (Article 5.11) and Bikeways (Article 5.12). This is basically approved technical specifications including materials and dimensions necessary for a ROW to be accepted by the city.
- Adopted in Title 11 (construction), required by Title 22 (Subdivisions)
- Specifies how to construct, not when to construct.
- Not an element of the Comprehensive Plan.
- Original thoughts on adoption.
 - Reduce road construction costs (whereas)
 - Provide minimum standards for design and construction and minimize public liability (intent)

Trail Manual, 2009

- Technical specifications for trail design
- Article of the Design Criteria Manual
- Supplemental to NMTTP

Master Roads & Streets Plan, 1986

- The document was created by contractors working with an appointed Road Standards Committee. It includes an inventory, classification, status and recommendations of all roads (in 1986). It documented the many issues associated with existing local physical conditions and the built environment. Not surprisingly, we are still addressing many today. It proposed revision to the classification system and corrective actions to take on existing streets (including constructing a sidewalk on Main Street north of Pioneer Avenue!).
- Recommends projects, a functional classification system, as well as policy and implementation recommendations.
- Missing chapter on future streets/project recommendations.

- Obviously this document could use an update, but also a review for lessons learned.

Non-Motorized Transportation and Trail Plan, 2004 (NMTTP)

- This plan was created with a grant and was created with a contractor driven public engagement process.
- With an exclusive focus on non-motorized transportation an inventory of all existing features were documented along with mapped recommendations for future paths including sidewalks, trails and bike paths.
- Included are strategies for forwarding policies including recommended actions and funding opportunities.

2005 Homer Area Transportation Plan

- Completed after an effort to update the transportation plan had stall for some years.
- Based off 1999 traffic data and used 2000 census for population, meant to be a 20 year plan.
- Updates much of the information found in the Master Roads and Streets Plan. Not including a detailed street-by-street structural assessment, but does identify future routes and evaluates the Level of Service (LOS) for existing routes.

So how could we get more non-motorized facilities?

Right now:

- Support our Public Works Director's plan to utilize HART funds for projects currently identified.
- Continue to lobby the state for federal funds, especially for those associated with state roads and other projects that qualify for funding.
- Find champion to future investigate funding opportunities identified in the NMTTP.

For future infrastructure:

- Update plans and codes that prescribe non-motorized transportation requirements for future subdivision, including consideration of cost share options for routes with the greatest community benefits.
- Plan for use of HART funds.
- Consider Special Assessment District (SAD) policy to better encourage participation in local district for and/or to include sidewalks.

Attachments

Hart Policy Manual

Documents from this century can be found on the Planning Page under Comprehensive Plan and Trail Design Criteria Manual

<https://www.cityofhomer-ak.gov/planning/comprehensive-plan>

<https://www.cityofhomer-ak.gov/planning/trail-design-criteria-manual>

H.A.R.T. POLICY MANUAL

(HOMER ACCELERATED ROADS AND TRAILS PROGRAM)

Adopted by Resolution 19-067

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I. PURPOSE

The purpose of the HART program is to pay for reconstructing substandard city roads, upgrading existing roads, and constructing new streets and non-motorized trails. The intent of the program is to reduce maintenance costs, improve access, increase property values and improve the quality of life. State maintained roads are not part of this program. The program is funded by a voter approved dedicated sales tax, and assessments levied on adjacent benefited properties

II. DEFINITIONS

- A. Sidewalk- the term “sidewalk” means a pedestrian facility associated with a road and generally within a street right of way.
- B. Trail – a pedestrian facility detached from a road, or not within a street right of way.
- C. Fund Balance - is the net position, or difference between assets and liabilities, of the fund.
- D. HPC– Homer Planning Commission.
- E. Homer Non-Motorized Transportation and Trail Plan (HNMTTP) – a document that is an adopted part of the City of Homer Comprehensive Plan.
- F. 2005 Homer Area Transportation Plan (Transportation Plan) – a document that is an adopted part of the City of Homer Comprehensive Plan.

III. ROAD QUALIFYING AND PROJECT CRITERIA

To be eligible for HART funds, roads and projects must meet the qualifying criteria below.

- A. Qualifying Criteria for Existing Roads. HART fund may be used on existing roads that meet one or more of the following criteria:

1. Road has been accepted for city maintenance.
 2. Right of way was dedicated prior to March 14, 1987 (Ord.87-6(s)).
 3. Right of way was dedicated prior to being annexed into the City.
- B. Qualifying Criteria for New Roads. HART funds may be used for new roads when one or both of the following criteria are met:
1. The City owns the property wherein the road is to be constructed.
 2. The construction project benefits the entire City.
- C. Project Criteria. The following criteria may be considered for using HART funds:
1. Project is listed in the 2005 Homer Transportation Plan or furthers a stated goal of that plan.
 2. HART funds may be used in accordance with Title 11.04.05, to pay to the developer the cost difference between the required street and the proposed street.
 3. Improves life, safety and traffic flow.
 4. Corrects deficiencies of existing systems.
 5. Completes traffic circulation pattern.
 6. Encourages economic development.
 7. Corrects drainage problems.
 8. Reduces maintenance costs.
 9. Other factors deemed appropriate by the City Council.
- D. Use of HART funding for major repairs. HART funds may be used for major eligible road and drainage repairs that are beyond the scope of routine maintenance. The use of the SAD process and property owner participation is preferred. However there may be situations in which a section of road may be repaired to a reasonable level of service without the expense of a complete rebuild.
- E. Sidewalks. To use HART funds, projects must be mapped as either sidewalks, paved shoulders or separated pathways, or directly serve the special populations discussed in sections 3.1 and 3.2 of the HNMTTP. Effort will be made to find grants or non-city funding sources to match city construction funds, whenever possible.

IV. TRAILS QUALIFYING AND PROJECT SELECTION CRITERIA

To be eligible for funding, trails must be located within trail easements or within the boundaries of municipal lands that will be held in perpetuity for public use. The goal is to avoid building trails across lands that could become privatized and result in the loss of public access. An exception to this is the use of trail funds to construct short term trails within platted rights of way. Trails within rights of way should benefit the community circulation system and be low cost, since trails will likely become part of the road when the right of way is developed.

- A. New local non-motorized trails shall be prioritized according to the following:
 - 1. Project is listed in the HNMTTP or furthers a stated goal of that plan
 - 2. Solves a safety concern
 - 3. Creates connectivity to existing trail(s), completes pattern or provides access to a point of interest
 - 4. Protects an established trail
 - 5. Creates or improves a trailhead
 - 6. Has significant scenic or aesthetic value
 - 7. Existence or potential for contributing funds or volunteer efforts
 - 8. Property owner participation

- B. Trail Project Selection Criteria. The Homer Advisory Planning Commission and Parks Art, Recreation and Culture Advisory Commission will review the trail priority list during the bi-annual review of the HART. The list will be presented in a memorandum from staff, and will contain a mix of large and small projects. Generally it will include up to five trail projects that staff has reviewed and found ready for preliminary work. Trails on this list are planned for construction in the near term (one to three year timeframe). Staff will actively work to prepare those projects for construction.

- C. Volunteer Projects. Citizens may work with the City Administration to use HART funds to construct public trails.

- D. Developer Cost Sharing. When a developer builds a trail as part of a new subdivision, HART funds may be used to reimburse up to 25% of trail construction costs.

V. FINANCING and ASSESSMENTS

This program is funded by a portion of dedicated sales tax of up to three quarters of one percent ($\frac{3}{4}\%$) per HCC 3.05.017, and the collection of assessment payments due from completed projects. The tax will be collected for up to twenty years expiring December 31, 2027, as approved by voters. Roads are allocated 90% of the annual revenue, and trails are allocated 10%. Expenditures under the HART program are subject to the availability of funds.

1. Sidewalks shall be paid for out of road funds, and trails shall be paid for out of trail funds.
2. HART funds may be used to leverage outside funds for New Local Roads and Trails.
3. New local trails may be constructed using 100% program funds.
4. When additional right-of-way is required, acquisition costs will be paid by this program, at no additional cost to abutting property owners.
5. Interest, if any, generated from the program will remain with the program funds.
6. This program includes paving driveway aprons on contracts funded by HART.
7. Abutting property owners will share the cost of upgrading a street by paying the cost sharing specified in the fee schedule as adopted in the year the project or special assessment district (SAD) was initiated.
8. Lots having a frontage on two parallel streets, or flag lots having a frontage on two perpendicular streets, are exempt from a double front footage assessment unless actually accessing the lot from both streets either prior to or after reconstruction and/or paving Deferred Assessment Agreement Required pursuant to HCC 17.15.010.
9. In a Special Assessment District eligible for HART funding, the City is responsible for 75% and the property owner is responsible for 25% of the cost of the improvement.
10. The City will pay all costs for any additional improvements required when deemed necessary by the City.
11. Other improvements requested by the benefited property owners will be paid by those same property owners.
12. City share can apply to related utilities, sidewalks, street lighting, drainage, paving and/or reconstruction of roads identified on the road maintenance map.

VI. UTILITIES

1. Prior to street reconstruction, necessary related non-existing water and sewer improvements shall be encouraged whenever possible.
2. Water and Sewer utility extensions necessary to extend the utilities short distances beyond a construction area will be paid for by the program.
3. Water and sewer utility relocations directly caused by reconstruction will be paid for by HART funds.
4. Water and sewer utility upgrades necessary for future capacity that are done concurrently with reconstruction and/or paving will be paid for by the utility fund.
5. The City shall recover from the property owner the cost of construction of City-provided sewer and water service connections by including the cost of construction of such connections in the service connection fee established under HCC Chapters 14.04 and 14.08. Costs will be recouped from benefiting property owners through pending assessments. The Finance Department will maintain a listing of these pending sewer and/or water service connection fees.
6. Whenever practical streetlights shall be included in the construction of new local

roads and shall be paid by HART funds. Property owners participating in a road reconstruction and/or paving Special Assessment District may request streetlights. If the project is deemed feasible, the property owners shall be assessed for the installation of the streetlights on an equal share per parcel methodology. Property owner approval of the street light assessment shall follow the process in HCC 17.02. Once constructed, the City will absorb the utility billing for the street light(s).

VII. SPECIAL PROVISIONS

1. The Homer Planning Commission shall review the criteria for the H.A.R.T. program annually, with recommendations reported to the Homer City Council.
2. The City Council shall review the HART fund on an annual basis during the third quarter.
3. Pedestrian amenities shall be included in all new road projects unless exempted by the City Council.
4. Funds may be used to finance projects where property owners pay 100% of the costs. Subject to City Council approval.
5. The City Council may exempt lands from assessment if the land will not be developed due to a conservation easement, or if the land is owned by a conservation organization that holds the land for public purpose or for habitat protection.

VIII. HISTORY

Ordinance 85-14 07/01/85, Ordinance 94-16(A), Ordinance 02-08(A), 04/08/03,
Ordinance 02-23(A), 06/10/02, Ordinance 06-42(S), Ordinance 12-15

Resolution 87-61(S), Resolution 88-47, Resolution 88-77(A), Resolution 91-48, Resolution 91-68,
Resolution 94-50, Resolution 95-97, Resolution 96-73, Resolution 03-116, 08/25/03),
Resolution 04-41(A), Resolution 05-50(A), Resolution 05-70, 06/13/05,
Resolution 07-82, Resolution 16-041(S-2)(A), May 9, 2016, Resolution 17-038, April 24, 2017,
Resolution 19-067, September 23, 2019



Budget Overview:

The Biggest Budget:

The operating budget contains all the budgets, operating, capital and supplemental, after the Senate rolled all the budgets into one. The budget totals \$13.4 billion when all funds from all sources are included, with \$8.4 billion coming from state funds. The supplemental part of the budget, which continues to cover the current fiscal year, is \$744 million with \$717 million coming from state funds. The capital portion of the budget totals \$3.7 billion, the largest in decades, with \$1.1 billion coming from state funds. Note that \$70 million in state funding leverages \$900 million in federal infrastructure money. Adjusted for inflation it is the 10th largest budget in history for state spending alone. With funding from all sources (think federal) it is nearly the largest in state history.

Across departments there was funding for negotiated salary increases, retention and new hire bonuses, and moving costs to help with hiring and retaining employees. Many departments included new temporary grant positions to help communities and school districts apply for all the upcoming federal grant funds. There is a fuel subsidy for state agencies once oil reaches various trigger prices, providing additional funds for agencies to operate. The state's unfunded pension debt was funded at \$89 million and \$300 million is deposited into the corpus of the Permanent Fund. Oil and gas tax credits are funded at no more than \$409 million and actual funding will depend on the price of oil. The University of Alaska system saw a 6.7% increase to its base operating budget. In the end, the debate over the State taking 404 wetlands permitting primacy from the federal government was settled with a \$1 million dollar study about the feasibility of the State meeting all the requirements and the costs. Another provision deposits any revenue over \$100 a barrel into the Permanent Fund principal. Other budget highlights, excluding any capital items covered in a separate update, are listed below:

- ▶ \$3,200 per eligible resident for a combined permanent fund dividend (50/50) and energy relief check.
- ▶ Full funding for FY 23 BSA at \$1.17 billion and pupil transportation.
- ▶ A set-aside of \$700 million for education in FY24 if oil prices average \$100 per barrel.
- ▶ \$57 million additional one-time funding for Foundation Formula funded outside the formula for K-12 and an additional \$30 per student through legislation.
- ▶ \$5.7 million for 2-year Pre-Kindergarten grants (FY2023-FY2024).
- ▶ \$262,900 for two temporary grant administrators to assist rural school districts; the funding is for FY23 and FY24 and \$10,000 for equipment/supplies for the grant.
- ▶ Increases for the 10 TVEP programs.
- ▶ Senate adds \$4.3 million for residential schools, a 50 percent increase.
- ▶ Broadband Grants, \$6.7 million.

- ▶ Live Homework Help, \$138,000.
- ▶ OWL, \$447,000.
- ▶ \$400 million to recapitalize the Higher Education Investment fund that provides for scholarships and medical school. Legislation will protect the funds from the reverse sweep moving forward.
- ▶ \$10 million for DOL workforce development and training, about \$324,000 for ATC to be used over 2 years.
- ▶ Full funding for FY23 school bond debt reimbursement program at \$78.9 million; \$24.1 million for FY17; \$47.9 million for FY20; and \$100.1 million for FY20 for total reimbursement in funding for these years FY17-22.
- ▶ \$32.7 million is appropriated from the general fund to the REAA and Small School District school fund for FY 23, \$17.1 million to restore funding for FY 22; \$10,410,000 million to restore funding to the statutory level for the REAA Fund for FY17; \$19,694,500 million to restore funding to the statutory level for the REAA Fund for FY20; and \$36,739,000 million to restore funding to the statutory level for the REAA Fund FY21. This is total reimbursement in funding for the FY 17-22.
- ▶ LIHEAP is funded at a base of \$9.6 million, plus last year's \$23.7 million in federal funds which is available to use through FY 24. There is also \$314,000 through ILJA in the supplemental budget.
- ▶ Community Assistance: Includes proposed \$31.8 million FY22 supplemental capitalization into the community assistance fund and an additional \$7.1 million directly to DCCED to distribute as community assistance payments to eligible recipients under CAP. This would result in approximately \$37 million being available for distribution to eligible recipients in FY23.
- ▶ \$23.9 million is appropriated to communities under the shared fisheries business tax and \$18.1 million based upon collections in calendar year 2022 is appropriated for the first seven port of call communities under the commercial passenger vessel tax collection program (cruise ship head tax sharing program).
- ▶ Increased Community Jails funding by \$3 million.
- ▶ Municipal Harbor Debt reimbursement is fully funded.
- ▶ The VPSO program is funded at \$17 million, a steady increase over prior years.
- ▶ There's a prohibition against the RPL process, which means if the State receives extra federal funds they must come back to the Legislature to appropriate.

More budget information can be found at the following links: <http://www.legfin.akleg.gov/> and <https://omb.alaska.gov/fiscal-year-2022-proposed-budget/>.

Bills:

Throughout this session, bills have moved slowly. In the waning days of session legislators began to look for fast-moving bills near the finish line that they could amend and add their bills into. This made for a messy end of session that was at times hard to track. In the end, the Legislature failed to pass any campaign finance restrictions. This means there are no campaign finance limits and representatives can accept unlimited donations from people in or out of the state. The legislature did ban marriages for children under sixteen (HB 62), and it updated the definition of sexual assault adding consent as a factor, not just violence or the threat of violence (HB 325 and HB 5).

Following some consternation, the Reads Act/Pre-K bill passed when the Senate inserted an updated version of SB 111 into another school funding bill passed earlier by the House, HB 114. The combined

new bill went back to the House for a “concurrence” motion on the House floor, where the senators’ combined bill prevailed by a narrow 21-19 vote. The reading bill will establish a set of focused reading programs for children in grades K-4 with new resources to pay for them, provide technical assistance, and provide professional training. The bill also expands pre-kindergarten programs with state funding, starting with the lowest performing school districts and eventually encompassing the entire state. The program is voluntary for Pre-K. The bill also establishes the reading curricula for prekindergarten through grade 3 based on the five components of evidence-based reading instruction (phonemic awareness, phonics, vocabulary development, reading fluency, oral language skills, and reading comprehension). The bill specifies that these programs will be locally designed and culturally responsive. The reading program is accompanied by interventions for students struggling with reading, as well as a DEED-established statewide reading program to assist and provide support and resources for school districts and teachers in providing reading intervention services.

The bill supports and provides resources to school districts with dual-language, language immersion, and culturally integrated curriculum, including by providing the following:

- ▶ Reader screeners that meet local needs, are culturally responsive, and available in any language taught by the school
- ▶ Teacher professional development and support services in culturally responsive evidence-based reading intervention services
- ▶ Targeted reading intervention support programs for struggling districts that requires reading specialists to have training in indigenous languages and any other culturally responsive training identified by indigenous stakeholders

Additionally, the following new revisions were added in the last days:

- Increase to the Base Student Allocation (BSA) of \$30 per student, equaling \$7.6 million in additional annual resources.
- Ensures pre-K students are included in Average Daily Membership (ADM) calculations for pupil transport. This change makes sure our pre-K students can get to school where district student transportation occurs.
- Expands the duties of the annual stakeholder meeting to include providing recommendations and guidance to the state board of education, DEED, and the legislature on how the “Alaska Reads Act” may integrate with tribal compacting or other programs focused on cultural education. The meeting is also directed to discuss support for reading in Alaska Native languages and other non-English languages.
- Reduces any district reporting burdens by streamlining the reporting process.
- Reduces employment barriers for department reading specialists.
- Based on feedback from Indigenous language stakeholders, the amendment ensures every component is culturally responsive and meets the unique needs of students across the state – urban and rural. For example, reading specialists funded by this legislation would require Indigenous language training, an understanding of the community and culture, and live within the school district. Also, the reading tools used by educators can be in any language.
- Provides two technical changes: (1) clarifies the relationship between districts and Head Start, and (2) provides clarity, sideboards, and “does no harm” in providing a clearer process to implement existing department authority related to school funding.

HB 147 and HB 413 were also added to HB 114. There were two other education bills rolled into HB 114: HB 413 - Facilities Constituting a School; HB 147 - Rural Definition, Teacher Education Loan Program. HB 147 changes the definition of “rural community” for the Teacher Education Loan Program. The new language defines rural as a community with a population of 5,500 or less that is not connected by a road or rail to Anchorage or Fairbanks or a community with a population of 1,500 or less that is connected by road or rail to Anchorage or Fairbanks. HB 413 is a bill that address an issue in Hooper Bay and excludes charter schools from the definition of facilities constituting a school, allowing the district to be eligible for \$1 million in school funding. The original bill, HB 114, expands the authority of the Alaska Commission on Postsecondary Education to better meet Alaskans' student loan needs, and is expected to increase the origination of loans funded by the Alaska Student Loan Corporation. The bill expands the eligible population and increases loan limits.

Other notable bills that passed:

COMMUNITY

SB 243, PCE: Raise PCE eligible ceiling from current 500kwh to 750kwh, providing much needed relief to rural communities.

HB 363, Broadband: HB 363 establishes the Office of Broadband within the Department of Commerce, Community, and Economic Development (DCCED), the Statewide Broadband Advisory Board, and an eight-member Broadband Technical Board. These will all be repealed on June 30, 2030. The Office will work on equitably distributing the billions in federal infrastructure broadband funds coming to the state.

HB 123, Tribal Recognition: Establishes formal state recognition of Tribes.

HB 184, Tribal Compact: The bill amends AS 47.05 by adding a new section to codify the Alaska Tribal Child Welfare Compact into statute. The bill ensures State participation in the Compact in the administration of child welfare services by Tribes and Tribal Organizations. The Alaska Tribal Child Welfare Compact (the Compact) is between certain Alaska Native Tribes and Tribal organizations (referred to as Co-Signers) and the State of Alaska. Currently, the State of Alaska and 18 Co-Signers participate in the Compact. The Compact encourages government-to-government collaboration and cooperation to promote the autonomy of Tribes in Alaska related to the delivery of child welfare services. and aims to improve the outcomes and strengthen child welfare services.

SB 7, State Trooper Policies: This bill requires Department of Public Safety to publish on its website the Department's current policies and procedures related to the conduct of peace officers employed or regulated by the department.

SB 95, Surplus State Property: This bill allows for volunteer search and rescue groups organized to provide services in the state to exercise right of first refusal on obsolete or surplus state property that may assist in carrying out future search and rescue services.

HB 298, Food: The bill establishes the Alaska Food Strategy Task Force in the legislative branch with an executive board of nine members, to include four legislators, who select an additional 21 members. The task force will focus on improving food security for the long-term benefit of Alaska's

communities, economy, and environment. It also creates a loan program for meat processing facilities and farm development.

SB 45, E-Cigs: Bill implements higher taxes on e-cigarettes and sets the age limit to purchase at 21, aligning with federal law.

EDUCATION

SB 20, Out of State Teacher Reciprocity: Requires DEED to issue a teacher certificate to individuals who hold a teaching certificate from another state, have passed a background check, and paid the required fee.

SB 34, State-Tribal Compact: This bill directs the State Board of Education and Early Development to negotiate with federally recognized tribes on establishing a state-tribal education compact school that may operate for a five-year term.

SB 174, Hair Discrimination: Prohibits hair discrimination in public schools and prevents school boards from adopting a dress code that prohibits a student from wearing traditional tribal regalia or objects of cultural significance at a graduation ceremony. Workplace protections were removed from the bill.

HB 19, Limited Language Certificate: The legislation allows for a person with expertise in a language other than English to qualify for a limited language immersion teacher certificate without having a bachelor's degree or having completed a teacher preparation program.

HB 332, Scholarships: The ferry funding and the Higher Education Investment Funds are shifted to a new location so the funds are not subject to the yearly reverse sweep, which will preserve the funds.

HEALTH:

HB 265, Telehealth: The bill expands the state's current telehealth authorization with flexibility to include audio as well as video consultation, which is important in rural Alaska where broadband service is typically absent. An important part of the bill requires "parity," or equal payment for telehealth and in-person visits at medical facilities.

HB 392, Nurses: The bill expands authority for nurse practitioners and allows them to sign end-of-life paperwork.

HB 145, Pharmacist: Expands pharmacist authority and updates statutes regulating pharmacies for the first time in 30 years.

HB 172, Mental Health Facilities: The bill allows establishment of temporary acute mental health treatment centers to take the burden off local police, who respond to these emergencies and are often untrained to deal with them. The bill provides that in cases where probable cause exists, a peace officer will take into custody and transport certain persons to a subacute mental health facility, evaluation facility, or treatment facility. The bill also adds a new subsection to AS 47.30.705 to require a peace officer to give priority for transport to a crisis stabilization center if one exists in the community served

by the peace officer. The legislation fulfills the Department of Health and Social Services obligations under the settlement in Case No. 3AN-18-9814 CI with the Disability Law Center (DLC).

HB 168, Public Benefits: This bill requires the Department of Health to provide online applications for public benefits.

BUSINESS

HB 227, Municipal Energy Improvements: This bill expands the existing municipal Property Assessed Clean Energy, or PACE, program so new construction and refinancing can be done for energy improvements in commercial buildings. Anchorage has the only established PACE program, but other municipalities are waiting for the passage of HB 227. The program allows financing with payments made with local property taxes, like sewer and water assessments.

SB 33, Tax Credits: Reestablishes an incentive tax credit for new seafood products and facilities with updated technology.

SB 131, Workers Comp: Increases the presumptions for career-related diseases for firefighters., especially certain cancers.

SB 185, Pay: Eliminates a state law that allowed employers to pay workers below minimum wage if they have a mental or physical disability.

SB 9, Alcohol: The bill updates regulations relating to alcohol, bars, breweries and tap rooms. The big debate surrounded population limits. To address the concerns of existing licensees, new taproom licenses will be limited to 1 for every 9,000 people in a town or city. Other licenses are available on a 1 per 3,000-person basis, and the number of breweries and distilleries has no limit — they just can't open a taproom. Existing taprooms can stay open, even if their city is over the new limit. Taprooms will also be able to be open from 9 a.m. to 9 p.m., extending closing time by one hour. Taprooms will also be allowed to hold a limited number of live music events per year. It took 10 years to get this bill passed. A good write-up on the bill can be found here: <https://www.alaskapublic.org/2022/05/16/alaska-house-approves-major-update-to-alcohol-laws-including-changes-for-breweries/>.

The Governor has stated that he will begin reviewing the budget and passed legislation this week. J&H Consulting will report any of the Governor's actions related to the budget or legislation in the coming weeks.

Best regards,
Reggie Joule and Christine Hess
J&H Consulting



Capital Items:

The capital items can be found within [HB 281](#), the FY23 operating, capital, and supplemental budget, as all the budgets were rolled into the operating budget on the Senate side. However, the capital budget alone totals \$3.7 billion with \$1.1 billion coming from state funds. There are capital items that directly benefit local governments, nonprofits, Tribes, communities, and schools. There are capital items for just about everyone. For the first time in many years, some projects requested by districts are funded.

Some highlights include:

- School major maintenance: \$100 million, which covers funding to about number 55 on the maintenance list.
- Kwethlek power resiliency project, \$614,000.00; Napakiak School, \$54.8 million; \$15,000 for the Anchorage School District Airport Heights Elementary School ice rink; \$302,500 for the Yukon Flats School District Tsuk Taih School water tank roof replacement; \$500,000 for the Anchorage School District Russian Jack Area School pedestrian and safety upgrades; and \$6.1 million for Mt. Edgecumbe High School repairs, along with \$95,000 for bleachers and water survival equipment.
- Volunteers of America: \$960,000 for school-based mental health.
- School Breakfast Expansion: \$600,000.
- **Harbor matching grants: \$20 million (including a Homer project).**
- **Homer large vessel harbor: \$750,000.**
- Port of Alaska: \$200 million, \$100 million contingent on receiving federal matching funds.
- Port of Nome: \$175 million.
- Airport improvements: \$400 million (**for Homer, \$14.2 million for improvements**).
- Federal transit grants: \$26 million.
- Surface transportation: \$868.5 million, with \$33.6 million funding Dalton Highway Projects.
- AMHS, mainline ferry replacement and other ferry funding: \$30 million.
- Alaska Long Trail: \$15 million, with funding scattered throughout the bill.
- Community Block Grants: \$6.3 million.
- Kenai River Bank Stabilization: \$6.5 million.
- Alaska Travel Industry Association: \$5 million.
- NPRA Grants: \$13.8 million.
- Arctic Strategic and Resource Transportation Project: \$2.5 million.
- Critical Minerals Mapping: \$10.5 million.
- Mine Reclamation: \$4.5 million.
- Abandoned well cleanup: \$32.3 million.

- Arctic Fisheries: \$3 million.
- AEA-Renewable Energy Grants: \$15 million, including \$1.9 million in funding for Kotzebue Electric Association plus other AEA funding (bulk fuel, rural power system upgrades, energy efficiency conservation block grants).
- AEA-Bulk Fuel Upgrades: \$13 million.
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- Electric Vehicle Infrastructure: \$7.7 million.
- Village Safe Water Upgrades and Expansions: \$89.8 million.
- Village Safe Water First Time Projects: \$27 million.
- Increased Clean Water and Drinking Water funds to DEC for revolving loan fund and Village Safe Water.
- Statewide deferred maintenance and repair: \$50 million.
- University of Alaska deferred maintenance and repair: \$50 million.
- Code Blue: \$500,000.
- Crisis Stabilization Center: \$8 million.
- Pacific Coastal Salmon Recovery Fund: \$4.4 million.
- Pacific Salmon Treaty Chinook Fishery Mitigation: \$6.4 million.
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- Snowmachine Trails: \$250,000.
- Marine Fisheries Patrol Improvements: \$1.2 million.
- AHFC Teacher, Health, and Public Safety Housing: \$21.25 million.
- AHFC Energy Programs, Weatherization: \$23.1 million.
- Energy Efficiency Research: \$2.5 million.
- Food Security Agriculture Incentive Grant Program: \$3 million.
- Food Security Mariculture Incentive Grant Program: \$5 million.
- Food Bank Statewide: \$10 million.
- University of Alaska Fairbanks – Bartlett Hall and Moore Hall Modernization and Renewal: \$18.5 million.
- New Broadband Office: \$6 million.
- Cybersecurity grant program (it looks like the five-year amount was appropriated) to local governments.
- Food Aid to Ukraine \$300,000.
- Grants to named recipients: a long list, including AML and AFN for infrastructure support.
- Grants to municipalities: Some CIP list items – Homer large vessel harbor, Kodiak fire hall, Emmonak port completion, Haines Lutak dock, Mat-Su first responder facility, Petersburg public health center, and many other health facilities, community buildings and museum support.
- DPS radio replacement, and VPSO program support.

- And so much more!

Conclusion

Next, the budget heads to Governor Dunleavy to sign and he can exercise his right to veto individual items. Also note, federal grants funds will flow to Alaska over the course of several years and will cover several budget cycles. Additionally, new grant programs are being implemented at both the state and federal level and will provide additional opportunities to fund projects. J&H Consulting will continue to provide information about these opportunities as they arise.

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Best regards,

Reggie Soule and Christine Hess

J&H Consulting

**Homer Planning Commission Report
Wednesday, May 18, 2022**

Attending: Commissioner Smith, Deputy City Clerk Renee Krause and City Planner Rick Abboud via Chambers.

Commissioners Barnwell, Chiappone, Venuti, Conley and Highland via Zoom.

Absent: Commissioner Bentz was properly excused.

No Work Session

REGULAR SESSION

AGENDA: Passed without objection.

PUBLIC COMMENTS: None.

RECONSIDERATIONS: None.

CONSENT AGENDA: Motion to move Item B - Decisions and Findings for A Request for Conditional Use Permit 22-03, to Allow Additional Dwellings at 1678 Sterling Highway to New Business - passed without objection. Amended Consent Agenda passed without objection.

PRESENTATIONS/VISITORS: None.

REPORTS: Staff Report 22-35 City Planner's Report: CP Rick Abboud highlighted the Road Fund for the Construction of the Main Street Sidewalks, CUP Reform, solving Tiny Home/Affordable housing issues, Hazard Mitigation Plan update, EDC vacancy, and Staff adjustments.

PUBLIC HEARINGS:

A. Staff Report 22-36, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.93 Administrative Appeals. City Clerk.

Report was presented. No members of the public were present.

Motion carried without objection.

B. Staff Report 22-37, An Ordinance of the City Council of Homer, Alaska, Amending Title 21.03.040 Definitions Used in Zoning Code, Title 21.44 Slopes, Title 21.50.020 Site Development Standards - Level One and Title 21.50.020 Site Development Standards - Level Two Redefining Coastal Bluff and Setback Therefrom. Planning Commission.

Report was presented. No members of the public were present.

Motion carried without objection.

PLAT CONSIDERATIONS: None.

PENDING BUSINESS: None.

NEW BUSINESS:

A. Staff Report 22-38, Drainage Easement Vacation Request Lot 58, Lilian Walli Estate Subdivision.

Report was presented. Motion to discuss Report passed without objection. Commissioners questioned City Planner Abboud about the definition of Jurisdictional Waters and Non-Jurisdictional Waters. Discussion about whether or not the Stormwater Plan should be finalized before allowing this request. It was determined that this vacation was so minimal that it was not necessary. Motion to Adopt Staff Report 22-38 and Recommend that the Drainage Easement Be Approved With Conditions (See Report). Motion passed 5Y-1N.

B. Decisions and Findings for A Request for CUP 22-03, to Allow Additional Dwellings at 1678 Sterling Highway. Commissioner Highland discovered that under the Conclusion, Condition 1 that "water" was not supposed to be in this Request.

Motion to remove "water" was presented and carried without objection.

Motion to Approve Amended CUP 22-03 was approved without objection.

COMMENTS OF THE AUDIENCE: None.

COMMENTS OF THE STAFF:

Renee had a good trip and was glad to be back.

COMMENTS OF THE COMMISSION:

Commissioners were glad to have Renee back. Three commissioners voiced their desire for a dream session where they could express their desires for future planning and growth. Commissioner Smith said he'd put in an official email to the Planning Office for this to happen and also encouraged other Commissioners to take a look at page 49 of the Packet about possible CUP amendments, noting there probably are some ways to help reduce the workload of the Planning Office through some changes.

BENTZ/HIGHLAND MOVED TO ADOPT STAFF REPORT 22-33 AND RECOMMEND APPROVAL OF CONDITIONAL USE PERMIT 22-03 TO CONSTRUCT A SINGLE FAMILY DWELLING IN ADDITION TO THE EXISTING SINGLE-FAMILY DWELLING AND DUPLEX STRUCTURE AT 1678 STERLING HIGHWAY WITH FINDINGS 1 THROUGH 10 AND THE FOLLOWING CONDITIONS: CONDITION 1: INSTALL APPROVED COMMUNITY WATER AND SEWER SERVICE TO THE STRUCTURES; CONDITION 2: OUTDOOR LIGHTING MUST BE DOWN LIT PER HCC 21.59.030 AND THE CDM; AND CONDITION 3: DUMPSTER SHALL NOT BE VISIBLE FROM THE STREET OR SHALL BE SCREENED ON THREE SIDES.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

PLAT CONSIDERATION

PENDING BUSINESS

NEW BUSINESS

- A. Memo from Public Works Director, Jan Keiser, P.E., Re: Strategies for Deploying HART Road/Trails Funds to Accelerate Non-motorized Transportation and Road Repair

Chair Smith introduced the item by reading the title and deferred to Public Works Director/City Engineer Keiser.

Ms. Keiser spoke to her written memo and proposal to request that the City Council authorize the expenditure of Homer Accelerated Roads and Trails (HART) funds to accelerate the development of non-motorized transportation routes and road repair. She provided a summary and history of the following programs:

- Create new Non-Motorized Transportation Opportunity Program
- Create Pavement Restoration Program
- Enhance existing Small Works Drainage Repair Fund
- Enhance existing Small Works Road Repair Program
- Enhance existing IDIQ Contract for Road Repair with East Road Services
- Enhance existing Small Works Trails Maintenance Fund

Ms. Keiser requested the commission's support for these programs. She explained the ordinances representing the appropriations will have their first reading at the May 9th City Council meeting, with the second reading and public hearing scheduled for May 23rd.

HIGHLAND/BENTZ MOVED TO SUPPORT THE STRATEGIES PROPOSED BY PUBLIC WORKS FOR DEPLOYING HART ROAD AND TRAILS FUNDS TO ACCELERATE NON-MOTORIZED TRANSPORTATION AND ROAD REPAIR, AND RECOMMEND CITY COUNCIL APPROVAL.

Commissioner Chiappone requested clarification on the definition difference between trails and paths/sidewalks. Ms. Keiser stated a sidewalk is equal to a path which is related to a road, while a trail could cut through a forest. The main difference is that paths/sidewalks can be funded by HART Road funds while trails can be funded by the HART Trails fund; there are two different funds.

Chair Smith inquired if there was much of a cost difference between the two. Ms. Keiser explained how it's dependent on the nature of the trail and the four categories of trails; some trails are ADA accessible and may not be any different in cost to a path. But there is a significant difference between a trail and a paved sidewalk.

Commissioner Barnwell clarified with Ms. Keiser a project cost discrepancy for Program I. She commented how the initial cost estimate of \$750,000 changed to \$1.5 million after a more formal assessment was completed.

Commissioner Barnwell inquired if there was any cost sharing from this pavement restoration budget with the Alaska Department of Transportation and Public Facilities (ADOT&PF), who manages many of the roads in Homer. Ms. Keiser explained the City's only role in State road projects is to look at the utilities that are impacted by those projects, which we pay for. In response to follow-up questions from Commissioner Barnwell, Ms. Keiser described how limited the City's role is with ADOT&PF projects, how late in the development process the City is brought into project communications, and what she means by the term developer when discussing cost estimating.

Commissioner Venuti requested clarification on the term "frost boil". Ms. Keiser described how they are caused by the sub-grade freezing then thawing, and how they are fixed.

Commissioner Highland inquired if there was any way the City could talk to ADOT&PF about building a detached bike path or wider shoulder along East and West Hill Roads during their improvement projects. Ms. Keiser reiterated the struggles the City has been experiencing trying to get suggestions included in the State's project plans. Commissioner Highland questioned if making calls to Senator Gary Stevens to aid with improving those communications with the State would help.

Commissioner Bentz commented that it was great to see this implementation and financial road plan laid out so they can see where the funds are, and that it will help with their long-term vision for transportation in general. It is an incremental step in improving not just our non-motorized transportation infrastructure but also investing into prevention for future damage, especially with drainage.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

- B. Staff Report 22-34, Comprehensive Plan
 - i. Supplement Memo to SR 22-34: Trails & Sidewalks in Code

Chair Smith introduced the item by reading the title.

City Planner Abboud explained the information he provided that gives background to the non-motorized transportation plan issue so that all commissioners may have a similar understanding to use as a basis for addressing the subject, particularly when working on the Comprehensive Plan.

Chair Smith opened the floor for questions or discussion. He inquired if there was a way to get the cart in front of the horse in regards to the Stormwater Plan and its development in conjunction with these motorized and non-motorized development projects. Public Works Director/City Engineer Keiser shared the different actions Public Works is currently taking to make some of those drainage plans

- B. Strategies for Deploying HART Road/Trails Funds to Accelerate Non-motorized Transportation & Road Repair
 - i. Attachments 1 – 4 Roads & Trails Maps
 - ii. Road Financial Plan Spreadsheet
 - iii. Draft Ordinances

Vice Chair Brown introduced the agenda item by reading the title.

Deputy City Clerk Tussey gave a brief synopsis of Public Works Director Keiser's memo; noting the various non-motorized transportation programs that she is proposing to City Council that utilizes HART road and trail funds. The ordinances that appropriate funding had their first reading at last night's Council meeting and are scheduled for public hearing and second reading at the May 23rd meeting. Ms. Keiser has been requesting motions of support from the commissions.

Commissioner Person clarified with staff that the budget cost discrepancies for Item I. Create new Non-Motorized Transportation Opportunity Program, is a typo and the proposed \$1.5 million for sidewalks is the correct number.

PERSON/GAMBLE MOVED TO SUPPORT THE STRATEGIES PROPOSED BY PUBLIC WORKS FOR DEPLOYING HART ROAD AND TRAILS FUNDS TO ACCELERATE NON-MOTORIZED TRANSPORTATION AND ROAD REPAIR, AND RECOMMEND CITY COUNCIL APPROVAL.

Commissioner Arevalo gave the proposal two big thumbs up.

Commissioner Person inquired on the repairs being proposed for East Bayview Avenue. Economic Development Manager Engebretsen commented it may be related to water lines and not necessarily the road itself, but to follow up with Public Works directly to confirm.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

INFORMATIONAL MATERIALS

- A. EDC 2021-2022 Strategic Plan/Goals
- B. Port & Harbor Advisory Commission Strategic Plan & Goals for 2022-2023
- C. Sales Tax Reminder Flyer for Short Term Vacation Rentals
- D. City Manager's Report for April 11, 2022
- E. City Manager's Report for April 25, 2022
- F. EDC 2022 Calendar

Vice Chair Brown noted and facilitated discussion on the informational materials provided. She commented that she will be out of town for the May 23rd meeting and requested a volunteer to give the EDC report; Commissioner Person agreed to give that report.

COMMENTS OF THE AUDIENCE

COMMENTS OF THE CITY STAFF

Economic Development Manager Engebretsen and Deputy City Clerk Tussey thanked the commission; had no further comments.



City of Homer

www.cityofhomer-ak.gov

Community Recreation

HHS/600 East Fairview Avenue
Homer, Alaska 99603

communityrecreation@cityofhomer-ak.gov

(p) 907-235-6090

(f) 907-235-8933

Memorandum

TO: Mayor Castner and Homer City Council

THROUGH: Rob Dumouchel, City Manager

FROM: Mike Illg, Recreation Manager

DATE: May 20, 2022

SUBJECT: Strategies for Deploying HART Road/Trails Funds to Accelerate Non-Motorized Transportation and Road Repair

The City of Homer Parks, Art, Recreation & Culture Advisory Commission held a recent public meeting on Thursday, May 19, 2022 and reviewed information regarding the proposed Strategies for Deploying HART Road/Trails Funds to Accelerate Non-Motorized Transportation and Road Repair . Public Works Director Keiser was in attendance and provided informative and clarifying answers regarding proposed **Ordinances 20-25, 20-26, 20-27 and 20-28**. The PARCAC Advisory Commission unanimously agreed to recommend these ordinances to the City Council for approval.

Requested Action: Approve ordinances and authorize the City Manager to execute the appropriate documents.