

City Council
October 24, 2016
Monday



Worksession 4:00 P.M.
Committee of the Whole 5:00 P.M.
Regular Meeting 6:00 P.M.

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

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OCTOBER/NOVEMBER 2016



**Monday,
October 24th:**

CITY COUNCIL

Worksession 4:00 p.m., Committee of the Whole 5:00 p.m. and Regular Meeting 6:00 p.m.

**Tuesday,
October 25th:**

LIBRARY ADVISORY BOARD

Worksession 5:00 p.m.

**Wednesday,
October 26th:**

PORT & HARBOR ADVISORY COMMISSION

Regular Meeting, 5:00 p.m.

**Thursday,
October 27th:**

CANNABIS ADVISORY COMMISSION

Regular Meeting 5:30 p.m.

**Tuesday,
November 1st:**

LIBRARY ADVISORY BOARD

Regular Meeting 5:30 p.m.

**Wednesday,
November 2nd:**

ADVISORY PLANNING COMMISSION

Worksession 5:30 p.m. and Regular Meeting 6:30 p.m.

**Tuesday,
November 8th:**

ECONOMIC DEVELOPMENT ADVISORY COMMISSION

Regular Meeting 6:00 p.m.

**Thursday,
November 10th:**

AMERICANS WITH DISABILITIES ACT COMPLIANCE COMMITTEE

Regular Meeting 4:00 p.m.

**Monday – Friday,
November 14th-18th**

ALASKA MUNICIPAL LEAGUE ANNUAL CONFERENCES

**Thursday,
November 17th:**

PARKS, ART, RECREATION & CULTURE ADVISORY COMMISSION

Regular Meeting 5:30 p.m.

**Thursday – Friday
November 24th-25th**

THANKSGIVING HOLIDAY

City Offices Closed in Observance of the Holiday

**Monday,
November 28th:**

CITY COUNCIL

Worksession – Strategic Doing 4:00 p.m., Committee of the Whole 5:00 p.m. and Regular Meeting 6:00 p.m.

Regular Meeting Schedule

**Library Advisory Board 1st Tuesday with the exception of January,
June, July, September 5:30 p.m.**

Economic Development Advisory Commission 2nd Tuesday 6 p.m.

**Parks, Art Recreation & Culture Advisory Commission 3rd Thursday of the Month with the
Exception of January, July & December 5:30 p.m.**

Planning Commission 1st and 3rd Wednesday 6:30 p.m.

Port and Harbor Advisory Commission 4th Wednesday 5:00 p.m. (May – August 6:00 p.m.)

Cannabis Advisory Commission 4th Thursday 5:30 p.m.

MAYOR AND CITY COUNCILMEMBERS AND TERMS

BRYAN ZAK, MAYOR – 18

DAVIS LEWIS, COUNCILMEMBER – 17

CATRIONA REYNOLDS, COUNCILMEMBER – 17

DONNA ADERHOLD, COUNCILMEMBER – 18

HEATH SMITH, COUNCILMEMBER – 18

SHELLY ERICKSON, COUNCILMEMBER – 19

TOM STROOZAS, COUNCILMEMBER – 19

City Manager, Katie Koester

City Attorney, Holly Wells

<http://cityofhomer-ak.gov/cityclerk> for home page access, Clerk's email address
is: clerk@ci.homer.ak.us City 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
OCTOBER 24, 2016
COWLES COUNCIL CHAMBERS

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

WORKSESSION AGENDA

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

Councilmember Aderhold has requested telephonic participation or excusal.

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

3. DISPATCH CONSOLIDATION WITH KENAI PENINSULA BOROUGH Page 7

4. COMMENTS OF THE AUDIENCE

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

Next Regular Meeting is Monday, November 28, 2016 at 6:00 p.m., Committee of the Whole 5:00 p.m., and a Worksession 4:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

DISPATCH CENTER CONSOLIDATION OVERVIEW

FOR CITY COUNCIL WORK SESSIONS



OUTLINE



- 1.** KPB Motivations and Background
- 2.** Potential Benefits
- 3.** Top Concerns and Responses
- 4.** Next Steps

MOTIVATIONS FOR CONSOLIDATION



The borough is exploring this because we believe it will result in improved effectiveness of the 911 system for all borough residents and significant savings for all borough communities; however, the majority of those cost savings will be realized at the city level.

1. KPB has received both formal and informal requests from municipalities to review consolidation options
2. Timely now because of likely significant capital expenditure needs at all centers
3. The state fiscal environment is motivating all local governments to pursue efficiencies

REVIEW THUS FAR



Initial proposal developed by borough administrative team this winter (2015-2016)

Proposed to city managers and chiefs at meeting on April 14, 2016

Received and responded to specific city questions in June

Now at a point where city council feedback is requested



SPSCC HISTORY

The SPSCC purpose has always been to serve the needs of the public across the borough as well as fire, police, EMS and other governmental services.

**1986
-2006**

KPB cooperatively operated dispatch center at Alaska State Troopers

2006

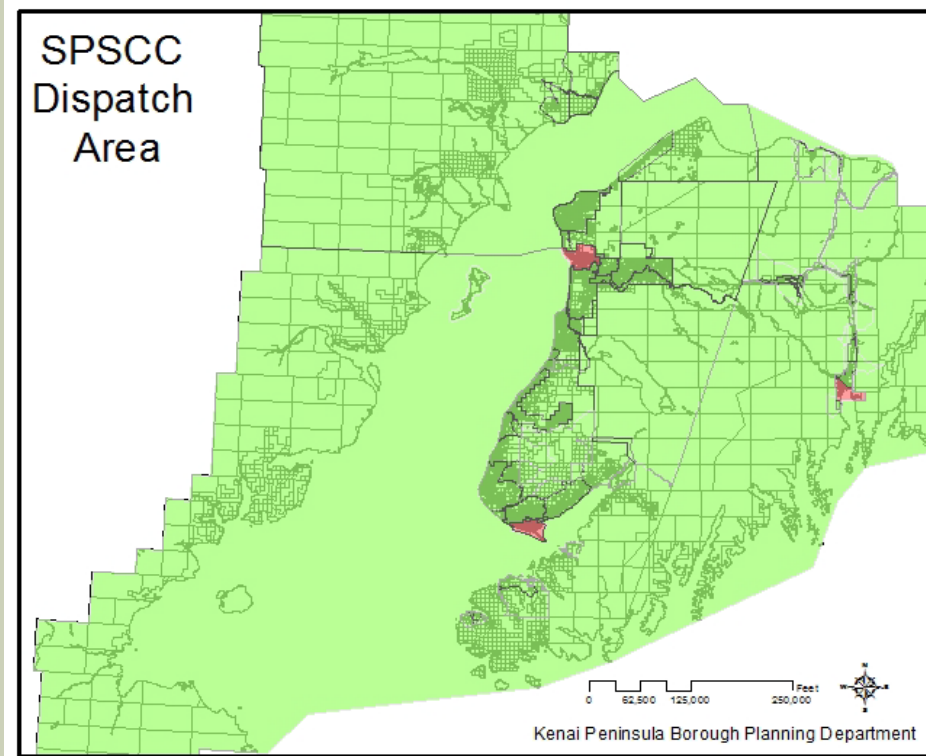
KPB completed construction of Emergency Response Center, including a secure floor for the SPSCC

**2006
-2016**

Ownership, operations, and management of the center belong to the borough.



THE SPSCC NOW

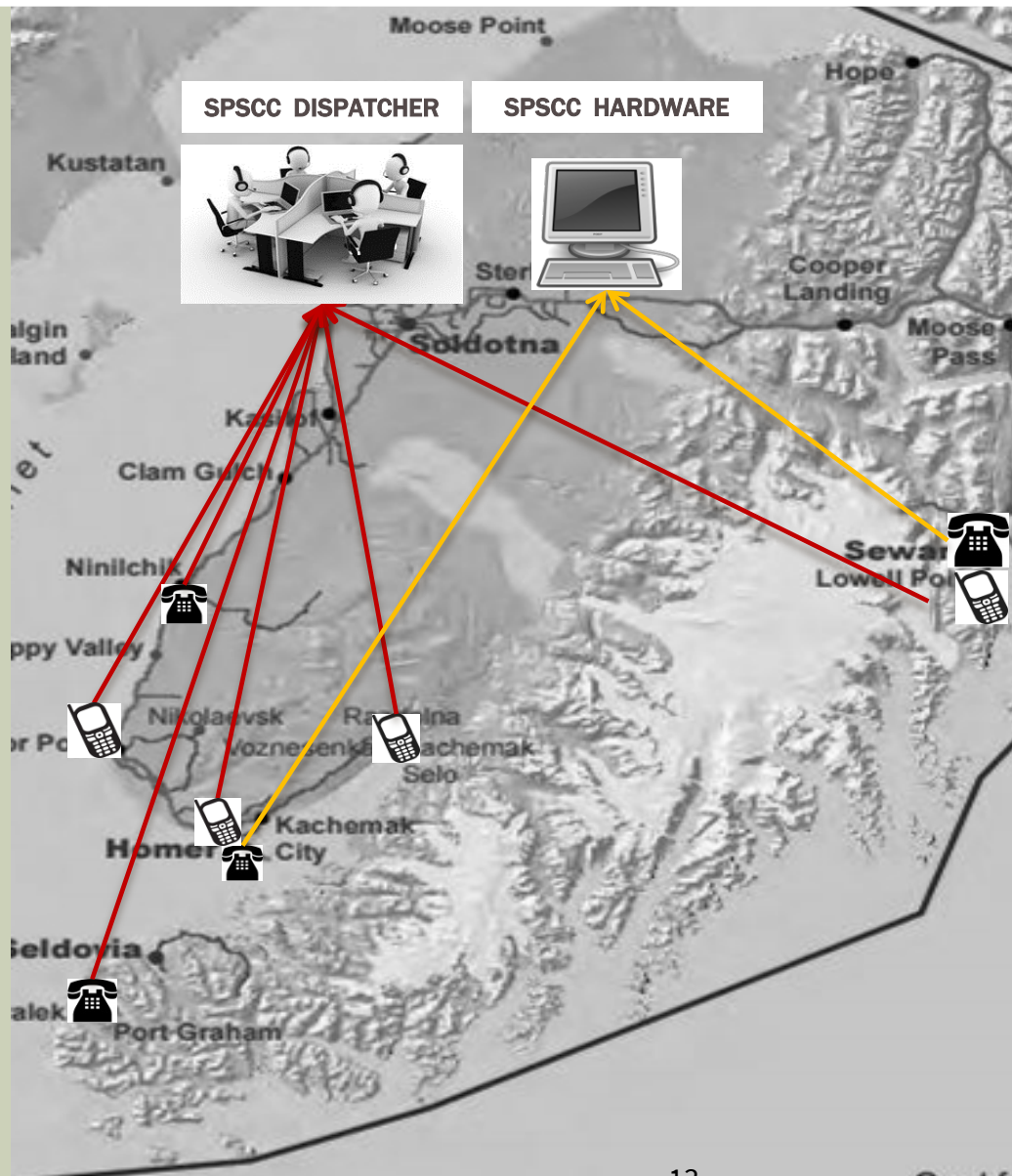


Green - SPSCC Dispatch Areas Red - City Dispatch Areas

*City of Seward also dispatches EMS south of the Y, including Bear Creek Fire Service Area

1. Dispatches for City of Soldotna, State Troopers, State Parks, Borough fire service areas*, multiple volunteer Fire/EMS, departments as well as other state and federal agencies.
2. Answers all cell phone 911 calls in the borough, determines jurisdiction, and transfers accordingly.
3. Serves as the default dispatch center when municipal dispatch centers are at call volume capacity.

Current first destination of all calls

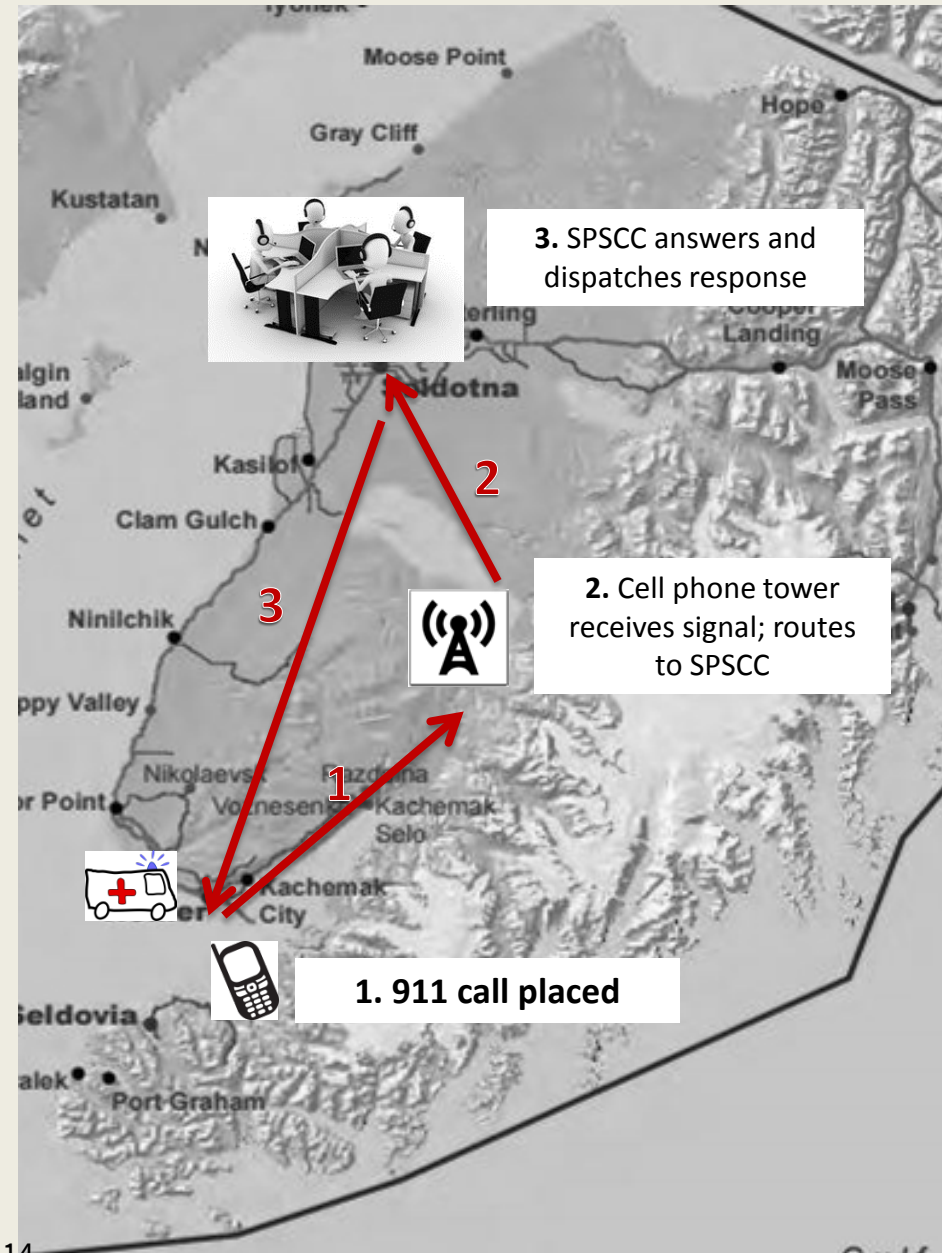
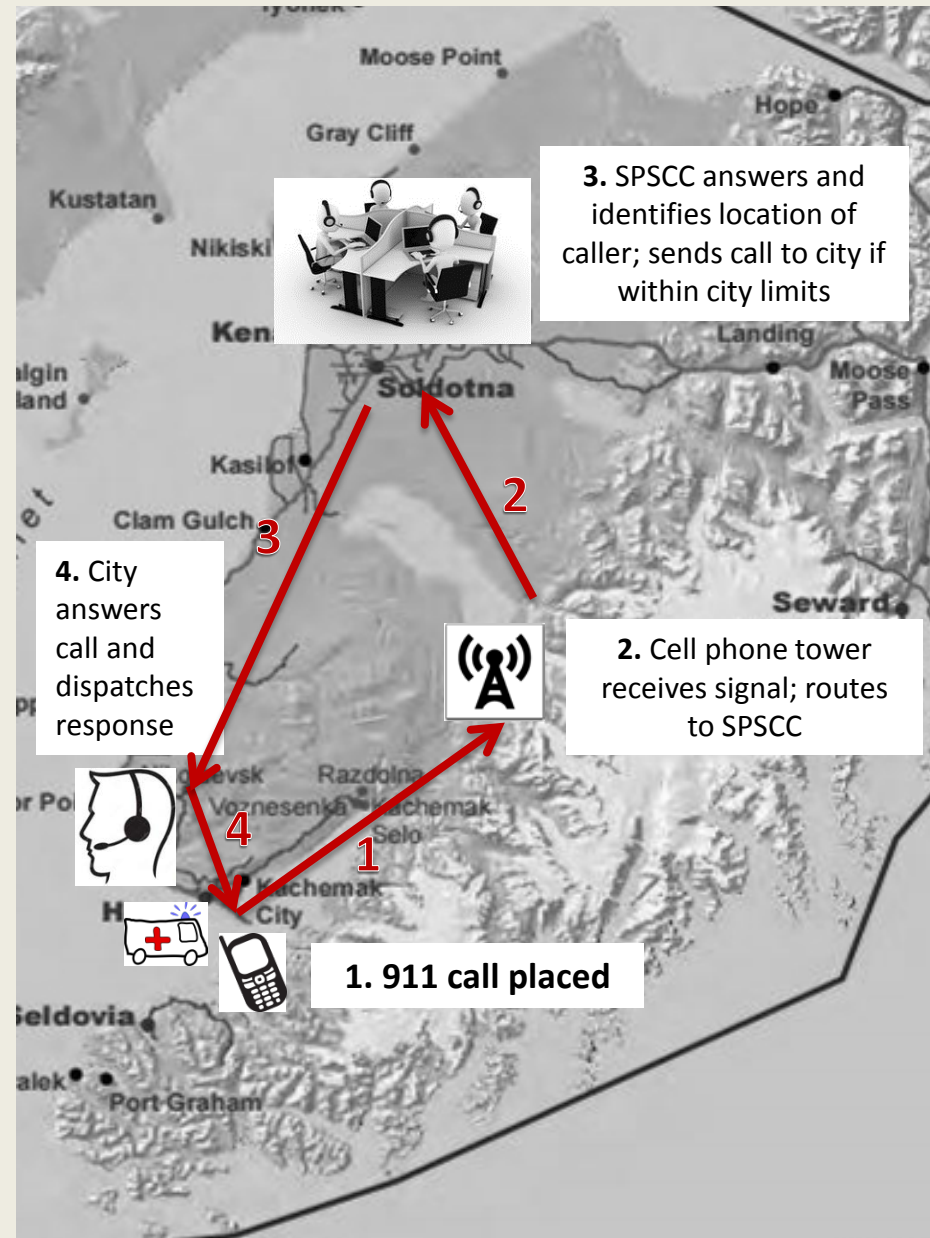


- All 911 calls in the borough, including both cellular and landline – regardless of their origination point – are first routed to the SPSCC*
- Cell phone calls are answered at the SPSCC and then routed to City dispatch centers if appropriate.
- Landline calls originating within city limits are received and routed automatically by KPB hardware

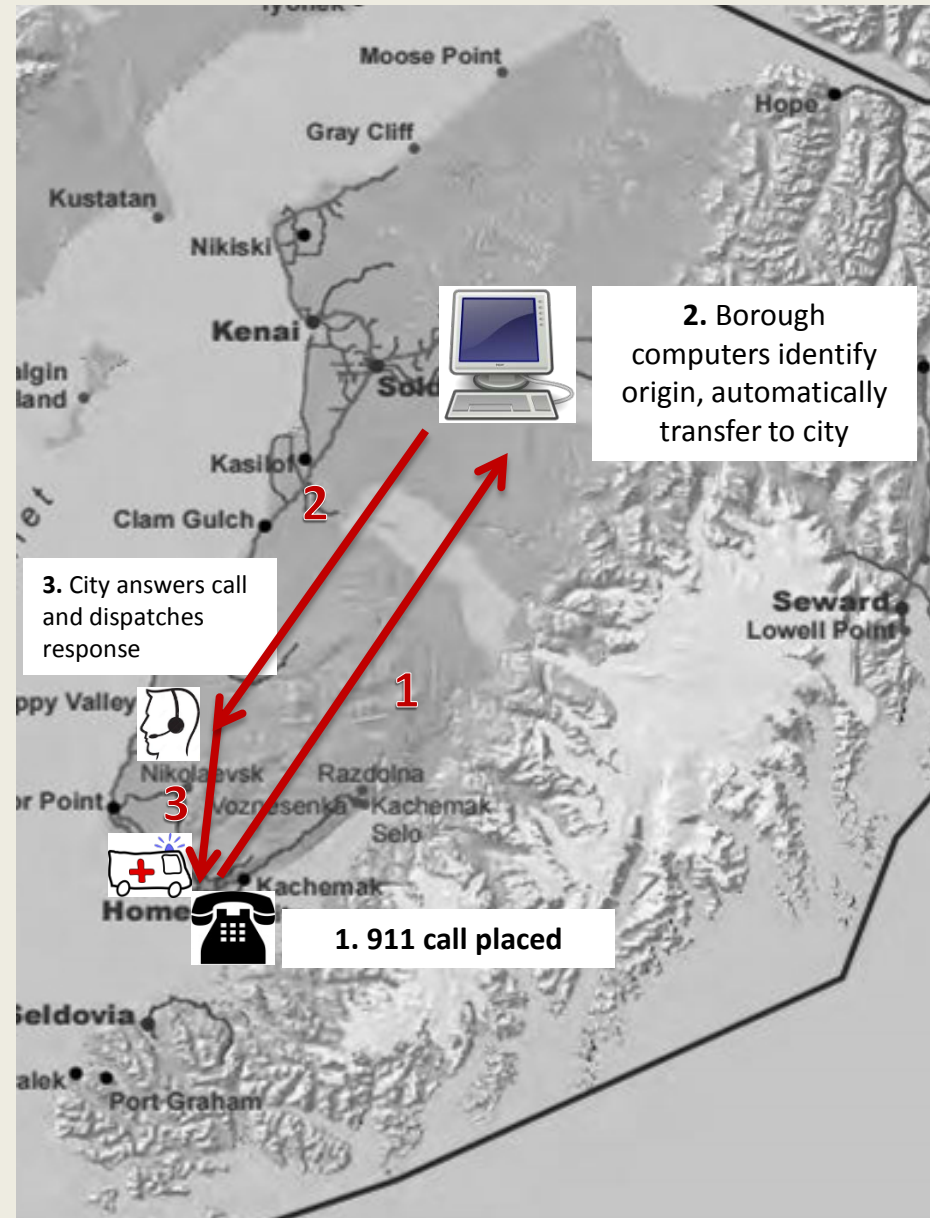
*Either the Emergency Response Center in Soldotna or the Beacon Building in Kenai

Current Life of a Cell Phone Call

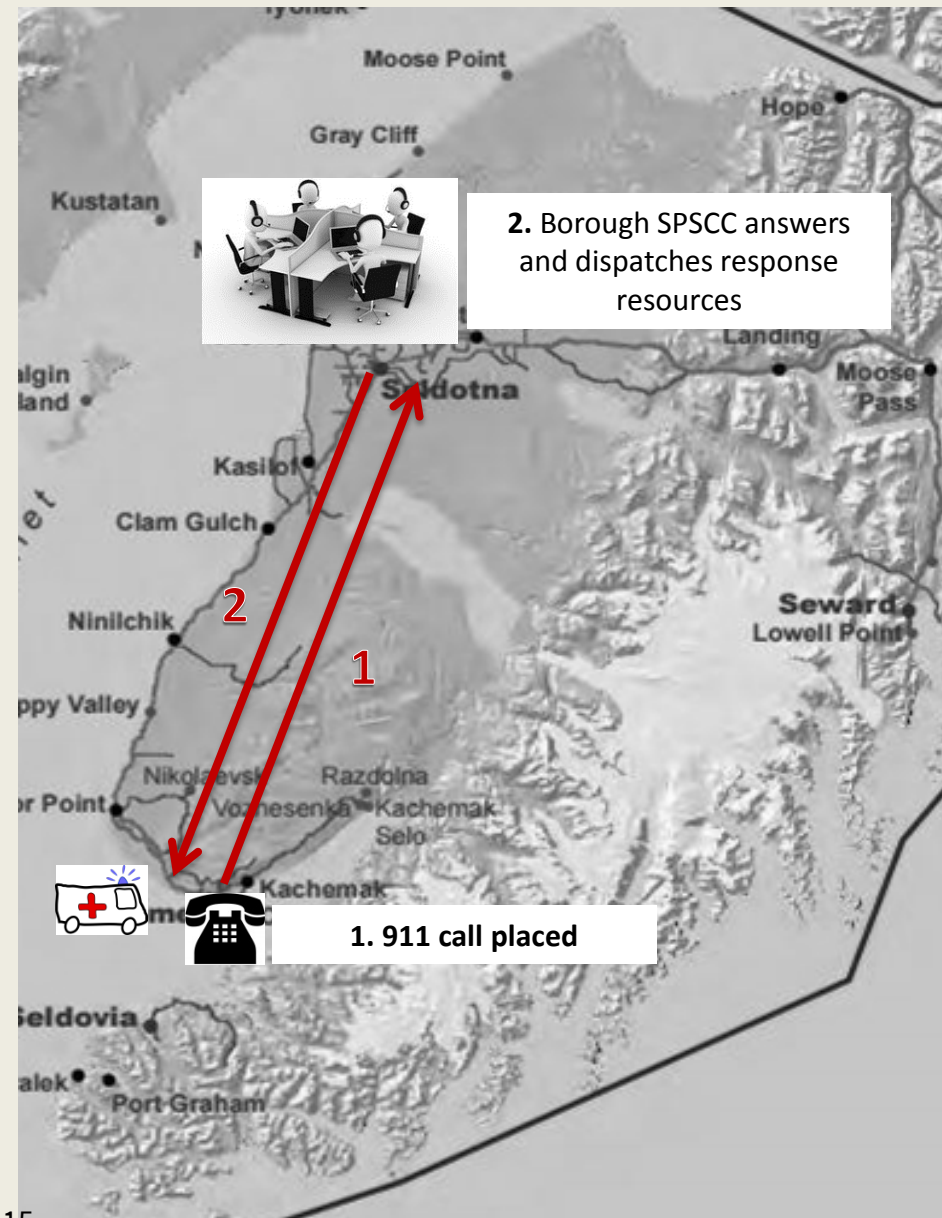
Proposed Life of a Cell Phone Call



Current Life of a Landline Call



Proposed Life of a Landline Call



SERVICE IMPROVEMENTS FROM UTILIZING AREA-WIDE CAD



1. Elimination of delays due to transfers from SPSCC to Cities
2. Consistent standardized dispatching across the Borough
3. The elimination of duplicate call handling of single incident (Ex: motor vehicle accident with injuries with City EMS/Fire and AST response)
 - Better information sharing – during and after a call- with all players and a centralized view of the incident
 - Elimination of potential failure points due to miscommunications between multiple centers
4. Better law enforcement unit awareness and response for day-to-day interoperability as well as disaster response
5. Standardized use of Computer Aided Dispatch (CAD) as information repository



COST SAVINGS

- Economies of scale – increased buying power at single larger center
- Significant cost savings from avoided duplication of equipment cost, training cost, operating cost
- Cost avoidance of new radio consoles
- Cost avoidance of upgrading to CAD
- Significant savings in personnel, services, supplies, maintenance, and capital costs



OTHER BENEFITS

- **Quality Assurance:**
 - Consolidated training and quality assurance provides a standard of training across the borough
- **Major Disaster Preparedness:**
 - Larger personnel base at the SPSCC – a larger dispatch center is more easily scaled up in the event of a major emergency
- **Efficient use of resources:**
 - More employees are available to fill in during unexpected absences
 - Allow resource tracking and unit status management to maximize closest resource dispatch and enhancing response times
 - Keep track of the status of emergency units responding to calls, and a full accounting of public safety resources as they arrive on the scenes for fire, emergency medical, or police calls
 - Enhance quality of response and responder safety by alerting responders of potentially dangerous/hazardous situations based on prior incidents, warrants, previous medical responses, etc.

TOP CONCERNS AND RESPONSES



There are a number of workable concerns to consider, this section will discuss

1. Redundancy
2. PERS termination study
3. Local knowledge
4. Additional services
5. Agency input structure

REDUNDANCY



- Consolidating dispatch centers increases the reliability of this system because all 911 calls in the borough – including the cities – already go through KPB hardware first.
- Cell phone calls ring in to the SPSCC – regardless of origin – and are then transferred to city dispatch centers
- Landline calls are automatically transferred to the cities, but still first route through KPB hardware
- Removing the city dispatch centers removes multiple potential failure points from this system
- Consolidation would not change the current landscape of Police/Fire/EMS radio communications. Any radio redundancy that the municipalities employ would remain

PERS TERMINATION STUDY



- PERS termination study is likely avoidable.
- PERS acknowledges that a consolidation of positions between disparate municipalities and government entities can occur without a PERS termination study.
- The most effective approach to receiving an accurate response is a joint submittal from the KPB and the municipalities.
- The City of Homer and the KPB have submitted a request to PERS.
- This question can be resolved before municipalities commit to consolidation.



LOCAL KNOWLEDGE

- SPSCC currently dispatches to all geographic areas in the KPB surrounding city limits, resulting in foundational knowledge of all geographic areas and frequent callers within the borough.
- Region-wide use of CAD encapsulates local knowledge and knowledge of frequent callers regardless of location of caller or length of tenure of dispatcher.
 - Ex: CAD will record the number of times a 911 hang up call originates from one number.
 - Ex: Information about frequent callers is contained in the CAD system, those callers are not constrained to municipal boundaries. If a frequent Homer 911 caller leaves city limits and calls 911, the record of calls will be maintained.
 - Ex: Geographic “Common Names” are manually entered into CAD, a dispatcher new to the area can search for “Pickle Hill” if unfamiliar with the location.



ADDITIONAL SERVICES

- See KPB Response to City Comments for specific services
- The SPSCC will be able to offer the services that the cities require
- Some services may be best served by clerical or other non-emergency support
- Cities will need to work closely with the borough to determine the most efficient way to provide needed services

AGENCY INPUT STRUCTURE



Moving forward, we will need a service agreement establishing a partnership between the cities and the borough that:

- Contains costs and maintains stability
- Fairly distributes cost amongst users
- Guides operational decisions that impact services or costs
- Handles conflict resolution through a defined process
- Conserves the efficiency gained through consolidation



NEXT STEPS

1. Yes or No responses from cities on pursuing further
2. Work with Borough HR Dept. on PERS determination
3. Participate in creation of agency input structure
4. Develop service agreements with each city detailing specific services provided

Kenai Peninsula Borough Consolidated Dispatch Center
Fee Methodology Proposal

DRAFT

1. SUMMARY

The Soldotna Public Safety Communications Center (SPSCC) provides dispatch services to a number of borough service areas and the city of Soldotna. The borough is examining the possibility of offering these services to the cities in the borough that currently operate independent dispatch centers (Kenai, Homer, and Seward). This document proposes a fee structure for all agencies that a consolidated SPSCC would dispatch for. This fee structure is calculated based on the actual cost to run dispatch with the addition of Seward, Kenai and Homer dispatch centers. This structure may be changed slightly – based on the number of additional dispatchers needed – if all three cities do not decide to consolidate. The maximum borough-wide savings will be achieved with consolidation of all centers. *This document is a DRAFT PROPOSAL only and is intended to outline a potential structure and important points of consideration moving forward.*

Total direct cost for borough¹ operated consolidated center: \$3,001,057

The cost of running this consolidated center will be split amongst all agencies that the SPSCC dispatches for, after the deduction of the E911 surcharge, State Park Service contributions, individual city specialized services, and borough general fund contribution. The borough general fund will cover small agencies that are not within cities or service areas (Moose Pass, Hope, Cooper Landing, and Ninilchik), 911 addressing, and the purchase of 6 new radio consoles.

This cost breakdown is based on the cost of running a center (FY2017 budget) with **6 additional dispatchers and .5 additional administrative assistants** (Totaling 13 public safety dispatchers, 3 shift supervisors, 1 communications center manager, 1 IT specialist, 1 administrative assistant) There are also 8 state dispatchers and 1 state office assistant in the SPSCC.

This number also includes the estimated cost of annual training for airport response (\$8,000 annually), maintaining radio/IP linkage with Seward and Homer (\$232/month), and door buzz-in circuit charges (\$100/month for Homer and Seward, \$300/month for Kenai). However, city specific costs are billed separately and deducted from the overall budget before calculating cost/call. These fees are discussed in the specialized services below.

2. GENERAL COST BREAKDOWN

Event call volume, rather than 911 call volume, is the best way to measure cost allocation. The current borough CAD system will be able to track these numbers, and these numbers represent the proportional workload for each agency at the center. To account for year-to-year fluctuation, fees for call volume ranges have been established.

Police calls are generally more frequent and have a shorter duration, and are thus weighted at half of the cost per call (\$24/call). Fire and EMS calls tend to be longer duration and are thus weighted at \$48/call. This reflects

¹ The state pays for a portion of personnel and equipment, these costs are not included in this discussion

Kenai Peninsula Borough Consolidated Dispatch Center

Fee Methodology Proposal

DRAFT

the average workload for each call, and is similar to the structure used by Fairbanks Emergency Communications Center. This ratio should be reassessed and adjusted at a future date to reflect relative average workload of the two types of calls. However, as there is not data collected at a standardized center at this time, a 2:1 ratio will be used.

Fire and EMS calls: \$48/call

Police calls: \$24/call

Minimum fees for fire agencies will be based on 200 calls/ year and police agencies will be based on 1000 calls/year. Fire agency rates will increase every 200 calls until reaching 1000 calls. At this point the rate will increase every 1000 calls. Rates for police agencies will increase every 1000 calls. This system is used by Fairbanks Emergency Communications Center.

This fee system is structured simply so that agencies participating in the SPSCC have a realistic idea of what they will be charged. These ranges should be reassessed when this structure is reviewed. If agencies in the borough frequently fluctuate between two blocks - for instance if the call volume of Anchor Point fluctuates regularly between 190 and 210 - this structure should be adjusted to maximize year-to-year stability and ease of agency budgeting.

Fire Agency		
0	200	\$9,600
201	400	\$19,200
401	600	\$28,800
601	800	\$38,400
801	1000	\$48,000
1001	1200	\$57,600
1201	1400	\$67,200
1401	1600	\$76,800
1601	1800	\$86,400
1801	2000	\$96,000
2001	3000	\$144,000
3001	4000	\$192,000
4001	5000	\$240,000
5001	6000	\$288,000

Police Agency		
0	1000	\$24,000
1001	2000	\$48,000
2001	3000	\$72,000
3001	4000	\$96,000
4001	5000	\$120,000
5001	6000	\$144,000
6001	7000	\$168,000
7001	8000	\$192,000
8001	9000	\$216,000
9001	10000	\$240,000
10001	11000	\$264,000
11001	12000	\$288,000
12001	13000	\$312,000
13001	14000	\$336,000

These rates are calculated by dividing operating budget (after deduction of E911 surcharge, State Park contributions, borough general fund contributions, and specialized services) by total weighted call volume to calculate a cost/call value. This will be recalculated after the first year of operating a consolidated center, and every three years beyond that. There will be a 2% annual increase in these rates to account for inflation.

All call volume charges after year one will be based on borough tracked call volumes for the previous calendar year, this will be standardized across all agencies. The borough will submit a notice by March 1st of each year,

Kenai Peninsula Borough Consolidated Dispatch Center
Fee Methodology Proposal

DRAFT

and an invoice by July 1st, which will be paid in full by September 30th each year. If this becomes effective in the middle of a fiscal year, the agency will pay a prorated amount for the first year. Rates for FY2017 will be based on CY2015 call volumes.

3. ANNUAL SPECIALIZED SERVICES

Fees will also include a cost for any specialized service outside of normal dispatch responsibilities. The below list includes fees for services that dispatch currently offers. Additionally services may be offered per agreement between the agency and the SPSCC, the fees for these services should be actual additional cost of providing these services at the center. Specialized costs are deducted from the operating budget prior to the calculation of the general cost/call discussed above.

Service		Rate	Measurement
Police Administrative Call Taking*	Upon request	\$1.50	Per call
Airport Preparedness Staff Training	Kenai required	\$8,000	Estimated annual training cost at 8 hours/dispatcher
TLS Circuit Charge	Homer	\$232/month	Per month, if cities move to ALMR this charge will be eliminated
Buzz-in circuit charge	Homer	\$100/month	Per month
	Seward		
Airport circuit charges	Kenai	\$300/month	Estimated – will be based on actual cost
Camera Access†	Upon request	TBD	Charge will include TLS circuit charge plus an additional \$143/month to increase TLS circuit speed, other charges will be agreed upon based on specific needs

*For administrative calls, each city is responsible for coordinating with DPS to add a circuit to utilize the current administrative phone system, for configuring scheduled forwarding of administrative calls to the DPS line, for the cost of circuit tying their phone system to the DPS administrative system, and for any long distance charges incurred. Any call that does not result in a CAD Call for Service (CFS) will be billed at the administrative call rate. Any administrative call requiring CFS and associated records management data entry will be billed at standard rates.

†Camera systems must integrate with the current borough system and charges will be determined on an individual basis. Agencies are responsible for any set up cost. Passive access only, active monitoring not available.

Kenai Peninsula Borough Consolidated Dispatch Center
Fee Methodology Proposal

DRAFT

4. ONE TIME CITY INTEGRATION FEES

These costs reflect one time fees associated with the transition and integration of the dispatch centers. There will be a one-time integration fee of **\$10,000** per city to cover general transition costs. Other costs are estimated in the table below, but will be charged to the cities at actual cost.

Service		Estimate	Measurement
One time integration fee	All cities	\$10,000	Flat fee
Radio/IP linkage*	Homer/Seward	\$6,000	Actual cost
Buzz-in capabilities	Homer/Seward	\$5,000	Actual cost
Airport transition	Kenai	\$15,000	Actual cost

* Homer and Seward will be responsible for maintaining their own legacy radio system, and will be required to maintain the remote end of the radio-IP bridge.

5. ESTIMATED FEES PER AGENCY

General Cost

Agency	Fire and EMS	Police	Contribution
City of Soldotna	0	11,322	\$288,000
City of Kenai	1,378	7,840	\$259,200
City of Homer	637	8,819	\$254,400
City of Seward*	694	3,728	\$134,400
KESA	174	-	\$9,600
Central Emergency Services	2,802	-	\$144,000
BCFSA	130	-	\$9,600
Nikiski Fire Service Area	884	-	\$48,000
Anchor Point	213	-	\$19,200
State Park Service	Pays for 1 dispatcher		\$105,000
Total			\$1,271,400

**Seward call-volume CY2015: SVAC 523, SVFD EMS 205, SVFD Fire/Other 144. To avoid charging Seward twice for EMS calls, SVFD EMS calls are not included in total Fire/EMS call volume*

Specialized Cost

Will be determined based on additional services selected by agencies and actual cost.

Agency	Type	Fee
City of Kenai	Airport training, airport circuits	\$11,600
City of Homer	TLS Circuit, buzz-in circuit	\$3,984
City of Seward	TLS Circuit, buzz-in circuit	\$3,984
Total		\$19,568

Kenai Peninsula Borough Consolidated Dispatch Center
Fee Methodology Proposal

DRAFT

Integration Cost

Estimated one time cost of integrating new centers. This is not included in overall operating budget overview below, as these fees are specifically to cover transition costs, not annual operating budget.

Agency	Type	Fee
City of Kenai	Integration, airport	\$25,000
City of Kenai	Integration, radio/IP, buzz-in	\$21,000
City of Homer	Integration, radio/IP, buzz-in	\$21,000

Total Charges

Estimated total cost of consolidated center per agency.

Agency	First Year	Annual
City of Soldotna	\$288,000	\$288,000
City of Kenai	\$295,800	\$270,800
City of Homer	\$279,384	\$258,384
City of Seward	\$159,384	\$138,384
KESA	\$9,600	\$9,600
CES	\$144,000	\$144,000
BCFSA	\$9,600	\$9,600
Nikiski Fire Service Area	\$48,000	\$48,000
Anchor Point	\$19,200	\$19,200

Borough Charges

The borough general fund will cover the following costs

Item	Measurement	Cost
Radio replacement*	Annual budget	\$98,963
911 Addressing	Annual budget	\$122,115
Small agency calls†	433 calls (401-600 block)	\$28,800
Total		\$249,878

*The equipment replacement fund will be used to cover the cost of 6 new dispatch radio consoles

†Hope (19), Ninilchick (229), Cooper Landing (123), Moose Pass (62)

This document provides an estimate of consolidation costs. If additional services and integration costs specific to each city are identified, these costs will be billed to the integrating agency. General unexpected transition costs for the SPSCC itself will be covered by the borough. Estimated costs include:

Item	Measurement	Cost
ProQA software licensing	One time	\$11,000
New equipment	One time	\$20,000
Total		\$31,000

Kenai Peninsula Borough Consolidated Dispatch Center
Fee Methodology Proposal

DRAFT

6. CONSOLIDATED CENTER BUDGET OVERVIEW

Consolidated dispatch budget summary	
Revenue from agencies	1,290,968
E911 revenue	1,544,348
Borough general fund	249,878
Total revenue	3,085,194
FY 2017 budget	2,431,295
- E911 Payments	(158,400)
+ 6 dispatchers, .5 admin	708,594
+ Airport and radio/IP costs	19,568
Total consolidated annual budget	3,001,057
Fund Balance	84,137

7. AGENCY INPUT

Cities will be charged based on their actual call volume collected by the CAD system at the SPSCC. Actual costs after year one may vary from estimated costs in this document, as there is not currently a unified way of collecting call volume data. Fees will be determined based on calendar year call volume and charged to cities on an annual basis during fiscal year budget preparation. The base rate (fee/call) will be recalculated every three years based on overall center call volume and operating budget.

In order to account for advances in technology and other changes in dispatch center operations, the entire fee structure will need to be reassessed periodically. The group for this fee structure reassessment will include representatives from each of the agencies participating in the call center. In addition, there will need to be an avenue created for input on fee methodology and other aspects of dispatch operations.

This proposal does not go in to detail on the structure of this group, which will be worked out with the agreement of all agencies.

8. E911 SURCHARGE

The borough will continue to collect all E911 surcharges and this charge will be deducted from overall operating cost before rate per call for Fire, EMS, and Police are determined.

DISPATCH CONSOLIDATION ESTIMATED CITY COST SAVINGS

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Cost savings for each city will vary based on the current operating budget and the services the city intends to retain. The following are rough estimates of cost savings based on the most recent dispatch operating budget provided to borough staff and on estimated costs and cost avoidances, these numbers could vary greatly in practice and cities should individually assess budget implications of consolidation.

Kenai

The estimated annual cost for Kenai of a consolidated center is \$323,600: \$259,200 for dispatch, \$11,600 specialized fees, and a \$52,800 reduction in E911 payments from the borough. Based on Kenai's \$853,715 annual dispatch operating budget, Kenai would see a net **\$530,115 annual difference** in cost.

Consolidating prior to radio purchasing will save Kenai an additional \$265,000 in cost avoidance: \$290,000¹ for two new radios, minus the \$25,000 borough integration fee. This results in an **estimated \$795,115 difference in the first year.**

Kenai Summary	
Dispatch borough fee	\$259,200
Specialized fees	\$11,600
Reduction in E911	\$52,800
Consolidated annual cost	\$323,600
FY 2016 operating budget	\$853,715
<u>Net annual difference</u>	<u>\$530,115</u>
One time cost avoidances	
Avoidance of new radio consoles ¹	\$290,000
Borough integration fees	-\$25,000
Total first year cost avoidance	\$265,000
<u>First year difference</u>	<u>\$795,115</u>

Homer

The estimated annual cost for Homer is \$311,184: \$254,400 for dispatch, \$3,984 specialized services, and a \$52,800 reduction in E911 payments from the borough. Based on Homer's \$631,045² annual operating budget, Homer would see a net **\$319,861 annual difference in cost.**

Consolidating prior to radio purchase will save Homer an additional \$269,000 in cost avoidance: \$290,000 for new radios, minus the \$21,000 estimated cost of radio/IP linkage and integration fees with the borough. This results in an estimated **\$588,861 difference in the first year.**

Homer Summary	
Dispatch borough fee	\$254,400
Specialized fees	\$3,984
Reduction in E911	\$52,800
Consolidated annual cost	\$311,184
CY 2016 operating budget²	\$631,045
<u>Net annual difference</u>	<u>\$319,861</u>
One time cost avoidances	
Avoidance of new radio consoles	\$290,000
Borough integration fees	-\$21,000
Total cost avoidance first year	\$269,000
<u>First year difference</u>	<u>\$588,861</u>

¹ \$290,000 based on Motorola quote provided to borough for upgrading 2 radio consoles. Actual cost avoidance may vary based on number of upgrades and other factors.

² Personnel costs account for 95% of Homer's 2016 dispatch operating budget. It is likely that there are additional operational costs to Homer that are captured elsewhere in the city budget.

DISPATCH CONSOLIDATION ESTIMATED CITY COST SAVINGS

DRAFT

Seward

The estimated annual cost for Seward is **\$191,184**: \$134,400 for dispatch, \$3,984 specialized services, and a \$52,800 reduction in E911 payments from the borough. Based on an annual cost of \$485,062³, Seward will see a net **\$293,878 difference annually**.

Consolidating prior to radio purchasing will avoid an additional \$124,000 in cost: \$145,000 for a new radio minus \$21,000 estimated cost of radio/IP linkage and integration fee with the borough. This results in an estimated **\$417,878 difference in the first year**.

Seward Summary	
Dispatch borough fee	\$134,400
Specialized fees	\$3,984
Reduction in E911	\$52,800
Consolidated annual cost	\$191,184
FY 2016 budget³	\$485,063
<u>Net annual difference</u>	<u>\$293,878</u>
One time cost avoidances	
Avoidance of 1 new radio console	\$145,000
Borough integration fees	-\$21,000
Total cost avoidance first year	\$124,000
<u>First year difference</u>	<u>\$417,878</u>

Soldotna

Dispatch for the city of Soldotna is already operated by the SPSCC. Although costs for the city will go up with this proposal, putting a fee structure in place will be advantageous for the city in the long run. An established structure will allow for Soldotna to reasonably estimate what their costs for dispatch will be in the future and eliminate the likelihood of sudden drastic changes due to budget or administration changes. This will also put in place an avenue for Soldotna, along with the other cities, to provide input on the pricing structure on a regular basis.

³ Based on only total personnel costs provided by City of Seward, dispatch costs are not separated from Police costs in Seward annual operating budget

Dispatch Consolidation City Feedback and Responses

This document includes responses to concerns about a consolidated center and inquiries about additional services a consolidated center would provide. Please note that at this point we are only able to say we likely can or cannot provide certain services, the details of which services are provided and the related cost will need to be agreed upon as this process continues.

1. Questions regarding additional services provided by dispatch

- Cameras
 - The issue of what constitutes “monitoring” is the larger question. If, as assumed, the cities currently utilize security cameras in a passive manner, primarily for situational awareness and post-incident research, SPSCC could be given access to provide the same. SPSCC would not likely be responsible for pro-active monitoring, as this implies 24/7 awareness rather than simple availability.
 - Cost to establish access has not yet been determined, and would be specific to each agency’s needs. Agencies already using IP based camera systems should be capable of providing access with minimal cost. The \$143/month TLS circuit charge would simply make the system available to the SPSCC.
- Municipal tasks
 - After consolidation, municipal tasks that may have been assigned to Dispatch staff to take advantage of their 24/7 staffing should probably be evaluated to determine if 24/7 *emergency* support is actually necessary. Given that dispatch is a high cost service, rather than establishing the service at the SPSCC, cities might find it more cost effective to handle after hours response similarly to KPB Maintenance. KPB Maintenance responds to critical off hours needs at 46 schools and several dozen KPB facilities simply by providing emergency contact info to the public. Maintenance staff fields these calls directly. If the issue being addressed truly rises to level of an emergency (structure fire/vandalism/etc.), then 911 services should be contacted anyway.
- Local-alarm ring down
 - This is also not a question of technical feasibility but one of appropriate use of dispatch services, as changing a ring-down destination should be a fairly simple technical task.
- Please see list at the end of this document for responses to additional services listed by Kenai

2. Redundancy and back up plans

- With digital systems (such as ALMR and SPSCC’s MicroData 911), redundancy and fault tolerance are different but related. While we are not in a position to speak to ALMR system topology, there is a substantial degree of both redundancy and fault tolerance built into the

Dispatch Consolidation City Feedback and Responses

SPSCC's MicroData 911 solution. I believe the concern raised here is strictly related to transport redundancy between SPSCC and Homer. It is true that most carrier based(ACS/GCI/AT&T) communications traffic between Soldotna and Homer follows common pathways, with carriers leasing bandwidth/fiber/copper from each other where needed. It is also true that those carriers have substantial redundancy built in to their systems. Our observation is that uptime between SPSCC and HPD approaches 99.995%, but we always strive to achieve the greatest reasonable redundancy/fault tolerance possible where 911 service is concerned. It is our understanding that the State has a microwave link between Soldotna and Homer, and we have discussed the possibility of using this link as a backup for public safety traffic. This could provide redundant transport between SPSCC and Homer.

- The next generation of consoles are IP based, so the method for bridging remote radio frequencies is changing.
- Consolidation would provide area-wide CAD. If KPB will be dispatching over legacy frequencies using existing network connections through dispatch, we could leave SIP phones in place which would provide a local call end point in the event of a catastrophic failure.
- Mobile units and portables could provide emergency radio backup, if ALMR or similar is improved at State level. If cities choose to discuss risks/benefits of transitioning to ALMR, it should be considered an issue separate from any consolidation discussion.
- It is important to note that ProComm is not an unbiased player in this conversation. They have a strong vested interest in selling hardware and services. They are certainly aware that establishing a hard requirement for a new transport path between SPSCC and HPD could drive business their way. None of this is said to discount ProComm's expertise in the wireless communications arena (which is significant), it simply must be considered in evaluating their advice.

3. Local knowledge, non-numeric addresses, unfamiliarity with spatial layout of area, familiarity with callers etc

- The SPSCC currently dispatches all areas surrounding the Homer, Kenai, and Seward City Limits. All calls for service—as well as frequent callers—are documented in Computer Aided Dispatch (CAD). This information is captured and easily accessed by any public safety dispatcher, regardless of their tenure.
- The CAD system has the ability to use “Common Names” (that we manually enter) to identify businesses, etc. It is a common feature of CAD providers to encapsulate local knowledge for this reason. As part of implementing a consolidated dispatch arrangement, we would establish a review/submission process for “Common Names” in each locality.

Dispatch Consolidation City Feedback and Responses

- The borough GIS mapping system has few peers, and is highly regarded by vendors that usually provide that service, often dropping GIS development from quotes in favor of using the boroughs system as more cost effective and efficient. The primary reasons for updating dispatch when moved to the new facility in 2006 were to provide improved call routing based on emergency service zone (ESZ = City or vicinity) and to improve responder response and routing by using the mapping capability of the new system installed at each city 911 center by the borough.
- As for needing a uniform and widely accepted address system, we all agree on that. For nearly two decades, the Borough and Cities have had agreements in place to provide accurate addressing for the local Street Addressing Guide (SAG) and area wide Master Street Addressing Guide (MSAG). Cities have been provided a sum of money annually to provide that information in compliance with National Emergency Numbering Association (NENA) Standards, and to perform certain call taking in areas adjacent to their area as needed. KPB already employs a full-time 9-1-1 Addressing Officer to ensure all addressing is uniform throughout all municipalities. The Borough's addressing officer maintains the borough-wide MSAG and addressing on behalf of the borough and relies on the SAG data from cities for City mapping and addressing.
- If the Borough numerical addressing is lacking, it should be enhanced. If this question is related to City numerical addressing, the City has a means to improve that, similar to the borough

4. Need more detail on how a consolidated dispatch would address RMS and ARMS generation , integration, completion.

- There are two solutions for a smooth, viable transition and continuity of operations. The first (and preferred model), all agencies would utilize ARMS as their RMS. The second would require a software integration between SPSCC CAD and responding agency's RMS. (side note—it was \$18,000 for the SPSCC CAD -> ARMS interface)
- RMS has always been the originating agency responsibility.

5. Doesn't provide line of sight VHF Ch. 16 156.8 Mhz coverage, which may need to be maintained locally, or reduced/eliminated.

- The communications resources they use today should not be impacted.

6. (PERS) Termination study potential

- HR posed this question to PERS; PERS acknowledged a transfer of PERS positions between PERS enrolled organizations CAN occur, but they need all details before putting anything in writing.
- HR has suggested cities may want to keep one dispatch position on the books (but unfilled) to ease re-filling if the situation changes in the long term.

Dispatch Consolidation City Feedback and Responses

- The KPB feels that a PERS termination study may be avoidable.
- The most effective approach to receiving an accurate and positive response from PERS would likely be the result of a collaborative effort between the KPB and the cities. A “package” that included specifics from each of the cities and the KPB and contained the overall plan for what the FTE’s and employed positions would look like after consolidation should provide PERS with the information they need to make a decision.

7. Capital cost avoidance

- Estimated one time cost savings are laid out in the original proposal provided to cities. Cost savings must be quantified by cities.
- KPB does not believe that cities dispatch would need to purchase new radio consoles, as operations would be moved entirely to the SPSCC. The KPB is purchasing 6 new radio consoles this year. This is significant cost avoidance for all cities.

8. Control and the future administration

- Should the cities agree to move forward with this process, determining the control and administration structure would be the next step. This structure will be developed through a collaborative effort with all cities.

Responses to additional services inquired about by the City of Kenai

- **Water & Sewer Utility Support** - Kenai Dispatch currently monitors the alarms of the City’s Water, Sewer, and Wastewater Treatment Plant. Water and Sewer personnel are notified upon receiving an alarm.
 - We currently monitor a few City of Soldotna and KPB automated alarms (i.e. Sewer Treatment Plant, lift stations, schools, Nikiski Pool, etc.) These are automated alarms that ring into our unpublished 10-digit emergency line. We could accommodate this for other cities. Alternatively, since a dispatcher cannot diagnose the alarm nor resolve any issue, only place a call (possibly repetitive calls) it may be more cost effective to rout these calls through an alarm monitoring company or directly to a smart phone of a public works person.
- **Fire pumps** at the City’s water reservoir at the request of the Fire Department.
 - Can be provided with fees for additional circuits
 - This is an essential service during structure fires to boost pumps for proper flows. This is activation by a single switch upon request by the fire officers.

Dispatch Consolidation City Feedback and Responses

- **Kenai Municipal Airport Support**
 - We understand that much of the Kenai Airport support is non-negotiable for the city; the services are required and must be provided. What could be changed is how the services happen (using new technology) etc, but meeting the requirements with FAA regional office approval and sign off. This consolidation may even require that approval. We understand that this is a critical service that will need to be managed with appropriate technology and be a priority in the consolidated 911 center. Working through the details of the municipal airport requirements and support will be a significant step in this process.
 - Three-way crash phone: Provided with additional circuits needed + fee for additional dispatcher training and service (discussed in original proposal)
- **Kenai Street department support:** Kenai Dispatch notifies Street Department personnel when police officers determine snow accumulations or ice conditions require after hour response.
 - Possible with a fee for service. KPD could notify comm center who would call Kenai PW Dept to manage street communication and ground services; little reason for dispatch to monitor the function after call out, only to be informed when completed; airport FD or assistant airport manager can manage the correspondence to FAA.
- **Kenai Dispatch provides support for contacting vehicle owners during snow removal activities of the department.**
 - This would seem like a high volume task when it happened, and likely wouldn't be handled by a consolidated center.
- **Record management:** Anything related to their RMS—Spillman—would be resolved with an interface with our CAD* including:
 - Dispatch creates case number, description of call in our Records Management System (Spillman)
 - Dispatch links all the people and vehicles in Spillman
 - Dispatch creates people, vehicles, locations in Spillman
 - Dispatch enters stolen property in Spillman
 - Officers do link some people in Spillman but Primary work in Spillman is done by dispatch.*

Dispatch Consolidation City Feedback and Responses

- Dispatchers do research in Spillman and provide case involvements and connections to officers to assist in investigations.*
- Dispatchers provide Spillman information during traffic enforcement, parking issues, and other municipal ordinance issues in order to assist officers and summer hires in making enforcement decisions.
- **Dispatchers commonly research other open sources for information related to cases.** SPSCC currently provides this service to users
- **Dispatch prints all persons and vehicles in APSIN.** SPSCC currently provides this service to commissioned officers without APSIN access
- **Dispatch prepares "six-pack" photo line-up's for officers when requested.** SPSCC currently provides this service to users
- **Dispatch maintains daily log of police activity based on calls, with constant update, for review by officers on shift** A daily log can be generated from CAD.
- **Dispatch enters arrests in APSIN and in Spillman.** SPSCC currently enters all arrests in APSIN—Spillman would require an interface
- **Dispatch notarizes documents, including charging documents for felonies.** SPSCC currently provides this service to LEO
- **Dispatch writes press releases on arrests.** All LEO currently complete their own press releases
- **Dispatch completes ATN and Kid CID forms for criminal charges for adults and kids.** All LEO we currently dispatch for complete their own ATN's and CID's
- **Dispatch modifies and updates criminal complaint forms for the officers.** All LEO currently modify and update their own criminal complaints
- **Kenai Dispatch provides 24/365 in person response to the public at the Kenai Police Department.** This is a paradigm shift KPD would have to adapt to. SPD is a good example of a Monday – Friday 0800-1700 police department with a ring down system in place after hours and on weekends.
- **Clerical tasks: The following clerical tasks a clerk for the city may be able to complete, and the SPSCC would likely not take on:**
 - Dispatch creates paper case files with all documents in it. Dispatch locates pictures of suspects (DMV or other source) includes copies in case file.
 - Officers complete reports in RMS and Dispatch reviews all reports turned in for errors primarily spelling and grammar, but also factual like names and dates of birth. Dispatch prints all reports, organizes case file documents and numbers case documents in files.
 - Dispatch makes copies of case files for distribution to DJJ, AST, DAO, OCS, FBI, etc.
 - Dispatch faxes, mails or prepares hard copies of reports to send to other agencies

Dispatch Consolidation City Feedback and Responses

Miscellaneous Support

- **Kenai Dispatch opens and closes apparatus doors for the Kenai Fire Department and Station 1 and at the Airport Operations Center. Dispatch also controls Police Department garage doors.**
 - Possible with additional circuits needed + fee for service
 - See comment in Kenai Muni Airport Support; this would be a communication center priority and could occur using current technology.
- **Kenai Dispatch monitors alarms for all City elevators.**
 - Should be possible with ring down lines, such as KPB elevators
 - Additional circuits needed + fee for service
- **Kenai Dispatch monitors panic alarms for Kenai City Hall.**
 - Possible with additional circuits needed + fee for service
- **Kenai Dispatch provides support to personal use fishery fee shacks by dispatching personnel to take money from the shacks based upon emails received by the cashiering system.**
 - This is just a notification that goes out when cash hit's a certain level at the shacks. No reason it couldn't go to any city employee.



City of Homer

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Memorandum

TO: Mayor Navarre, Kenai Peninsula Borough
FROM: Katie Koester, City Manager, City of Homer
DATE: May 17, 2016
SUBJECT: Dispatch Consolidation

Redundancy/ loss of connectivity

This is a big issue for the City, Homer is the most distant client in this proposal. How would redundancy be provided if connectivity is lost? This happens from time to time now. According to our consultant, ProComm, employing 2 systems, like ALMR and HPD 1&2 or HVFD 1&2 is not redundant, once connectivity to Homer is lost we would be 100% down. I understand that we cannot necessarily plan for 'the big one,' but it is a policy call to decide how much risk we are willing to take on. I am unable to say with confidence that the risk of losing connectivity is limited to a major, regional natural disaster and would like a greater degree of assurance that routine outages can be prevented.

Extra charges/services

Cameras. Like Seward, the City of Homer has a number of security cameras that are monitored by dispatch (airport, port, etc.) From the paperwork you presented at the meeting, this looks like a \$143 charge per month per circuit?

Cost for other departments. Depending on events, there can be a lot of radio work for dispatchers with Public Works and Port and Harbor. KPB dispatch would have to tie into the Harbor radio system and Public works repeaters, which would have an equipment cost and call level cost.

Local alarms. There are several local alarms that ring into dispatch (panic buttons at City Hall, the College, High School, etc.). There are also alarms for the water treatment plant and pump stations. What will that service cost? Can it be provided?

Cost

We have confirmation from the state that by eliminating the classification of employees – dispatchers – it would trigger a termination study.

The HPD does not track call volume with the same software the Borough does. Though we had dispatch go through the call log by hand to try and come up with more comparable statistics, we are certain our call volume – and therefore cost – will increase under the CAD system used by KPB. Under the proposal, Homer would be paying less than Soldotna. HPD is a busier department than Soldotna and our call volume under CAD would reflect that.

Local Knowledge

The importance of local knowledge is more than just knowing the local geography and landmarks. Our local dispatchers know the frequent callers, know when to take a call more seriously and can think quickly to apply local resources in a situation. At least once a year we have a potentially major incident turn out well because of this type of local knowledge.

Capital cost avoidance

This may be an area where municipalities can experience true cost savings. It would be helpful to understand what one time cost saving there are (new radios that cities would have to buy anyway) and what ongoing savings there would be (ongoing dispatch equipment replacement cost?).

The City of Homer is in the process of designing a new police station. There will be a cost avoidance in not housing dispatch that Council will need to consider.

Control and the future/ administration

What is the guarantee to municipalities that this cost will not escalate in the future? How will all the municipalities have a true seat at the management table? I know this question is equally important to the administration as it is to the municipalities. I do not have a solution. A joint operating agreement where each municipality has a seat may be a viable option, but I would worry that efficiencies would be lost in this type of management structure, which could drive up cost. I also worry about a central peninsula bias in such a structure. Figuring out this structure would be a necessity before making any final commitments. I am interested to see proposals from the other municipalities, or a consultant that specializes in 911 services, on how to handle this issue.

City of Homer staffing under a consolidated dispatch

The staffing needs for HPD are one jail officer (dispatch currently monitors cameras when there is no coverage in the jail) and 2.5 administrative support staff. We also would need some increased overtime hours for the officers for the paperwork processing dispatch helps with. A good argument can be made that the City should be replacing a jailer regardless of the location of dispatch. However, this would still not push the needle to an annual cost savings for the City of Homer.

<u>Salary & Wages</u>	<u>Benefits Total</u>	<u>Total Labor Costs</u>
65,000	34,130	99,130
60,000	32,612	92,612
28,000	22,899	50,899
46,000	28,363	74,363

2.5 dispatchers retained as staff = \$317,000/ year Total Labor Costs
+ 1 jailer added
350 hours additional OT officers = \$14,000/ year

PERS Termination Study estimate = \$130,000/ initial year
= \$85,000 / every year after

First year = Costs City \$461,000 (Labor Costs/ OT/ PERS Termination estimate)

Every year after = \$416,000 (Labor Costs/ OT/ PERS Termination estimate)

In Summary

Thank you for taking on this incredibly complex issue. As this concept progresses, the City would like to see a radio systems engineer to design the connectivity needed for a joint dispatch center. The engineer can design the center and the satellites as a unified system connected with multiple redundant links for reliability. An emergency communications consultant with experience in 911 systems and radio systems should be employed in system design and to ensure all users are treated equally. A radio systems consultant, the City of Homer uses ProComm, could provide a feasibility assessment before investing significant dollars in design. Radio communications is a very complicated topic. With these assurances from professionals, I think removed locations like the City of Homer would feel much more secure that we are not taking on an untenable amount risk.

The City of Homer is willing to see this process through until we can get more reliable information and assurances on some of the larger unknowns. Given the preliminary numbers I am skeptical this will be financially feasible for Homer. Nevertheless, there are many moving pieces and it is important to explore all the options and present Council with the risks and benefits of consolidation.



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Volunteer Fire Department

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Memorandum

TO: Katie Koester, City Manager

FROM: Robert Painter, Chief 

DATE: October 12, 2016

SUBJECT: Consolidated Dispatch Services

As an end-user of dispatcher services in Homer I would like to offer the following comments regarding the consolidation of dispatch with Soldotna. While the technology has improved over the years that make consolidation more practical, and even possible, I believe there remains a large question as to the resilience of those services during and following a disaster, such as an earthquake. As the Director of Emergency Services I feel it is incumbent upon me to suggest that while consolidation may be feasible during "routine" day-to-day operations, it does not relieve us of the responsibility of having a reliable and instantaneous backup available when the link(s) between Homer and Soldotna are severed, for whatever reason. Requiring the city to maintain a technologically current system, which could be utilized when necessary, does not accomplish the reasonable expectation of "readiness" in the face of disaster? Losing our local dispatch personnel will mean that there is no one trained, or available, to dispatch locally even if we maintain, as we should, the technical capacity to perform those services.

There is also the obvious loss of local control over how dispatch functions for all of the users, of which HVFD is only one. Having dispatchers with an intimate knowledge of local conditions and resources is often of value during an emergency response. We currently know each of the local dispatchers through personal contacts, when they initially train (each new dispatcher is oriented to HVFD during a visit) and through annual training offered to HPD by fire department instructors. Transferring dispatch to Soldotna will completely eliminate any possibility of developing knowledge of our response area or capability and will result in dispatch relying on GIS data, which if you ever use GPS technology around Homer, you know is often obsolete and technically flawed.



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19 October, 2016

Katie Koester

City Manager – City of Homer

KPB Dispatch Consolidation Slide Presentation Review #2

Upon review of the KPB Dispatch Consolidation slide presentation, please accept the following review.

Slide 3 – The City's all use Borough supplied E911 from MicroData/TCS. In the RFP that the Borough released called for such a design where calls and caller number and location information could be easily transferred for local service in those cities. If KPB shuts this down and does local dispatch themselves from Soldotna, they can forego the expense of what little maintenance if any that they do, and the cost of the use of the Borough LAN for connectivity. This is also a way to save money "for them" to upgrade the system and put it all in to one center "for them" in Soldotna. There-in lies the problem. A single E911 or radio dispatch location is not prudent and there is no redundancy and no backup if they go down so there is no "improved effectiveness" by doing this.

The "significant capital expenditures" referenced are referring to radio console life cycle replacement which is done with grant funds so there is no real cost avoidance to the city except for what matching funds that may be required. I have quoted Chief Robl, Kenai, and Seward the upgrades and again grant funding is required, not city capital. In their "cost avoidance" figures, they should take those funds out of the numbers because those are "one-time" grant funds to complete a specific project.

It is true that in theory consolidation would result in Cost Savings to the cities because there would be no dispatch center to operate and staff, but there is no safety net for the Kenai Peninsula Borough communities – YOUR Community – to serve the needs of public safety for YOUR residents.

Major Problem: Soldotna has 5 positions of dispatch going to 6 positions of dispatch to add extra head count (4 of them – 1 person





for days, swing, and graveyard, plus days off) because of their anticipated work load today, not tomorrow after “consolidation”. They are so busy from May to September during tourist season, they can barely handle the workload today. Now imagine if you eliminate 3 positions at Kenai, 2 positions at Seward, and 3 positions at Homer. This requires Soldotna’s sole location to carry a load that is incomprehensible with their 6 positions, when they suggest replacing 8 existing positions in three other cities! So under consolidation they would have to staff for the equivalent of their 6 plus the other city’s 8 positions, and then they would be using 6 positions to do the work of 14? Not a good plan.

The fact that the “state fiscal environment is motivating all local governments to pursue efficiencies” is a true statement, but there is no other priority for YOUR community than public safety and what it takes to deliver that efficiently, reliably, and without failing when mission critical requirements are needed.

Slide 7, 8 & 9 – SPSCC serves as the default dispatch center covers when muni call volume exceeds their capacity? Under this proposal by taking on 8 more positions of responsibility and due to the fact that they are already overloaded at SPSCC without adding 3 more muni locations, how are they going to handle the volume overload from other centers at all? This is a broad statement that needs to be explained with specific information.

NOTE: The KPB MicroData/TCS E911 system that they use is programmed to forward all wireless callers to Soldotna per this slide information. There is no good reason to do that when you can share the load for call distribution. That call distribution can be easily changed which would improve response times to those callers that they “have to transfer” to other centers now. It’s done in the Phase I and Phase II wireless ALI database for location information, using Automatic Call Distribution (ACD) in the software that routes the wireless caller to the NEAREST Public Safety Answering Point (PSAP), not just Soldotna. A total of 65% of their E911 calls came from cell phones and that will only increase, so it should be divided up amongst the PSAPs for efficiency, as well as the E911 Surcharge





Funds! Consolidation will result in “throwing away” E911 software and radio console systems that have been purchased with other grant funds when it could all be used to become more efficient and be used to provide better service to Borough and muni residents. Just imagine Seward on the 4th of July Mount Marathon race with all the Trooper traffic at Exit Glacier and SPD / SVFD traffic in town, then add Homer, Kenai, and Soldotna in it with 200,000 people on the Kenai Peninsula. Not a pretty picture. If they saved a Million Dollars and lost one life because of the lack of dispatch personnel to answer and dispatch a call in a timely manner, no matter how you slice it, it’s not worth it!

The same programming holds especially true for landline E911 callers by location in Slide 9. Those numbers in the call center jurisdiction can be programmed by address and number in to the ANI (Automatic Number Identification) database with all caller and location information for a quicker response. This is being practiced today by Homer, Seward, and Kenai.

Redundancy for Homer Resources: SPSCC would have to provide you with a detailed plan for connecting to all of your radio systems, tsunami warning systems, local harbor channel, Marine 16, and other conventional resources that Homer uses and what about Public Works? Other city departments? The problem is with one PSAP and limited personnel and technology resources 75 miles away, if SPSCC loses connectivity to dispatch to Anchor Point to page them out on their repeater up on Diamond Ridge, what happens then? Remember no paging can be done over ALMR!

So SPSCC needs a specific line connected to a specific repeater to do this, like they would for Homer, Seward, and Kenai. Specific dedicated phone lines are required to go from SPSCC to each specific repeater in the muni so Homer would require at least 6 dedicated copper circuits to Homer from Soldotna SPSCC dispatch consoles. What if those lines go down? They would use ALMR for voice maybe if it’s not down, or maybe call Bob Painter’s cell phone? Homer needs to know how redundancy for your local resources is going to be handled, constructed, and redundant to





insure YOUR jurisdiction and the response within it is not compromised. This requires detailed technical support and planning by all parties.

Slide 10 – Service Improvements from Area-wide CAD/RMS could be realized. Seward and Homer do not use any CAD (Computer Aided Dispatch) and Records Management system. Kenai does so CAD information can only be “Standardized” if there are no other PSAPs using CAD or the KPB Brand of CAD from New World. To standardize will take other CAD at Kenai out of service. There are delays in transferring calls due to errors in Soldotna and lack of proper call distribution for E911. Sometimes Soldotna transfers their own 911 calls to Homer, Kenai, etc., due to stressful conditions on the job. These descriptions and statements could be achieved but it would take a lot of time and money to do this right. I see no evidence of detailed plans to support this consolidation effort.

Summary: I see no reference to APCO Standards for communications systems (Association of Public Safety Communications Officials) or NENA (National Emergency Number Association) standards for E911 both of which Tammy Goggia at Soldotna is the Alaska Chapter President. I am the APCO/NENA Commercial Advisor for Alaska for technical details and standards. These standards along with ISO compliance (International Organization for Standardization) along with vendor maintenance agreements to keep all systems and services running is paramount but I see no evidence or mention of these Industry Standards or applications. Soldotna does not pay to maintain their current dispatch center using any contracts for their radio or console system. I cannot speak about the rest of the vendors. What would they do in the future then to ensure the highest Service Level Agreements.

There is no mention of backup or redundancy in the case of emergency, and it is not a good idea to consolidate 4 – PSAPs in to one location with no backup or redundancy plans from other entities and if you don’t follow standards and plan for maintenance which was not in the numbers. Consolidation may be a good idea





for cost savings, but the plan must contain much more detail to make it a palatable reality. Each community has unique local situational awareness because of their presence in the community and personal knowledge of people and property, roads, and dangers. Who will do detention, how is that handled, animal control, the public window, traffic fines and payments, and the list goes on and on. If you were to consolidate, how would those services be addressed. Who would dispatch for Kachemak City, Seldovia, Port Graham backup for air transport, and Nanwalek? There is much more to discover.

The cost justification numbers are wrong for cost evaluation when grant funds are used in the equation. Much more detail is needed for APCO, NENA, and ISO compliance to even consider all the costs, plus the costs of additional technology that the KPB SPSCC would have to spend and the additional personnel they would have to hire and the cost of equipment yet to be identified, they would have to maintain. Then how would you put a price or a value on each community for each PSAP that they would want to shut down. That's the greatest cost of all.

Gary Peters – Founder, Pres & CEO, ProComm Alaska, LLC.



HOMER CITY COUNCIL
491 E. PIONEER AVENUE
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COMMITTEE OF THE WHOLE
5:00 P.M. MONDAY
OCTOBER 24, 2016
COWLES COUNCIL CHAMBERS

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

COMMITTEE OF THE WHOLE AGENDA

1. CALL TO ORDER, 5:00 P.M.

Councilmember Aderhold has requested telephonic participation or excusal.

2. AGENDA APPROVAL (Only those matters on the noticed agenda may be considered, pursuant to City Council's Operating Manual, pg. 6)

3. CITY MANAGER'S REPORT (Scheduling) Page 267

4. BUDGET 2017

5. CONSENT AGENDA

6. REGULAR MEETING AGENDA

7. COMMENTS OF THE AUDIENCE

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

Next Regular Meeting is Monday, November 28, 2016 at 6:00 p.m., Committee of the Whole 5:00 p.m., and Worksession 4:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

CALL TO ORDER
PLEDGE OF ALLEGIANCE
AGENDA APPROVAL

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



REGULAR MEETING
6:00 P.M. MONDAY
OCTOBER 24, 2016
COWLES COUNCIL CHAMBERS

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

REGULAR MEETING AGENDA

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

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE

Councilmember Aderhold has requested telephonic participation or excusal.

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 1.24.040.)

3. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

4. RECONSIDERATION

5. 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 October 10, 2016. City Clerk. Recommend adoption.

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- B. Memorandum 16-170 from Mayor Zak Re: Appointment of Sue Fallon to the Library Advisory Board and Justin Arnold to the Planning Commission. Page 91
- C. **Ordinance 16-54**, An Ordinance of the Homer City Council Appropriating Funds for the Calendar Year 2017 for the General Fund, the Water Fund, the Sewer Fund, the Port/Harbor Fund, Capital Projects, and Internal Service Funds. City Manager. Recommended dates: Introduction October 24, 2016, Public Hearings November 28, 2016 and December 12, 2016, Second Reading December 12, 2016. Page 97
- D. **Ordinance 16-55**, An Ordinance of the City Council of Homer, Alaska, Amending the 2016 Operating Budget by Appropriating \$494,000.00 From the Homer Accelerated Roads and Trails Program (HART) Fund to Provide for Rehabilitation of the Bunnell Street Storm Drain. City Manager/Public Works Director. Recommended dates: Introduction October 24, 2016, Public Hearing and Second Reading November 28, 2016. Page 103
- Memorandum 16-174 from Public Works Superintendent as backup. Page 107
- E. **Resolution 16-107**, A Resolution of the Homer City Council Recognizing Our Duty to Safeguard the Vitality of Ecosystems. Lewis. Recommend adoption. Page 121
- F. **Resolution 16-108**, A Resolution of the City Council of Homer, Alaska, Amending the Homer Public Library Policies for Library Card Registration. City Clerk/Library Advisory Board. Recommend adoption. Page 123
- Memorandum 16-173 from Library Advisory Board as backup. Page 127
- G. **Resolution 16-109**, A Resolution of the City Council Amending the City of Homer Fee Schedule Under Administrative, Camping, Library, Planning and Zoning, Fire, and Public Works Department Fees. City Clerk. (To follow Budget Ordinance 16-54 - Public Hearings November 28 and December 12, 2016.) Page 135
- Memorandum 16-175 from City Clerk as backup. Page 147
- H. **Resolution 16-110**, A Resolution of the City Council of Homer, Alaska, Adding Tract 2-A Waddell Park Subdivision 1985 Replat to the City of Homer Land Allocation Plan as a Lot Available for Sale and Authorizing the City Manager to Proceed With a Request for Proposal. City Manager. Recommend adoption. Page 149

- I. **Memorandum 16-171**, from City Clerk, Re: Travel Authorization for Mayor Zak and Councilmembers Erickson and Stroozas to Attend the Alaska Municipal League 66th Annual Local Government Conference in Anchorage, Alaska, November 14 - 18, 2016.

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- J. **Memorandum 16-176**, from City Clerk, Re: Rescheduling the November and December City Council Meetings.

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6. VISITORS

- A. Transition for Ship Escort-Response Vessel System from Crowley Marine Services to Edison Chouest Offshore, Lisa Matlock, 10 minutes.

Page 165

- B. Linda Anderson, City Lobbyist, Anderson Group, LLC, 10 minutes.

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7. ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS

- A. Mayor's Recognition, Girls and Boys Cross Country Running Teams State Championship and Coach Bill Steyer

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- B. Mayor's Proclamation, 2016 Extra Mile Day

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- C. Borough Report

- D. Commissions/Board Reports:

1. Library Advisory Board
2. Homer Advisory Planning Commission
3. Economic Development Advisory Commission
4. Parks Art Recreation and Culture Advisory Commission
5. Port and Harbor Advisory Commission
6. Cannabis Advisory Commission

8. PUBLIC HEARING(S)

- A. **Ordinance 16-48(S)**, An Ordinance of the City Council of Homer, Alaska, Amending HCC 1.18.030 to Add HCC 1.18.030(q), Which Incorporates HCC 2.04.030, and Its Prohibition Against Council Member Influence and Direction of City Employees and the City Manager, Into the Homer Ethics Code. Smith. Introduction October 10, 2016, Public Hearing and Second Reading October 24, 2016. Page 191
- B. **Ordinance 16-50**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.62.040 Currently Entitled “Pre-Application Conference,” to Authorize the City Planner to Recommend to the State of Alaska That It Deny an Application for a Marijuana Establishment That Does Not Comply With Homer City Code and Authorize the City Planner to Recommend That the State Impose Conditions to Approval When Necessary to Ensure Compliance With the Homer City Code. City Manager/Cannabis Advisory Commission. Introduction October 10, 2016, Public Hearing and Second Reading October 24, 2016. Page 199
- Memorandum 16-163 from Cannabis Advisory Commission as backup. Page 205
Memorandum 16-169 from City Planner as backup. Page 211
- C. **Ordinance 16-51**, An Ordinance of the City Council of Homer, Alaska, Enacting HCC Chapter 11.36, Vegetation in Rights-of-Way, Providing for the Removal of Vegetation That Interferes With the Reasonable Public Use of a Right-of-Way. City Manager. Introduction October 10, 2016, Public Hearing and Second Reading October 24, 2016. Page 237
- Memorandum 16-164 from Public Works Superintendent as backup. Page 241
- D. **Ordinance 16-52**, An Ordinance of the City Council of Homer, Alaska, Amending the 2016 Operating Budget to Provide for Complete Natural Gas Conversion and Energy Efficient Lighting at the Fire Hall by Appropriating \$115,000 From the Revolving Energy Fund. City Manager/Public Works Director. Introduction October 10, 2016, Public Hearing and Second Reading October 24, 2016. Page 243
- Memorandum 16-165 from Public Works Director as backup. Page 247
- E. **Ordinance 16-53**, An Ordinance of the City Council of Homer, Alaska, Authorizing the City Manager to Issue a Request for Proposal for Lot 11, Homer Spit Subdivision No. 5, for a Long-Term Communications Tower Lease and Amending the FY 2016 Operating Budget by Appropriating Funds in the Amount of \$12,500.00 From Port and Harbor Depreciation Reserves to Fund Tower Consultant Services With Cityscape Consultants, Inc. City Manager. Introduction October 10, 2016, Public Hearing and Second Reading October 24, 2016. Page 249

9. ORDINANCE(S)

10. CITY MANAGER'S REPORT

- A. City Manager's Report Page 267
- B. Bid Report Page 281

11. CITY ATTORNEY REPORT

12. COMMITTEE REPORT

- A. Employee Committee Report
- B. Public Safety Building Review Committee
- C. Americans with Disabilities Act Compliance Committee

13. PENDING BUSINESS

- A. **Resolution 16-054**, A Resolution of the City Council of Homer, Alaska, Amending the City of Homer Fee Schedule to Implement a New Graduated Harbor Moorage Rate Structure. Port and Harbor Director/Port and Harbor Advisory Commission. Public Hearing June 13, 2016. Postponed to September 26, 2016 for Second Public Hearing.
Page 289
Memorandums 16-084 and 16-101 from Port and Harbor Director as backup.
Pages 299/327
Memorandum 16-152 from City Clerk as backup. Page 337

14. NEW BUSINESS

- A. **Memorandum 16-172**, from City Clerk, Re: Selection/Appointment of Mayor Pro Tempore for 2016/2017. Page 381

15. RESOLUTIONS

- A. **Resolution 16-106**, A Resolution of the Homer City Council Designating Signatories of City Accounts and Superseding Any Previous Resolution So Designating. City Manager. Recommend adoption. Page 385

- B. **Resolution 16-111**, A Resolution of the Homer City Council Giving Direction to the City Manager to Reject/Accept the Proposal to Consolidate 911 Dispatch Services With the Kenai Peninsula Borough. Mayor. Page 387

- C. **Resolution 16-112**, A Resolution of the City Council of Homer, Alaska, Amending the Port of Homer Terminal Tariff No. 600 to Implement a New Graduated Harbor Moorage Rate Structure. Port and Harbor Director/Port and Harbor Advisory Commission. Page 389

16. COMMENTS OF THE AUDIENCE

17. COMMENTS OF THE CITY ATTORNEY

18. COMMENTS OF THE CITY CLERK

19. COMMENTS OF THE CITY MANAGER

20. COMMENTS OF THE MAYOR

21. COMMENTS OF THE CITY COUNCIL

22. ADJOURNMENT

Next Regular Meeting is Monday, November 28, 2016 at 6:00 p.m., Committee of the Whole 5:00 p.m., and Worksession 4:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

PUBLIC COMMENTS
UPON MATTERS
ALREADY ON THE AGENDA

RECONSIDERATION

CONSENT AGENDA

Session 16-21 a Regular Meeting of the Homer City Council was called to order on October 10, 2016 at 6:00 p.m. by Mayor Mary E. Wythe at the Homer City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska, and opened with the Pledge of Allegiance.

PRESENT: COUNCILMEMBERS: ADERHOLD (telephonic), LEWIS, REYNOLDS, SMITH, VAN DYKE, ZAK

STAFF: CITY MANAGER KOESTER
CITY CLERK JOHNSON
CITY ATTORNEY WELLS
CITY PLANNER ABBODD
FINANCE DIRECTOR LI
LIBRARY DIRECTOR DIXON
PERSONNEL DIRECTOR BROWNING
POLICE CHIEF ROBL

Councilmember Aderhold has requested telephonic participation or excusal.

Mayor Wythe called for a motion to allow Councilmember Aderhold to participate by telephone.

LEWIS/REYNOLDS – SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Council met for a Worksession from 4:00 p.m. to 4:49 p.m. to hear about dispatch consolidation with the Borough. From 5:00 p.m. to 5:38 p.m. Council met as a Committee of the Whole for a presentation of the 2017 Budget by City Manager Koester and to discuss Consent Agenda and Regular Meeting Agenda items.

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

AGENDA APPROVAL

(Addition of items to or removing items from the agenda will be by unanimous consent of the Council. HCC 1.24.040.)

The following changes were made: **CONSENT AGENDA - Ordinance 16-50**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.62.040 Currently Entitled “Pre-Application Conference,” to Authorize the City Planner to Recommend to the State of Alaska That It Deny an Application for a Marijuana Establishment That Does Not Comply With Homer City Code and Authorize the City Planner to Recommend That the State Impose Conditions to Approval When Necessary to Ensure Compliance With the Homer City Code. City Manager/Cannabis Advisory Commission. Memorandum 16-169 from City Planner as backup. **PENDING BUSINESS - Ordinance 16-48(S)**, An Ordinance of the City Council of Homer, Alaska, Amending HCC 1.18.030 to Add HCC 1.18.030(q), Which Incorporates HCC 2.04.030, and Its Prohibition Against Council Member Influence and Direction of City Employees and the City Manager, Into the Homer Ethics Code. Smith. **NEW BUSINESS - Resolution 16-103(S)**, A Resolution of the City Council Certifying the Results of the City of Homer Regular Election Held October 4, 2016 to Elect the Mayor and Two Councilmembers and to Decide Proposition #1 “Shall the City of Homer Incur Debt and Issue General Obligation Bonds in an Amount Not to Exceed Twelve Million Dollars (\$12,000,000) to Finance the Planning, Design and Construction of a Police Station and Related Capital Improvements; and Shall the Rate of City Sales Tax be Increased by Sixty-Five Hundredths of One Percent (0.65%) to Five and Fifteen Hundredths Percent (5.15%) From April 1 Through September 30, for the Purpose of Paying Debt Service on the General Obligation Bonds, Until September 30 in the Year When the City Has Received Funds From the Tax That are Sufficient to Pay All Debt Service on the Bonds”? City Clerk/Canvass Board. Certificate of Incumbency.

Mayor Wythe called for a motion for the approval of the agenda as amended.

LEWIS/REYNOLDS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

Kevin Hogan, city resident, commented on Resolutions 16-098(S-2) and 16-103(S) and Ordinance 16-53. He would like the write-in vote names reported and justification why the lease was not agreed upon with SpitwSpots. He is appalled at the attorney’s advice on the bid protest for the library generator installation and noted the \$9,000 increase to the taxpayers.

Phil Weisman, GCI spokesperson, requested that GCI be able to proceed with lease negotiations as the second bidder for the communication tower. They have the equipment on

the ground and could proceed once a building permit is issued. They can amend their proposal to add more carriers.

Francie Roberts, city resident, offered a huge thank you to Beth Wythe who served the City for twelve years. As a councilmember, Ms. Roberts worked with her for nine years. Mayor Wythe was a dedicated member who came prepared and ready to represent her constituents. She served on numerous committees for various facilities. She hopes her legacy will always continue. Additionally, she thanked Sherry Bess for her service to the City and congratulated those taking over.

Brian Smith, city resident, spoke on Resolution 16-104. He is a volunteer at the animal shelter and a proponent of Sherry Bess. She has done an amazing job for 26 years in managing the Animal Shelter. Amy is wonderful and Council will not be sorry in choosing her to run the shelter. It is a win win for the animals and the town.

RECONSIDERATION

CONSENT AGENDA

(Items listed below will be enacted by one motion. If separate discussion is desired on an item, that item may be removed from the Consent Agenda and placed on the Regular Meeting Agenda at the request of a Councilmember.)

- A. Homer City Council unapproved Regular meeting minutes of September 26, 2016. City Clerk. Recommend adoption.
- B. **Memorandum 16-159** from Mayor Wythe, Re: Appointment of Mary Montgomery to the Library Advisory Board and Reappointment of Louise Ashmun and Peter Roedl to the Parks Art Recreation and Culture Advisory Commission.
- C. **Ordinance 16-50**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.62.040 Currently Entitled "Pre-Application Conference," to Authorize the City Planner to Recommend to the State of Alaska That It Deny an Application for a Marijuana Establishment That Does Not Comply With Homer City Code and Authorize the City Planner to Recommend That the State Impose Conditions to Approval When Necessary to Ensure Compliance With the Homer City Code. City Manager/Cannabis Advisory Commission. Recommended dates: Introduction October 10, 2016, Public Hearing and Second Reading October 24, 2016.

Memorandum 16-163 from Cannabis Advisory Commission as backup.
Memorandum 16-169 from City Planner as backup.

- D. **Ordinance 16-51**, An Ordinance of the City Council of Homer, Alaska, Enacting HCC Chapter 11.36, Vegetation in Rights-of-Way, Providing for the Removal of Vegetation That Interferes With the Reasonable Public Use of a Right-of-Way. City Manager. Recommended dates: Introduction October 10, 2016, Public Hearing and Second Reading October 24, 2016.

Memorandum 16-164 from Public Works Superintendent as backup.

- E. **Ordinance 16-52**, An Ordinance of the City Council of Homer, Alaska, Amending the 2016 Operating Budget to Provide for Complete Natural Gas Conversion and Energy Efficient Lighting at the Fire Hall by Appropriating \$115,000 From the Revolving Energy Fund. City Manager/Public Works Director. Recommended dates: Introduction October 10, 2016, Public Hearing and Second Reading October 24, 2016.

Memorandum 16-165 from Public Works Director as backup.

- F. **Ordinance 16-53**, An Ordinance of the City Council of Homer, Alaska, Authorizing the City Manager to Issue a Request for Proposal for Lot 11, Homer Spit Subdivision No. 5, for a Long-Term Communications Tower Lease and Amending the FY 2016 Operating Budget by Appropriating Funds in the Amount of \$12,500.00 From Port and Harbor Depreciation Reserves to Fund Tower Consultant Services With Cityscape Consultants, Inc. City Manager. Recommended dates: Introduction October 10, 2016, Public Hearing and Second Reading October 24, 2016.

- G. **Resolution 16-104**, A Resolution of the Homer City Council Awarding the Contract for the Homer Animal Shelter Operation and Management Services to the Firm of Alaska Mindful Paws of Homer, Alaska, in the Amount of \$179,150.00 Per Year for Two Years With Option to Extend, and Authorizing the City Manager to Execute The Appropriate Documents. City Clerk/Police Chief. Recommend adoption.

Memorandum 16-166 from Police Chief as backup.

- H. **Resolution 16-105**, A Resolution of the Homer City Council Amending a Joint Agreement Between the City of Homer and Global Sustainable Fisheries of Alaska (GSFA) for the Purposes of GSFA Obtaining a Grant From the U.S. Department of Commerce and Economic Development Administration (EDA) for Project Funds for Establishing a Sustainable Seafood Processing Industry Within the City of Homer. City Manager. Recommend adoption.

Mayor Wythe called for a motion for the approval of the consent agenda as read.

LEWIS/REYNOLDS – SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

VISITORS

- A. Christine Fontaine, South Peninsula Hospital, Community Project to Create a South Peninsula Forensic Center

South Peninsula Hospital Forensic Nurse Examiners Christine Fontaine and Colleen James presented on Center of Excellence, a concept of a forensic center for Homer. The center would provide services for people who have experienced violence and would be one facility that would allow all teams to come together in working with victims. Currently victims are treated at South Peninsula Hospital right across the hall from the trauma bay. There is no privacy, confidentiality, or safety needs being met. They are looking for a trauma facility that offers privacy and security for forensic exams and interviews.

The Forensic Nurse Examiners asked Council for support in the community's participation, interest, and knowledge. They want the community to know the need and elicit a community-wide response. There are a variety of different funding sources including local, federal, and state funds. They are hoping to make the center a joint process so it doesn't all fall on South Peninsula Hospital.

- B. Tim Dillon, Executive Director, Kenai Peninsula Economic Development District Update

Mayor Wythe called for a recess at 6:37 p.m. and reconvened the meeting at 6:40 p.m.

Kenai Peninsula Economic Development District Executive Director Tim Dillon reported on the resources the organization offers. KPEDD offers:

Regional Partnerships: Build ties to industry associations and communities; coordinate regional-wide economic development with communities.

Infrastructure and Technology: Industry focused infrastructure; transportation infrastructure; and expanded broadband access.

Workforce and Human Capital: Industry partnerships and voc-tech; workforce attraction and retention.

Business Climate and Entrepreneurship: Strengthen existing businesses through business retention and expansion; promote responsible development; develop an entrepreneurial ecosystem.

Quality of Place: Develop Kenai Peninsula brand for residents, visitors and businesses; promote expansion of recreational amenities and public access.

Knowledge Creation and Dissemination: Track and report economic and demographic trends; seek new venues to publicize findings.

ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS

- A. Industry Outlook Recognition to Homer Police Department, by Tim Dillon, Executive Director, KPEDD

Tim Dillon, Executive Director for KPEDD, presented a plaque to Police Chief Robl in recognition of the Homer Police Department for superior dedication to the safety and well-being of Kenai Peninsula residents, businesses, and visitors.

- B. Mayor's Proclamation, National Friends of Libraries Week, October 16 - 22, 2016

Mayor Wythe presented the proclamation to Friends of the Library.

- C. Borough Report

Kenai Peninsula Borough Assembly Member Kelly Cooper thanked Mayor Wythe for her leadership and years of service and Councilmember Van Dyke for his service. She congratulated Shelly Erickson and Tom Stroozas on winning the council seats and thanked David Lewis for running for mayor. She thanked the Council for hosting the Assembly when they conducted their meeting in Homer last month. The Assembly loves coming here and how the Homer people testify. People are well informed, diverse, and wear many hats here.

At tomorrow's meeting the Assembly will take up the ordinance requesting \$325,000 from the general fund to update the comprehensive plan. An update was last done in 2005 at a cost of \$210,000. It benefits all the cities in the Borough and it is critical to keep the plan updated to reflect changing trends, conditions, and laws and regulations.

There is a public hearing on an ordinance amending the procurement and purchasing code. This will allow online bid submissions. It is more secure and will work well; a bidder can still submit a bid in person. Additionally, the Assembly will be certifying the election results. The

bonds for solid waste and South Peninsula Hospital passed and everything else went up in a flame. She expressed disappointment at the failure of propositions on the senior property tax exemption and sales tax cap. Reducing the number of planning commissioners failed and is up for reconsideration tomorrow.

The health care task force continues to meet. One subcommittee is looking at addiction and health issues and another is looking at transportation, both non-emergent and emergency services. Yet another subcommittee will look at the deliverables for the whole plan.

Asked about plans for an addiction facility, Assembly Member Cooper reported an inpatient facility is needed. The idea will go from the subcommittee to the task force, then to the Assembly, and finally to the voters. The cost of addiction in our communities is not just the cost of healthcare. It is the cost to our society. She is a big advocate for inpatient treatment for both drug and alcohol.

Healthcare reform is changing a fee per service to population health. We will be rewarded for keeping people healthy as opposed to hip and knee replacements. In focusing on the four main reasons people become ill: obesity, lipids, diabetes and stroke; when those are under control the costs go down. We have the highest cost of healthcare with the lowest quality of services in the world.

D. Commissions/Board Reports:

1. Library Advisory Board

Marcia Kuszmaul, Library Advisory Board Member, acknowledged the work done by Library Director Ann Dixon and her staff. The third quarter was the fourth straight quarter of double digit growth for the Library in circulation. From July through September 45,054 items were checked out of the Library, an 18% growth year over year. There are 14,000 items circulated from the Library every month. The meeting room use is at 16%, and new library card sign-up is 9% ahead of last year. The LAB is holding a Worksession on Tuesday, October 25th at 5:00 p.m. to discuss strategies and priorities to ensure the Library continues to provide the best service possible to the community. She announced the book sale on Friday, October 14th from 6:00 to 8:00 p.m. run by the Friends and membership opportunities with the Friends.

2. Homer Advisory Planning Commission

3. Economic Development Advisory Commission

Councilmember Smith announced the October 11th meeting.

4. Parks Art Recreation and Culture Advisory Commission
 - A. Memorandum 16-160 from PARCAC, Re: Jack Gist Park Noise Concerns
 - B. Memorandum 16-161 from PARCAC, Re: Match Funds from Homer Animal Friends to Purchase Doggie Bags and Dispenser/Receptacles
 - C. Memorandum 16-162 from PARCAC, Re: Committee to Start an Outreach Program to Pet Owners
5. Port and Harbor Advisory Commission
6. Cannabis Advisory Commission

Mayor Wythe called for a recess at 7:17 p.m. and reconvened the meeting at 7:23 p.m.

PUBLIC HEARING(S)

A. **2017 BUDGET**

Mayor Wythe opened the public hearing. In the absence of public testimony, Mayor Wythe closed the public hearing.

- B. **Resolution 16-101(A)**, A Resolution of the Homer City Council Adopting the 2017-2022 Capital Improvement Plan and Establishing Capital Project Legislative Priorities for State Fiscal Year 2018. Mayor/City Council.

Memorandum 16-167 from Special Projects and Communications Coordinator as backup.

Mayor Wythe opened the public hearing. In the absence of public testimony, Mayor Wythe closed the public hearing.

Motion on the floor from the September 26th meeting: MOTION FOR THE ADOPTION OF RESOLUTION 16-101(A).

LEWIS/REYNOLDS - MOVED TO ADD THE HOMER LARGE VESSEL HARBOR AS A LEGISLATIVE PRIORITY.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

REYNOLDS/LEWIS – MOVED TO ADD THE PUBLIC SAFETY BUILDING AS A LEGISLATIVE PRIORITY.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

ZAK/REYNOLDS - MOVED TO REVERSE THE ORDER, WITH THE PUBLIC SAFETY BUILDING AS NUMBER ONE AND HOMER LARGE VESSEL HARBOR AS THE SECOND CHOICE.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

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

Motion carried.

- C. **Ordinance 16-47**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating FY 2016 State Homeland Security Program Grants for Upgrading the City's Radio Communication System in the Amount of \$343,363.40, and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Introduction September 26, 2016, Public Hearing and Second Reading October 10, 2016.

Memorandum 16-149 from Special Projects and Communications Coordinator as backup.

Mayor Wythe opened the public hearing. In the absence of public testimony, Mayor Wythe closed the public hearing.

Mayor Wythe called for a motion for the adoption of Ordinance 16-47 by reading of title only for second and final reading.

LEWIS/REYNOLDS - SO MOVED.

There was brief discussion if the ordinance should be postponed until discussion of the consolidated dispatch was complete. The equipment is needed regardless of who is providing dispatch service. Asked if the grant could be transferred to the Borough, Police Chief Robl answered it may be possible to reallocate the grant, but we are past the deadline to accept it.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- D. **Ordinance 16-49**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2016 Operating Budget by Appropriating Funds in the Amount of \$180,000.00 From Port and Harbor Depreciation Reserves to Purchase New LED Lights for Seven High Mast Light Poles at the Harbor and Authorizing the City Manager to Issue a Request for Proposals. City Manager/Port and Harbor Director. Introduction September 26, 2016, Public Hearing and Second Reading October 10, 2016.

Memorandum 16-143 from Port and Harbor Director as backup.

Mayor Wythe opened the public hearing. In the absence of public testimony, Mayor Wythe closed the public hearing.

Mayor Wythe called for a motion for the adoption of Ordinance 16-49 by reading of title only for second and final reading.

LEWIS/REYNOLDS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

ORDINANCE(S)

CITY MANAGER’S REPORT

Real Estate Sales

The City has finalized the sale of several parcels in the Kachemak Drive area. They were recommended for sale in the Land Allocation Plan and by Resolution 16-069. These parcels are now on the tax rolls, and several are now on the assessment rolls for water and sewer along Kachemak Drive. The proceeds from these transactions are deposited into the Land Reserve fund.

Cooper Landing Bypass

The Borough has asked municipalities to weigh in on the preferred alternative for Cooper Landing Bypass (MP45-60), a project with over 30 years in the planning stages. The Borough has significant concerns with the G-South Alternative, which exposes a lot of traffic, and potential for contamination to the Kenai River. They are advocating for a delay in the Record of Decision for this project, increased opportunity for public comment on the alternatives, and a more thorough consideration of the impacts of the alternatives of the Kenai River and watershed. I have attached information from the Borough on this topic, including Resolution 2016-049 that they passed with an accompanying memo that is quite informative. They have also drafted a sign-on letter for Borough municipalities to consider. Would Council be interested in signing this letter and/or weighing in with a resolution?

Potential Changes to Title 4, Regulation of Alcoholic Beverages

I have been following a statewide issue that I want to bring Council up to speed on and solicit any input you have. Changes to Title 4 of Alaska’s Statutes, which regulates alcoholic beverages, have been undergoing review over the past several years to address some needed updates and revisions. The set of recommended revisions to Title 4 has recently been released.

One of the recommendations, P-3, regarding Public Convenience Licenses, could potentially have long-term consequences for Homer’s robust restaurant industry. Homer has 12 Public Convenience Licenses, and while the report states these licenses have not been associated with significant enforcement problems, Title 4 reviewers claim their issue circumvents the population limitation system intended to control the number of retail access points to alcohol in a community and is an administrative burden on the ABC Board.

Recommendation P-3 would place a permanent moratorium on issuing new Public Convenience Licenses, and convert existing licenses to a new license type, Seasonal REPL Tourism License. These function similarly as a Public Convenience License, but can only be operated for six months of the year. Seasonal REPL’s are intended to respond to the demands of the seasonal visitor market; their number will be limited by a city’s population, modified by DCCED-generated visitor counts.

I have been contacted by other Kenai Peninsula cities and have discussed potential consequences with the Chamber of Commerce’s Legislative Affairs Committee: negative

impact on important year-round businesses (Fat Olives, Café Cups, Two Sisters Bakery for example) and the lost potential to attract new businesses – including the emerging micro-brewery/winery industry. The Kenai Peninsula holds nearly half the 57 Public Convenience Licenses in the state and will feel the impact of this rolling-back proportionally more than other parts of the state.

I will be following this issue closely as I believe it has the potential to adversely economic impact Homer. I will keep Council updated on any opportunity for formal input from the City. I have attached an excerpt from the extensive review of Title 4 that is relevant to this issue and a letter that the City of Soldotna wrote that sums up the concerns of small peninsula hub cities.

City Manager Koester referenced the State's preferred alternative for Cooper Landing Bypass in her report. The Borough has asked for input. The State has chosen an alternative route that exposes a lot of traffic, has potential for contamination to the Kenai River, and is the most expensive alternative. The majority of the Council expressed support of Mayor Navarre's letter to ADOT requesting a delay of a decision on the project and reconsideration of the selection of G South Alternative as the preferred alternative.

City Manager Koester commented on potential changes to public convenience liquor licenses by the ABC Board. She will be following the situation closely and will keep Council updated.

CITY ATTORNEY REPORT

City Attorney Holly Wells referenced her written report for the last two months of attorney services. She and the law firm have worked with Mayor Wythe both as a councilmember and the mayor. It has been an honor for her to work with Mayor Wythe and a great place for her to grow up as an attorney under her tutelage.

COMMITTEE REPORT

- A. Employee Committee Report
- B. Public Safety Building Review Committee

Mayor Wythe reported the committee is charged with completion of the renovations to the Fire Hall. They will meet on Wednesday, October 12th at 5:30 p.m. After the project is completed they will disband.

- C. Americans with Disabilities Act Compliance Committee

Councilmember Aderhold reported the committee will not be meeting this month. She announced a committee member opening on the committee.

PENDING BUSINESS

- A. **Ordinance 16-48**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.04.030 to Permit City Employees and the City Manager to Make Local Office Campaign Contributions and Amending HCC 1.18.030 to Add HCC 1.18.030(Q), Which Incorporates HCC 2.04.030, and Its Prohibition Against Council Member Influence and Direction of City Employees and the City Manager, Into the Homer Ethics Code. Mayor. Postponed from September 26, 2016.

Ordinance 16-48(S), An Ordinance of the City Council of Homer, Alaska, Amending HCC 1.18.030 to Add HCC 1.18.030(q), Which Incorporates HCC 2.04.030, and Its Prohibition Against Council Member Influence and Direction of City Employees and the City Manager, Into the Homer Ethics Code. Smith.

Motion on the floor from September 26: MOTION FOR THE INTRODUCTION OF ORDINANCE 16-48 BY READING OF TITLE ONLY.

There was no discussion.

VOTE: YES. SMITH, LEWIS, ADERHOLD, REYNOLDS, ZAK, VAN DYKE

Motion carried.

SMITH/REYNOLDS – MOVED TO SUBSTITUTE ORDINANCE 16-48 FOR ORDINANCE 16-48(S).

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

ZAK/REYNOLDS – MOVED TO SCHEDULE A PUBLIC HEARING AND SECOND READING ON OCTOBER 24, 2016.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- B. **Resolution 16-098(S)**, A Resolution of the Homer City Council Awarding the Contract for the Homer Library Emergency Generator Installation to the Firm of Puffin Electric, Inc. of Homer, Alaska, in the Amount of \$31,550.00 and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk/Public Works Director.

Resolution 16-098(S-2), A Resolution of the Homer City Council Awarding the Contract for the Homer Library Emergency Generator Installation to the Firm of Puffin Electric, Inc. of Homer, Alaska, in the Amount of \$31,550.00 and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk/Public Works Director.

Memorandum 16-168 from City Attorney as backup.

Motion on the floor from September 26: MOTION FOR THE ADOPTION OF RESOLUTION 16-098(S) BY READING OF TITLE ONLY.

Councilmember Smith was excused due to his ongoing conflict of interest.

Mayor Wythe called for a motion to substitute Resolution 16-098(S-2) for Resolution 16-098(S).¹

Councilmember Lewis declared a potential conflict of interest as an employee of Puffin Electric ran a campaign for him as *Friends of David Lewis*. The amount of funds raised for the campaign is unknown, but most likely less than \$5,000.

City Attorney Wells advised Council to err on the side of caution and excuse Councilmember Lewis since we do not have a monetary value for the campaign contribution.

Councilmember Lewis was excused from participation.

There was no discussion.

VOTE: (substitute) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

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

Motion carried.

Councilmembers Smith and Lewis returned to their seats.

NEW BUSINESS

- A. **Resolution 16-103**, A Resolution of the City Council Certifying the Results of the City of Homer Regular Election Held October 4, 2016 to Elect the Mayor and Two Councilmembers and to Decide Proposition #1 “Shall the City of Homer Incur Debt and Issue General Obligation Bonds in an Amount Not to Exceed Twelve Million Dollars

¹ Formal motion to substitute was not made, although the recording reflects Council clearly approved (S-2) by unanimous consent.

(\$12,000,000) to Finance the Planning, Design and Construction of a Police Station and Related Capital Improvements; and Shall the Rate of City Sales Tax be Increased by Sixty-Five Hundredths of One Percent (0.65%) to Five and Fifteen Hundredths Percent (5.15%) From April 1 Through September 30, for the Purpose of Paying Debt Service on the General Obligation Bonds, Until September 30 in the Year When the City Has Received Funds From the Tax That are Sufficient to Pay All Debt Service on the Bonds”? City Clerk/Canvass Board.

Resolution 16-103(S), A Resolution of the City Council Certifying the Results of the City of Homer Regular Election Held October 4, 2016 to Elect the Mayor and Two Councilmembers and to Decide Proposition #1 “Shall the City of Homer Incur Debt and Issue General Obligation Bonds in an Amount Not to Exceed Twelve Million Dollars (\$12,000,000) to Finance the Planning, Design and Construction of a Police Station and Related Capital Improvements; and Shall the Rate of City Sales Tax be Increased by Sixty-Five Hundredths of One Percent (0.65%) to Five and Fifteen Hundredths Percent (5.15%) From April 1 Through September 30, for the Purpose of Paying Debt Service on the General Obligation Bonds, Until September 30 in the Year When the City Has Received Funds From the Tax That are Sufficient to Pay All Debt Service on the Bonds”? City Clerk/Canvass Board.

Mayor Wythe called for a motion for the adoption of Resolution 16-103 by reading of title only.

LEWIS/REYNOLDS – SO MOVED.

Mayor Wythe called for a motion to substitute Resolution 16-103(S) for 16-103.

LEWIS/REYNOLDS – SO MOVED.

There was no discussion.

VOTE: (substitute) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

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

Motion carried.

B. SWEAR-IN NEWLY ELECTED MAYOR AND COUNCILMEMBERS

City Clerk Johnson administered the Oath of Office to newly elected Mayor Bryan Zak and Councilmembers Tom Stroozas and Shelly Erickson.

RESOLUTIONS

COMMENTS OF THE AUDIENCE

Joanne Lofgren, Homer resident, congratulated newly elected members and those currently serving. As a Diamond Ridge resident she hears elected officials say outside residents take from the City without paying their way. She takes offense to that since they have their own fire, water, and sewer services, drive on state or borough roads, and pay property taxes to support the local entities. When the elected officials run for a borough or state office people who listen to the council meetings on the radio remember their votes and have heard what has been said against them.

Tom Zitzmann suggested the City purchase a common software package for GoToMeeting. It is an inexpensive way to invite the attorney to attend council meetings and could enhance the experience of the public. He is disappointed at the low turnout in the last election. No one in the city thinks the need for the cop shop is not there, but there was not a firm cost. He encouraged Council to look at 15-20 year increments and fund for them. When the population expands you could add on to the facility. He thanked Mayor Wythe for all the hard work she has done. It is a labor of love and public service.

Mayor Wythe called for a recess at 8:05 p.m. and reconvened the meeting at 8:20 p.m.

Mayor Zak read the recognition to outgoing Mayor Wythe.

Mayor Pro Tempore Lewis read the recognition to outgoing Councilmember Van Dyke.

COMMENTS OF THE CITY ATTORNEY

City Attorney Wells had no comments.

COMMENTS OF THE CITY CLERK

City Clerk Johnson thanked the candidates for participating in a clean and respectful campaign. She thanked the voters that came out to vote early and on Election Day. She thanked Mayor Wythe for her long service to the community. It's been a pleasure working with you and you will always be remembered for your unwavering support of the employees.

COMMENTS OF THE CITY MANAGER

City Manager Koester thanked Councilmember Van Dyke for his service. She appreciates his quiet and thoughtful manner. When you speak you really have something to say, and we all listen. It's a valuable skill.

She hopes Mayor Zak knows the big shoes to fill include shoe shopping in Juneau when they go together. Mayor Wythe has been a tremendous role model and support for me. She has believed in me more than I have believed in myself and has empowered me to do more than I ever thought I was capable of doing. That is mentorship. That is service. That is women leaders helping other women leaders and cultivating them. She presented Mayor Wythe a book, *The Road to Character* by David Brooks. Mayor Wythe has tremendous character and virtue and she wants her to be inspired by that to continue to serve and participate in our community. It is a tremendous asset and you will definitely be missed at this table, but I know you will still be in our community.

COMMENTS OF THE MAYOR

Mayor Wythe offered her comments at the end of the meeting.

COMMENTS OF THE CITY COUNCIL

Councilmember Lewis said it was a pleasure and honor serving with Mayor Wythe for the last eight years. It was a pleasure and honor serving with Gus for the last three years and he enjoyed his support of the rink.

Councilmember Smith said he only had the pleasure of serving one year with the two of them. He equally expressed his gratitude for the public service that they rendered our community because there is a small percentage of people that will step up and fill the shoes that you two have. The time commitment and caring it takes to do that is exemplary. He appreciates the hard work they did. He congratulated the Girls and Boys Cross Country Teams. They both took State this year. The girls repeated and the boys stepped up and followed suit. He thanked those that turned out to vote. It was an increase over our past year, but 33% is still rather appalling. The amount of apathy that exists within our population is kind of troubling. He hopes we continue to try to get people to express the way they care about their community through their voting and activities. Today is World Mental Health Day. It is personal to me because of my mother's troubles. It is important to be connected with it and recognize that it is an illness and there are things we can do within our communities to help those people. He appreciates Tom Zitzmann expressing his point of view of the outcome of the election and Proposition 1. Councilmember Smith is fully supportive and committed to getting our Police Department a new facility. He will do what he can to help move the project forward in whatever different form it has to meet the needs of our community and have the support of our voters.

Councilmember Van Dyke is pleased he served and is glad he did what he did. He recommends it to anyone that has aspirations. He thanked everyone for the warm welcome

when he first became a councilmember and the gracious farewell. He wished everyone the best, especially the City.

Mayor Zak thanked Gus for his service. He knows he will be going elk hunting soon, so he wished him great success in his future real soon. If you put half the effort you put into the city council you will come back with a Boone and Crockett. To Mayor Wythe the one thing that stood out in his mind of her accomplishments was her continued learning and education. You got your master's degree while serving as our mayor. You are always challenging yourself and challenging us as councilmembers. That was really inspiring to me. He greatly appreciates her leadership and looks forward to future times together. He looks forward to her continued service to the community. When you prepare yourself for engagement with the community and seek guidance, you will always keep us in your heart. We have heard from Assemblywoman Cooper tonight on the importance of the State and where we are as a community. He welcomed Tom Stroozas and Shelly Erickson as councilmembers who are now part of the team. At the council table there is not one of us who is not qualified to be here. We have worked hard to get here and will work hard for this community. He is excited about the future.

Councilmember Reynolds thanked everyone that voted. She was pleased to see an increase and hope it is warming up for a good voter turnout next month. She shares the concern that 33% is still a very low number. It is so easy to vote now between absentee and early voting, and on voting day. She personally likes showing up on voting day because she gets stickers. She was shocked to see that Lunch with a Councilmember was a Best Bet. She was at the Library from noon to 1:00 p.m. today. It was an interesting discussion with the people that were able to be there. She encouraged people to look forward to the opportunity on the first council meeting each month. Today is Indigenous Peoples' Day. She thanked Governor Walker for recognizing that on behalf of the State of Alaska. The syringe exchange is still going strong. They are open from 5:00 to 7:00 p.m. at the Hospital Training Center on the first and third Tuesday of every month. Last week there were quite a few people who were able to come in and receive services. A relatively small amount of money is needed to keep the program running. They have about used the first \$1,000 which has taken them through three or four months. She welcomed Shelly and Tom. She looks forward to working with them and finding how that all meshes together. She enjoyed getting to know Gus better as a councilmember. To Mayor Wythe she echoed what Katie said about women leaders leading women, supporting them, and lifting them up. She thanked Mayor Wythe for her guidance and mentorship.

Mayor Wythe thanked everyone for their nice words. In her history in the City of Homer, the 33% voter turnout was the best she has ever seen for an election. As bad as it may seem, it is so much better than where we have been for a number of years. She's sure it was due to all the things on the borough ballot that people didn't want to vote for. She appreciates people coming out for the election. She thanked Sherry Bess for her time and wished her the best. She has provided services to the City of Homer for a number of years. She is sure our animal shelter will continue under great guidance. Mayor Wythe congratulated Bryan, Shelly, and

Tom. She wished them the best of luck. You have a lot of hurdles ahead starting Monday, the 17th. The next three months are crazy busy for you, but you will do a good job. She reminded Bryan he can sit anywhere at this table he wants, but there is nothing in the world that will help you as much as the city manager sitting right beside you. In her entire career she has had the city manager right beside her. That has always been the most valuable thing to her at the table to reach over and ask questions. She was disappointed, but not surprised about the public safety building. Generally as a society we enjoy having public services if they are for free or somebody else will pay for them. The time of free and someone else paying for them is gone. We have to decide if we want to accept the risk of doing nothing. One event will spend all the money that could have been used to build a building. Or do we want to accept the responsibility of living in and creating a risk free environment for our employees? That is the challenge she leaves for a public safety building with this Council. As to central dispatch, all things in life are not about money. Some things are about the service you can provide to your community. Soldotna cannot provide that service to your community. We had a lineman that got burned; they dropped the call three times because they were having to call from a cell phone. They dropped the call three times getting it to Homer. You cannot replace what you get when you have local dispatch with having a central dispatch system. Those are things to think about. All things in life are not about money. Thank you so much for twelve years.

ADJOURNMENT

There being no further business to come before the Council, Mayor Wythe adjourned the meeting at 8:43 p.m. The next Regular Meeting is Monday, October 24, 2016 at 6:00 p.m., Committee of the Whole 5:00 p.m., and a Worksession 4:00 p.m. A Worksession is scheduled for Monday, October 17, 2016 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.

JO JOHNSON, MMC, CITY CLERK

Approved: _____



City of Homer

www.cityofhomer-ak.gov

Office of the Mayor

491 East Pioneer Avenue
Homer, Alaska 99603

mayor@ci.homer.ak.us

(p) 907-235-3130

(f) 907-235-3143

Memorandum 16-170

TO: HOMER CITY COUNCIL
FROM: BRYAN ZAK, MAYOR
DATE: OCTOBER 17, 2016
SUBJECT: APPOINTMENT OF SUE FALLON TO THE LIBRARY ADVISORY BOARD AND JUSTIN ARNOLD TO THE PLANNING COMMISSION.

Sue Fallon is appointed to the Library Advisory Board to fill the seat vacated by Matt Strobel. Her term will expire April 1, 2017.

Justin Arnold is appointed to the Planning Commission to fill the seat vacated by Tom Stroozas. His term will expire July 1, 2019.

RECOMMENDATION:

Confirm the appointment of Sue Fallon to the Library Advisory Board and the appointment of Justin Arnold to the Planning Commission.

Fiscal Note: N/A



CITY OF HOMER
APPLICATION TO SERVE ON ADVISORY BODY
COMMISSION, BOARD, COMMITTEE, TASK FORCE

CITY CLERK'S OFFICE
CITY OF HOMER
491 E. PIONEER AVE
HOMER, AK 99603
PH. 907-235-3130
FAX 907-235-3143
clerk@cityofhomer-ak.gov

The information below provides some basic background for the Mayor and Council
This information is public and will be included in the Council Information packet

OCT 11 2016 14:02:29 Rk

Name: Sue Fallon Date: Oct 11, 2016

Physical Address: 1810 Highland Dr Homer, AK 99603

Mailing Address: Same

Phone #: 907 399-2449 Cell #: Same Work #: Same

Email Address: suefallonphd@gmail.com

The above information will be published in the City Directory and within the city web pages if you are appointed by the Mayor and your appointment is confirmed by the City Council

Please indicate the advisory body that you are interested in serving on by marking with an X.
You may select more than one.

- | | |
|--|--|
| <input type="checkbox"/> ADVISORY PLANNING COMMISSION
1ST & 3RD WEDNESDAY OF THE MONTH AT 6:30 PM
WORKSESSION PRIOR TO EACH MEETING AT 5:30 PM | <input checked="" type="checkbox"/> ECONOMIC DEVELOPMENT ADVISORY COMMISSION
2ND TUESDAY OF THE MONTH AT 6:00 PM |
| <input type="checkbox"/> PARKS & RECREATION ADVISORY COMMISSION
3RD THURSDAY OF THE MONTH AT 5:30 PM | <input type="checkbox"/> CANNABIS ADVISORY COMMISSION
4TH THURSDAY OF THE MONTH AT 5:30 PM |
| <input type="checkbox"/> PORT & HARBOR ADVISORY COMMISSION
3RD WEDNESDAY OF THE MONTH
OCT-APRIL AT 5:00 PM
MAY - SEPT AT 6:00 PM | <input checked="" type="checkbox"/> LIBRARY ADVISORY BOARD
1ST TUESDAY OF THE MONTH AT 5:30 PM |
| <input type="checkbox"/> PUBLIC ARTS COMMITTEE
2ND THURSDAY OF THE MONTH AT 5:00 P.M.
FEB, MAY, AUGUST & NOVEMBER
WORKSESSIONS PRIOR AT 4:00 PM | <input type="checkbox"/> OTHER - PLEASE INDICATE
_____ |
| <input type="checkbox"/> CITY COUNCIL
2ND & 4TH MONDAY OF THE MONTH
SPECIAL MEETINGS & WORKSESSIONS AT 4:00 PM
COMMITTEE OF THE WHOLE AT 5:00 PM
REGULAR MEETING AT 6:00 PM | |

I have been a resident of the city for 22 years. I have been a resident of the area for 22 years.

I am presently employed at self employed

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

- Doctorate in psychology - 30 years as a psychology professor
- Extensive involvement as a volunteer at the Center for Alaska Coastal Studies and the Pratt Museum in the 1990s - Grantwriting
- Kachemak Bay Girl Scout Leader

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

- I had served on the library advisor board in the past
- I served on the Friends of the Library for two terms (2000-2006?)

Why are you interested in serving on the selected advisory body?

residents (of all ages)

Promote literacy and educational activities for the residents of
the greater Homer area.

Please list any current memberships or organizations you belong to related to your selection(s):

Please answer the following only if you are applying for the Advisory Planning Commission:

Have you ever developed real property other than a personal residence, if so briefly explain:

Please answer if you are applying for the Port & Harbor Advisory Commission:

Do you use the Homer Port and/or Harbor on a regular basis?

Yes

☐

No

☐

What is your primary use? Commercial

☐

Recreational

☐

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

I was temporarily dividing my time between Homer and
Anchorage and am now residing full-time in Homer and
am eager to re-establish my involvement in the community

When you have completed the application please review and return to the City Clerk's Office. You may also email this to clerk@cityofhomer-ak.gov or fax @ 907-235-3143. Thank you for applying!



CITY OF HOMER
COMMISSION, COMMITTEE, BOARD AND TASK FORCE
APPLICATION FORM

CITY CLERK'S OFFICE
CITY OF HOMER
491 E. Pioneer Avenue
Homer, AK 99603
PH. 907-235-3130
FAX 907-235-3143

Received by the Clerk's Office

The information below provides some basic background for the Mayor and Council
This information is public and will be included in the Council Information packet

Name: Justin Arnold Date: 10/10/16

Physical Address: 4765 Early Springs st apt-c Homer Alaska 99603

Mailing Address: 4765 Early Springs st apt-c Homer Alaska 99603

Phone Number: _____ Cell #: 907-244-1933 Work #: _____

Email Address: f.v_just_in_time@hotmail.com

The above information will be published in the City Directory and within the city web pages if you are appointed by
the Mayor and your appointment is confirmed by the City Council

Please indicate the commission(s), committee(s), board or other that you are interested in serving on by marking with
and X or a V

<input checked="" type="checkbox"/>	ADVISORY PLANNING COMMISSION	1 ST & 3 RD WEDNESDAY OF THE MONTH AT 6:30 PM WORKSESSION PRIOR TO EACH MEETING AT 5:30 PM
<input type="checkbox"/>	ECONOMIC DEVELOPMENT ADVISORY COMMISSION	2 ND TUESDAY OF THE MONTH AT 6:00 P.M.
<input type="checkbox"/>	PARKS & RECREATION ADVISORY COMMISSION	3 RD THURSDAY OF THE MONTH AT 5:30 P.M.
<input type="checkbox"/>	PORT & HARBOR ADVISORY COMMISSION	4 TH WEDNESDAY OF THE MONTH OCT-APRIL AT 5:00 P.M. MAY – SEPTEMBER 6:00 PM
<input type="checkbox"/>	PERMANENT FUND COMMITTEE	2 ND THURSDAY OF THE MONTH AT 5:15 P.M. FEBRUARY, MAY, AUGUST & NOVEMBER
<input type="checkbox"/>	PUBLIC ARTS COMMITTEE	2 ND THURSDAY OF THE MONTH AT 5:00 P.M. FEBRUARY, MAY, AUGUST & NOVEMBER
<input type="checkbox"/>	LIBRARY ADVISORY BOARD	1 ST TUESDAY OF THE MONTH AT 5:00 P.M.
<input type="checkbox"/>	CITY COUNCIL	2 ND AND 4 TH MONDAY OF THE MONTH SPECIAL MEETINGS & WORKSESSIONS AT 4:00 P.M. COMMITTEE OF THE WHOLE AT 5:00 P.M. REGULAR MEETING AT 6:00 P.M.
<input type="checkbox"/>	OTHER - PLEASE DESIGNATE	

I have been a resident of the city for 14 yrs 14 mos. I have been a resident of the area for 34 yrs ____ mos.

I am presently employed at Self Employed- FV Just In Time

Please list any special training, education, or background you may have which is related to your choice of commission, committee, board or task force: Filed and organized a petition that created a referendum vote on the ban of

Have you ever served on a similar commission, board, committee or task force? If so please list when, where and how long:

Why are you interested in serving on the indicated commission, committee, board or task force?

To be a positive influence for our community.

Do you currently belong to any organizations specifically related to the area of your choice(s) you wish to serve on?
no.

Please answer the following if you are applying for the Advisory Planning Commission:
Have you ever developed real property, other than your personal residence, if so briefly describe? I have improved several lots I've owned from raw land to finished structures.

Please answer the following if you are applying for the Port & Harbor Advisory Commission:
Do you use the Homer Port and/or Harbor on a regular basis? What is your primary use?

☐

Commercial

☐

Recreational

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

When you have completed this application please review all the information and return to the City Clerk's Office . You may also email this document to clerk@cityofhomer.ak.gov or fax to 907-235-3143. Thank you for applying!

ORDINANCE REFERENCE SHEET
2016 ORDINANCE
ORDINANCE 16-54

An Ordinance of the Homer City Council Appropriating Funds for the Calendar Year 2017 for the General Fund, the Water Fund, the Sewer Fund, the Port/Harbor Fund, Capital Projects, and Internal Service Funds.

Sponsor: City Manager

1. Council Regular Meeting October 24, 2016 Introduction

**CITY OF HOMER
HOMER, ALASKA**

City Manager

ORDINANCE 16-54

AN ORDINANCE OF THE HOMER CITY COUNCIL APPROPRIATING FUNDS FOR THE CALENDAR YEAR 2017 FOR THE GENERAL FUND, THE WATER FUND, THE SEWER FUND, THE PORT/HARBOR FUND, CAPITAL PROJECTS, AND INTERNAL SERVICE FUNDS.

THE CITY OF HOMER ORDAINS:

Section 1. Pursuant to the authority of Alaska Statutes Title 29, the following appropriations are made for the calendar year ending December 2017:

General Fund	\$12,219,119
Water Fund	\$ 2,070,627
Sewer Fund	\$ 1,741,897
Port/Harbor Fund	\$ 4,782,246
Capital Projects	<u>\$ 871,790</u>
Total Expenditures	\$21,685,679
Internal Service Funds	\$1,960,394

Section 2. The amounts appropriated by this ordinance are appropriated to the objects and purposes stated in the adopted budget.

Section 3. Grant funds. (a) If grant funds that are received during the fiscal year exceed the amounts of such funds appropriated by this ordinance by not more than \$25,000, the affected appropriation is increased by the amount of the increase in receipts.

(b) If grant funds that are received during the fiscal year exceed the amounts appropriated by this ordinance by not more than \$25,000, the appropriation from city funds for the affected program may be reduced by the excess if the reduction is consistent with applicable federal and state statutes.

(c) If grant funds that are received during the fiscal year fall short of the amounts appropriated by this ordinance, the affected appropriation is reduced by the amount of the shortfall in receipts.

Section 4. Donations or charitable contributions. If donations or contributions are received during the fiscal year that exceed the amounts of such funds appropriated by this

ordinance by not more than \$5,000, the affected appropriation is increased by the amount of the increase in receipts.

Section 5. A copy of the adopted budget shall be certified by the City Clerk and filed in the office of the City Clerk.

Section 6. The supporting Line Item Budget detail as presented by the Administration and reviewed by the City Council is incorporated as part of this Budget Ordinance.

Section 7. The property tax mill levy is set at 4.5 mills for 2017.

Section 8. This Ordinance is limited to approval of the Budget and appropriations for Calendar Year 2017, is a non code Ordinance and shall become effective January 1, 2017.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 12th day of December, 2016.

CITY OF HOMER

BRYAN ZAK, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

AYES:

NOES:

ABSTAIN:

ABSENT:

First Reading:

Public Hearing:

Second Reading:

Effective Date:

84 Reviewed and approved as to form:
85
86 _____
87 Mary K. Koester, City Manager
88
89 Date: _____
90

Thomas F. Klinkner, City Attorney

Date: _____

ORDINANCE REFERENCE SHEET
2016 ORDINANCE
ORDINANCE 16-55

An Ordinance of the City Council of Homer, Alaska, Amending the 2016 Operating Budget by Appropriating \$494,000.00 From the Homer Accelerated Roads and Trails Program (HART) Fund to Provide for Rehabilitation of the Bunnell Street Storm Drain.

Sponsor: City Manager/Public Works Director

1. Council Regular Meeting October 24, 2016 Introduction
 - a. Memorandum 16-174 from Public Works Superintendent
 - b. Ordinance 16-12(A)

**CITY OF HOMER
HOMER, ALASKA**

City Manager/
Public Works Director

ORDINANCE 16-55

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
AMENDING THE 2016 OPERATING BUDGET BY APPROPRIATING
\$494,000 FROM THE HOMER ACCELERATED ROADS AND TRAILS
PROGRAM (HART) FUND TO PROVIDE FOR REHABILITATION OF THE
BUNNELL STREET STORM DRAIN.

WHEREAS, The City Council approved Ordinance 16-12(A) authorizing funding for the inspection and design of storm drain rehabilitation improvements to the City's storm drain system; and

WHEREAS, The results of the inspection indicates that older portions of the storm drain system have significantly deteriorated, especially the Bunnell Street storm drain (see Memorandum 16-174); and

WHEREAS, A portion of the Bunnell Street storm drain collapsed in 2015, resulting in a sinkhole in the pavement (creating a public safety concern); and

WHEREAS, Public Works has evaluated alternatives to repairing/replacing the storm drain; slip-lining the existing pipe is the most cost effective and will have the least impact on the traveling public and businesses in the area; and

WHEREAS, Rehabilitating the Bunnell Street storm drain (based on the recent Public Works inspection) is urgently needed to protect Bunnell Street infrastructure, and vehicular and pedestrian users.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The FY 2016 Operating Budget is hereby amended by appropriating \$494,000 from the HART Program Fund for the rehabilitation of the Bunnell Street storm drain as follows:

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
	Bunnell Street Storm Drain Rehab	\$494,000

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

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this _____ day of _____, 2016.

CITY OF HOMER

BRYAN ZAK, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

First Reading:

Public Hearing:

Second Reading:

Effective Date:

Reviewed and approved as to form:

Mary K. Koester, City Manager

Date: _____

Holly C. Wells, City Attorney

Date: _____



Memorandum 16-174

TO: Katie Koester, City Manager

THROUGH: Carey Meyer, PW Director

FROM: Dan Gardner, PW Superintendent

DATE: September 26, 2016

SUBJECT: Storm Drain Pipe Failure
Construction Funding for Rehabilitation

Ordinance 16-12(A) approved funding for the research and design of storm drain rehabilitation improvements. That work is substantially complete and construction funding for the first phase of the project is now required.

In May of 2016, Stephl Engineering performed a cursory survey of the city's storm drain (SD) manholes and piping system. This inspection was motivated by the sinkhole that occurred on E. Bunnell last winter due to corrosion in the SD piping. The survey consisted of entering approximately half of the SD system manhole structures and inspecting the SD piping with a zoom camera from the MH structure. Inspections took place mostly in the piping that was installed in the 1980s, which represents a significant majority of the city's SD system. There are approximately 65 MH structures and approximately 18,500 feet of SD piping in the system. A report was prepared in July with recommendations regarding the need for immediate repair of portions of storm drain piping, and the need to plan to replace other portions in the near future.

Based on the report, and due to recently discovered/repared pipe failures (Bunnell Street sinkhole and Main Street sinkholes), Public Works arranged to have some of the oldest piping inspected with CCTV video. This video inspection provided much greater detail and revealed the extremely poor condition of the piping on Bunnell Street. This section of SD piping needs to be replaced immediately due to the extensive corrosion and holes in the pipe in order to prevent another sinkhole like the one that took place over the winter of 2015/2016. See attached pictures of recent repairs on Bunnell Street and Main Street and CCTV pictures of Bunnell Street SD piping.

The process for rehabilitating the failing pipe would be to line the pipe with a cured in place pipe (CIPP) system. This is the same system that was utilized in 2010 to rehabilitate old sections of sewer mainline (Ocean Drive Loop, Pioneer Ave., Bartlett St). The final product is a new pipe with an expected life of around 50 years. The benefits of lining existing pipe rather than excavating and replacing the pipe are that there is virtually no disruption to traffic, the project is completed in a fraction of the time, minimal erosion and traffic control efforts, and is less expensive. The estimated cost to line the E. Bunnell Street SD piping is \$495,000. This work could take place during the 2016/2017 winter months.

Public Works will continue to evaluate other portions of SD piping for replacement in upcoming years.

RECOMMENDATION – City Council pass an ordinance authorizing funding for construction of E. Bunnell Street SD replacement from HART in the estimated amount of \$495,000. (HART \$7,000,00)



E. Bunnell Street Sinkhole January 2016

36" Storm Drain Failure



E. Bunnell Street SD Piping Failure Due to Corrosion. Multiple holes shown
January 2016





One of Two Storm Drain laterals extending from MH to ditch line with total failure at flow line of pipe. Caused sinkhole in road. February 2016



One of Two Storm Drain laterals extending from MH to ditch line with total failure at flow line of pipe. Caused sinkhole in road. February 2016











**CITY OF HOMER
HOMER, ALASKA**

City Manager/
Public Works Director

ORDINANCE 16-12(A)

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
AMENDING THE FY 2016 OPERATING BUDGET BY APPROPRIATING
FUNDS IN THE AMOUNT OF \$89,000 FROM HOMER ACCELERATED
ROADS AND TRAILS FUND FOR THE DESIGN OF THE STORM DRAIN
REHABILITATION PROJECT AND AUTHORIZING THE CITY MANAGER
TO EXECUTE ALL APPROPRIATE DOCUMENTS NECESSARY TO
COMPLETE THE WORK.

WHEREAS, This winter, storm drain piping in Bunnell Avenue and Main Street failed
creating "sinkholes" that undermined pavement and threatened the safety of the motoring
public; and

WHEREAS, Upon investigation, it has become clear that much of the City's storm drain
system installed in the 1980's has deteriorated to the point that replacement is necessary (see
Memorandum 16-049); and

WHEREAS, Public Works believes that the most cost effective method of repairing
these storm drains is to slip-line them (similar to what was done on the sanitary sewer system
a few years ago).

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The Homer City Council hereby amends the FY 2016 Operating Budget by
appropriating \$89,000 from the Homer Accelerated Road and Trails Program (HART) for the
design of the storm drain rehabilitation improvements.

Revenue:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
160-0766	Storm Drainage Improvements	\$89,000

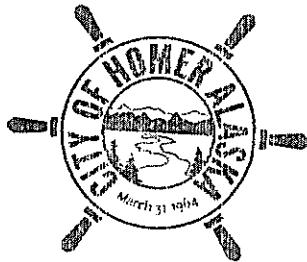
Expenditure:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
151-0001	Storm Drainage Improvements	\$89,000

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

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 29th day of March, 2016.

CITY OF HOMER



Mary E. Wythe
MARY E. WYTHE, MAYOR

ATTEST:

[Signature]
JO JOHNSON, MMC, CITY CLERK

AYES: 6
NOES: 6
ABSTAIN: 0
ABSENT: 0

First Reading: 3/14/16
Public Reading: 3/29/16
Second Reading: 3/29/16
Effective Date: 3/30/16

Reviewed and approved as to form:

Mary K. Koester
Mary K. Koester, City Manager

Thomas F. Klinkner
Thomas F. Klinkner, City Attorney

Date: 4.5.16

Date: 4-11-16

**CITY OF HOMER
HOMER, ALASKA**

Lewis

RESOLUTION 16-107

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
RECOGNIZING OUR DUTY TO SAFEGUARD THE VITALITY OF
ECOSYSTEMS.

WHEREAS, We recognize our duty to safeguard the vitality of ecosystems; and

WHEREAS, Considering that nature is dynamic and evolution ongoing in ways that exceed full human understanding, we recognize that any management interventions need to apply the Precautionary Principle; and

WHEREAS, We support the right of humans and wildlife to a healthy, non-toxic environment; and

WHEREAS, We understand that any species deemed a problem may have yet unrecognized vital roles in ecosystems and may create opportunities for community economies; and

WHEREAS, We declare the right for communities to hunt sustainable game and to gather safe plants, and endorse the highest standards of animal welfare for all species; and

WHEREAS, We assert the democratic right of communities to participate in making policies that affect their environment;

WHEREAS, We recognize the weight of citizens' observations and local knowledge; and

WHEREAS, We require ecosystem studies to meet international standards for experimental design.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Homer, Alaska, that we recognize our duty to safeguard the vitality of ecosystems.

PASSED AND ADOPTED by the City Council of Homer, Alaska, this 24th day of October, 2016.

CITY OF HOMER

BRYAN ZAK, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

Fiscal Note: N/A

**CITY OF HOMER
HOMER, ALASKA**

City Clerk/
Library Advisory Board

RESOLUTION 16-108

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
AMENDING THE HOMER PUBLIC LIBRARY POLICIES FOR LIBRARY
CARD REGISTRATION.

WHEREAS, The Library Advisory Board reviewed and approved amendments to the Library Card Registration Policy to update and clarify the language and simplify the requirements for issuing Temporary Library Cards; and

NOW, THEREFORE, BE IT RESOLVED that the Homer City Council hereby amends the Homer Public Library Policies for Library Card Registration as follows:

**HOMER PUBLIC LIBRARY
LIBRARY CARD REGISTRATION POLICY**

A. PERMANENT CARDS

Any adult residing or owning property in the Homer Public Library service area is eligible for a permanent library card. Applying for a card affirms that the card holder accepts responsibility for materials borrowed on the card and any fines incurred. A permanent card allows patrons to check out up to 25 items at a time. A patron may not have more than one valid Homer Public Library card. The first card is free and must be renewed annually. Lost cards may be replaced for a small charge.

Requirements for a Permanent Card:

1. Apply in person.
2. Supply proof of identity.
3. Supply proof of residency or land ownership in the Homer Public Library service area.

1. Apply in Person

2. Supply Proof of Identity

Acceptable proof of identity for a permanent card includes:

- Valid driver's license.
- Government issued photo identification.
- School identification card.

3. Supply Proof of Residency or Land Ownership in the Library Service Area

Applicants must reside at a permanent address or own property within the library service area. The Homer Public Library service area includes:

Anchor Point	Diamond Ridge	Fritz Creek
Happy Valley	Halibut Cove	City of Homer
Kachemak City	Kachemak Selo	Millers Landing
Nanwalek	Ninilchik	Nikolaevsk
Port Graham	Razdolna	Seldovia
Voznesenka		

Acceptable proof of local residency or land ownership within the library service area includes:

- Valid Alaska driver's license or other government-issued document showing local address
- Cancelled mail addressed to the applicant postmarked within the last 30 days
- Voter registration card with local precinct
- Recent utility bill showing physical address, printed or on an electronic device
- Preprinted check from a local bank imprinted with local address
- Real estate property ownership, which may be verified on the Borough website: www.borough.kenai.ak.us

Important Notes:

- General Delivery or delivery c/o (care of) is not an acceptable address for a permanent card.
- Proof of change of address is required when mail has been returned.
- Patrons who move out of the service area and who no longer meet the requirements of a permanent card are eligible for a temporary card.

Permanent Library Cards for Juveniles

Requirements for a Juvenile Permanent Library Card:

1. A parent or guardian must apply for a juvenile library card in person.
2. Supply proof of identity for the parent or guardian.
3. Supply proof of the parent or guardian's residence or land ownership in the Homer Public Library service area.

Persons under 18 years of age are considered juveniles. By applying for a juvenile permanent card, the parent or guardian accepts responsibility for library materials and services used by the juvenile, as well as the juvenile's conduct on library premises. Juveniles may check out up to 25 items at a time on a permanent card. The parent or guardian's library account must be in good standing before any new cards will be issued.

B. TEMPORARY CARDS

Temporary cards are issued to people who plan to be in service area for six months or less or do not have proof of local residency. A temporary card is available for a small fee and is valid for six months. Temporary card holders may check out up to 10 items at a time. Applying for a card affirms that the card holder accepts responsibility for materials borrowed on the card and any fines incurred. A patron may not have more than one valid Homer Public Library card.

Requirements for Temporary Library Cards:

1. Apply in person.
2. Supply proof of identity.
3. Supply permanent mailing address.

1. Apply in Person

2. Supply Proof of Identity

Acceptable proof of identity for a temporary card includes:

- Valid driver's license.
- Government issued photo identification.
- School identification card.

3. Supply Permanent Mailing Address

Acceptable proof of permanent mailing address for a temporary card includes:

- Valid driver's license showing permanent address.
- Official government-issued document showing permanent address.
- Evidence of cancelled mail addressed to the applicant at his/her permanent address postmarked within the last 30 days.

A local address may be given in addition to a permanent address if available.

Important Notes:

- General Delivery or delivery c/o (care of) is not acceptable as a permanent address for a temporary card. Both may be used as a local address supplementing a permanent address.

TEMPORARY CARDS FOR JUVENILES

Persons under 18 years of age are considered juveniles. By applying for a juvenile temporary card, the parent or guardian accepts responsibility for library materials and services used by the juvenile as well as the juvenile's conduct on library premises. If the parent or guardian has a library card, that library account must be in good standing before a juvenile temporary card will be issued to the juvenile.

Requirements for a Juvenile Temporary Library Card:

1. A parent or guardian must apply in person.
2. Supply proof of identity for the parent or guardian.
3. Supply permanent mailing address for the parent or guardian.

Exceptions to the above requirements may be made at the discretion of the Library Director.

PASSED AND ADOPTED by the Homer City Council this 24th day of October, 2016.

CITY OF HOMER

BRYAN ZAK, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

Fiscal Note: N/A



City of Homer

www.cityofhomer-ak.gov

Office of the City Clerk

491 East Pioneer Avenue
Homer, Alaska 99603

clerk@cityofhomer-ak.gov

(p) 907-235-3130

(f) 907-235-3143

Memorandum 16-173

TO: MAYOR ZAK AND CITY COUNCIL

FROM: LIBRARY ADVISORY BOARD

THRU: RENEE KRAUSE, CMC, DEPUTY CITY CLERK

DATE: OCTOBER 14, 2016

SUBJECT: AMENDED LIBRARY REGISTRATION CARD POLICY AND TEMPORARY LIBRARY CARD FEES

At the special meeting on September 6, 2016 and the regular meeting on October 4, 2016 the Library Advisory Board reviewed and amended the fees for Temporary Library Cards and the Library Registration card policy.

Following is an excerpt of the minutes for the approval of the amendments:

September 6, 2016

Special Meeting

NEW BUSINESS

A. *Changes to the Temporary Library Card Structure and Fees*

Library Director Dixon stated that they currently have two kinds of temporary cards these are for people who do not live in the service area and will only be here a short time. One card is \$10, good for 6 months and you can only check out two items each time. The other card is \$50, good for 6 months and you are allowed to check out an unlimited number of items. The difference is if your account is in good standing at the end of the time then they will be refunded half of the \$50 fee.

As you can guess this causes an unwelcome burden on staff and the finance department with refunding the fees.

Library Director Dixon stated that after discussing this issue with staff they are recommending \$20 for 10 items at a time, no refunds, and good for 6 months.

Discussion broke out on the number of items also covers magazines, movies, etc. and that \$30 would be a better rate, it is still a bargain at \$5.00 per month or \$1.25 per week. It was noted that protection of the assets and that books can be purchased at Salvation Army and the Bookmobile will sell books too.

Library Director Dixon will bring this idea back to staff and then present to the Finance Director.

October 4, 2016

Regular Meeting

PENDING BUSINESS

*B. Changes to the Library Registration Card Policy and Temporary Card Fees
(Wrong title Changes to the Temporary Library Card Structure and Fees)*

Library Director Dixon stated that she took the Board's recommendation back to staff and they did not want to increase the 6 month fee to \$30. Their opinion was to keep it at the \$20. The Board requested a compromise and recommended \$25 which Library Director Dixon agreed to.

Library Director Dixon requested a review the proposed changes to the Library Card Registration Policy. There was a misunderstanding on the title to the policy so they can review and approve at this meeting unless they want to hold it over to the November meeting.

Boardmember Peterson read through it and felt the changes were appropriate and requested clarification on striking military identifications. Library Director Dixon explained that that identification falls under government issued identification.

Boardmember Kuszmaul requested the substantive changes to policy as presented. Library Dixon stated that it was just to remove redundancies and provide clarity on the issuing of Library cards.

There was a brief discussion on the changes to the policy which reflected removal of redundancy in the language and making it clearer so everybody can understand it. There was a lot of unnecessary language and this makes it clear and concise.

Library Director Dixon stated that they have wanted to get this policy cleaned up for a long while now and glad that it is done.

Deputy City Clerk Krause responded to Chair Strobel that a motion to approve the changes was required then they would forward the recommendation to Council for final approval.

The Board discussed some options such as on a month to month basis, and the limited amount of cards issued, limiting it to 10 items.

STROBEL/MASSION - MOVE TO AMEND THE POLICY TO HAVE ONE TEMPORARY LIBRARY CARD, CHANGE THE FEE TO \$25.00 FOR 10 ITEMS AND APPROVE THE ADDITIONAL AMENDMENTS TO THE LIBRARY REGISTRATION CARD POLICY FOR CLARIFICATION.

There was a brief discussion.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Recommendation:

Motion to Approve the Amendments to Library Registration Card Policy and Fees to the Temporary Library Card

HOMER PUBLIC LIBRARY LIBRARY CARD REGISTRATION POLICY

- All library loan transactions require the use of a valid library card.
- The first card is free. Replacement cards cost \$5.00 each.
- Permanent library cards are renewed every year.
- A patron may not have more than one valid Homer Library card.
- Individuals applying for any card must comply with the identification requirements set out below.

A. PERMANENT CARDS

A permanent card is issued to adults who complete and sign the proper application form, and demonstrate proof of identity and local residency. Completion of the application form affirms that individuals accept responsibility for the proper use of library materials and resources. A Permanent Card allows patrons to check out up to 25 items at a time. **Any adult residing or owning property in the Homer Public Library service area is eligible for a permanent library card. Applying for a card affirms that the card holder accepts responsibility for materials borrowed on the card and any fines incurred. A permanent card allows patrons to check out up to 25 items at a time. A patron may not have more than one valid Homer Public Library card. The first card is free and must be renewed annually. Lost cards may be replaced for a small charge.**

To obtain Requirements for a Permanent Card you must:

1. Apply in person.
2. Supply proof of identity.
3. Supply proof of residency or land ownership in the Homer Public Library service area.
4. Supply proof of mailing address in the Homer Public Library service area.

1. Apply in Person

2. Supply Proof of Identity

Photo Identification is required to ensure that the person applying for a library card is the applicant. Acceptable proof of identity for a Permanent Card includes:

- Valid Driver's License.
- Government-issued photo identification.
- School identification card.
- Military identification.

3. Supply Proof of ~~Residence~~ Residency or Land Ownership in the Library Service Area

Applicants must fulfill the requirements listed in 3a. or 3b. reside at a permanent address or own property within the library service area. The Homer Public

Library ~~S~~service area includes:

- ~~City of Homer.~~
- ~~City of Kachemak.~~
- ~~City of Seldovia.~~
- ~~Anchor Point voting precinct.~~
- ~~Diamond Ridge voting precinct.~~
- ~~Fritz Creek voting precinct.~~
- ~~Halibut Cove~~
- ~~Kachemak Bay voting precinct.~~
- ~~Port Graham voting precinct.~~
- ~~Ninilchik voting precinct.~~
- ~~Nanwalek.~~
- Anchor Point
- Diamond Ridge
- Fritz Creek
- Happy Valley
- Halibut Cove
- City of Homer
- Kachemak City
- Kachemak Selo
- Millers Landing
- Nanwalek
- Ninilchik
- Nikolaevsk
- Port Graham
- Razdolna
- Seldovia
- Voznesenka

Acceptable proof of local residency or land ownership within the library service area includes:

- Valid Alaska driver's license or other government-issued document showing local address
- Cancelled mail addressed to the applicant postmarked within the last 30 days
- Voter registration card with local precinct
- Recent utility bill showing physical address, printed or on an electronic device
- Preprinted check from a local bank imprinted with local address
- Real estate property ownership, which may be verified on the Borough website: www.borough.kenai.ak.us

~~3a. Applicants must reside at a permanent address within the Library service area~~

~~Acceptable proof of local residence includes:~~

- ~~Voter registration card with local address.~~
- ~~Alaska Sport or Commercial Hunting or Fishing license with local address.~~
- ~~Military Identification Card.~~
- ~~A tax receipt showing physical address.~~
- ~~A utility bill showing physical address.~~

~~-OR-~~

~~3b. Applicants must own property within the Library service area.~~

Acceptable proof of local land ownership consists of a current real estate property tax receipt, which may be printed from the Borough website: www.borough.kenai.ak.us.

4. Proof of Local Mailing Address in the Library Service Area

Acceptable proof of local mailing address includes:

- ~~Preprinted checks from a local bank imprinted with local address.~~
- ~~Official government issued document (excluding a driver's license) showing local address. A mailing address on a driver's license is not sufficient.~~
- ~~Evidence of cancelled mail addressed to the applicant at a local address, postmarked within the last 30 days.~~

Important Notes:

- General Delivery or delivery c/o (care of) is not an acceptable address for a ~~P~~ermanent ~~C~~ard.
- Proof of change of address is required when mail has been returned.
- Patrons who move out of the service area and who no longer meet the requirements of a ~~P~~ermanent ~~C~~ard are eligible for a ~~T~~emporary ~~C~~ard.

Permanent Library Cards for Juveniles

Requirements for a ~~Permanent~~ Juvenile Permanent Library Card:

1. A parent or ~~responsible party~~ guardian must apply for a ~~Juvenile L~~ibrary ~~C~~ard in person.
2. Supply ~~P~~roof of identity for the parent or guardian.
3. Supply proof of the parent or guardian's residence or land ownership in the Homer Public Library service area.

Persons under 18 years of age are considered juveniles. By ~~signing the juvenile's application~~ applying for a juvenile permanent card, the parent or guardian accepts responsibility for library materials and services used by the juvenile, as well as the juvenile's conduct on library premises. Juveniles may check out up to ~~12~~ 25 items at a time on a permanent card. The parent or guardian's library ~~record~~ account must be in good standing before any new cards will be issued.

B. TEMPORARY CARDS

Temporary ~~C~~ards are issued to people who plan to be in service area for six months or less or do not have proof of local residency. A ~~T~~emporary ~~C~~ard is ~~issued for six months~~
~~Completion of the application form affirms that individuals have accepted responsibility~~

for the proper use of the library. available for a small fee and is valid for six months.
Temporary card holders may check out up to 10 items at a time. Applying for a card
affirms that the card holder accepts responsibility for materials borrowed on the card
and any fines incurred. A patron may not have more than one valid Homer Public
Library card.

There are two types of Temporary Cards:

- A Standard Temporary Card allows up to 2 checked out items for a non-refundable fee of \$10.00.
- A Family Temporary Card allows up to 12 checked out items for a fee of \$50.00, \$40.00 of which is refundable.

Family Temporary Card Refund Procedure:

Upon patron's departure from Homer, \$40.00 of the deposit will be refunded, less outstanding fines or fees. The \$10.00 non-refundable portion covers administrative costs of the deposit program. Refunds will be issued via check by the City of Homer during the second check run of the month. Patron must inform library staff of departure, and forwarding address should be on the application. If deposit is not requested within sixty days after the six-month expiration date, it will be considered a donation to the Friends of the Homer Library.

Requirements for Temporary Library Cards:

1. ~~Must a~~ Apply in person.
2. Supply P ~~ro~~ oof of identity.
3. ~~Proof of permanent residence address.~~ Supply permanent mailing address.

1. Apply in Person

2. Supply Proof of Identity for Temporary Cards

~~Photo Identification is required to ensure the person applying for the library card is the applicant.~~ Acceptable proof of identity for a ~~T~~emporary C~~ard~~ includes:

- Valid ~~D~~river's L~~icense~~.
- Government-~~i~~ssued P~~hoto~~ identification.
- School ~~i~~dentification C~~ard~~.
- ~~Military Identification.~~

3. ~~Proof of Permanent Residence~~ Supply Permanent Mailing Address for Temporary Cards

Acceptable proof of permanent ~~residence~~ mailing address for a ~~T~~emporary C~~ard~~ includes:

- Valid ~~D~~river's L~~icense~~ showing permanent address.
- Official government-issued document showing permanent address.

- Evidence of cancelled mail addressed to the applicant at ~~their~~ his/her permanent address postmarked within the last 30 days.

A local address may be given in addition to a permanent address if available.

Important ~~n~~Notes:

- ⊖ ~~General Delivery is not an acceptable permanent address for a Temporary Card.~~
- ⊖ ~~General Delivery or "c/o" is acceptable as a local address only in addition to a permanent address.~~
- **General Delivery or delivery c/o (care of) is not acceptable as a permanent address for a temporary card. Both may be used as a local address supplementing a permanent address.**

Temporary Cards for Juveniles

Persons under 18 years of age are considered juveniles. By ~~signing the application~~ **applying** for a ~~Juvenile Temporary Card~~, the parent or guardian accepts responsibility for library materials and services used by the juvenile as well as the juvenile's conduct on library premises. ~~Juveniles may check out two items at a time on a Juvenile Temporary Card.~~ If the parent or ~~responsible party~~ **guardian** has a library card, that library ~~record~~ **account** must be in good standing before a ~~Juvenile Temporary Card~~ will be issued to the juvenile.

Requirements for a Juvenile Temporary Library Card:

1. A parent or ~~responsible party~~ **guardian** must apply in person.
2. **Supply** ~~Proof of identity for the parent or responsible party~~ **guardian**.
3. **Supply** ~~Proof of a valid local permanent~~ mailing address for the parent or ~~responsible party~~ **guardian**.

Exceptions to the above requirements may be made at the discretion of the Library Director.

Approved by the LAB on _____
Approved by the HCC on _____

**CITY OF HOMER
HOMER, ALASKA**

City Clerk

RESOLUTION 16-109

A RESOLUTION OF THE CITY COUNCIL AMENDING THE CITY OF HOMER FEE SCHEDULE UNDER ADMINISTRATIVE, CAMPING, LIBRARY, PLANNING AND ZONING, FIRE, AND PUBLIC WORKS DEPARTMENT FEES.

WHEREAS, Administrative fees are amended to update Special Assessment Districts (SAD) Homer Accelerated Roads and Trails Program assessments to change the allocation of costs for street reconstruction and new street construction to property owner contribution through SAD process of 25% of project cost for street reconstruction or new street construction on an equal assessment per lot basis for cost of a residential standard street; and

WHEREAS, Camping fees for RV and tent camping are increased to be comparable to other communities on the Peninsula; and

WHEREAS, Library fees are increased for temporary library cards; and

WHEREAS, Planning and Zoning fee section is amended to move right-of-way permit and driveway permit fees from Planning and Zoning to Public Works section since Public Works permits both; and

WHEREAS, Fire Department fees for ambulance services are amended to include rate differentials for residents and non-residents for basic and advanced life support and a fee increase for rescue and extradition services; and

WHEREAS, Public Works Department fees are revised to include the right-of-way permit and driveway permit fees section.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby amends the City of Homer Fee Schedule, Administrative, Camping, Library, Planning and Zoning, Fire, and Public Works Department fees as follows:

ADMINISTRATIVE FEES FOR THE CITY OF HOMER

(The following fees have been set by legislative enactments, Ordinances 05-43(A),04-53(S)(A), 03-36(A), 01-13(S)(A); Resolutions 15-097(S)(A), 14-114, 11-074(A), 11-036(A)(S),10-90(A), 06-

[Bold and underlined added. Deleted language stricken through.]

42 24(S), 05-125(S), 05-49, 05-22, 04-98(S)(A), 04-96, 04-95, 04-94(S)(A), 03-159, 00-14, 99-116, 99-
 43 50, 95-1 and 92-10(A), Regulations Concerning Public Record Inspections dated March 2003.)

44 These fees are administrative fees for all departments of the City of Homer unless otherwise
 45 specified under that department. All fees are inclusive of sales tax. Unless otherwise
 46 specified: Any item mailed may have an additional fee added for actual postage. Handling
 47 fees may be added up to the actual staff time spent preparing the item for shipping.

48 An application for indigency may be filed with the City Manager for waiving or partially
 49 waiving the costs of fees. The City Manager may allow an applicant, who qualifies as an
 50 indigent, a reduced fee, a payment plan or a waiver of the fee where the Manager is able to
 51 make a written finding, based on information provided by the applicant, that payment of the
 52 fee would be a financial hardship. Based upon the information provided, the fee may be
 53 reduced or waived in accordance with the following scale:

Annual Income as a Percent of current Health and Human Services (HHS) Poverty Guidelines for Alaska	Percent of fee reduced
1-100%	100% Waiver
101-149%	75% Waiver
150-174%	50% Waiver
175-199%	25% Waiver
200% plus	No Waiver

54
 55 Airport Pickup/delivery \$25
 56 Annual Safety Inspection commercial vehicles \$100
 57 Annual Taxi Permit \$75
 58 Appeal Fees
 59 Water and Sewer Appeals, under HCC 14.04 and 14.08 – shall be set by Resolution; in
 60 the event the appellant is the prevailing party the fee shall be refundable.
 61 Zoning Appeals – fee \$250.00 subject to refund if the appellant is successful on any
 62 aspect of appeal.
 63 Credit Cards are accepted for other than real property lease payments with a minimum of
 64 \$10.
 65 CD Reproductions: \$20.00
 66 Document copying fees: \$ 0.25/page
 67 Certification Fee: \$10/report
 68 Driver License Records \$10

[Bold and underlined added. Deleted language stricken through.]

69 Fax: w/in Alaska \$1/page, Continental US \$2/1st page, Subsequent pages \$1/page. Other
 70 destination \$5/1st page. Subsequent pages \$2/page.
 71 Electronic Transmission: \$0.25/page (Scanned PDF document)
 72

73 Lease application fee \$30
 74 Lease fee \$300
 75 Lease Assignment Fee \$250
 76 Local Bidder's Preference
 77

Non-local bid is	Local bid is not more than
\$0 - \$500,000.00	5 percent higher than non-local bid
\$0 - \$1,000,000.00	5 percent higher than non-local bid on first \$500,000.00 and 2.5 percent higher than non-local bid on amount in excess of \$500,000.00 to \$1,000,000.00

78 No additional adjustment for bids above \$1,000,000.00
 79

80 Photograph Copying: \$10/order (includes shipping and; handling)
 81 If done commercially – Actual Costs plus 5%
 82

83 Production Fees -

84 Per requestor in a calendar month exceeds five-person hours the fee is the City employee's
 85 actual salary plus benefit costs. An estimate will be prepared and the requestor must deposit the
 86 estimated production and copying fees in advance. If the actual costs are greater than the estimate
 87 the records will not be released until the difference is paid and if the actual costs are less the
 88 requestor will receive a refund of the difference.

89 No fee for simple inspection, except when the production of records by one requestor exceeds
 90 five person hours in a calendar month.
 91

92 Special Assessment Districts (SAD's):
 93

94 **HARP HART**(Homer Accelerated Roads **and Trails** Program) SAD's
 95 Assessments are: ~~\$30 per front foot for Road Reconstruction~~

96 ~~\$17 per front foot for Paving~~

97 **Road Improvements - 25% of the total project cost allocated in**
 98 **equal shares to each participating parcel**

99 HAWSP (Homer Accelerated Water and Sewer Program) SAD's

100 Assessments are: 75% of the total project cost allocated in equal shares to each
 101 participating parcel

102 OTHER SAD's if approved by the Council are at 100% property owner participation.
 103

104 Application Fee \$100

105 Bill Fee \$12.00 per bill

106 Administrative Fee

107 0-500,000 5%

[Bold and underlined added. Deleted language stricken through.]

over 500,000 \$25,000 plus 2.5%

Notary \$5.00

Smoking prohibited in City Facilities, Vehicles and Watercraft - \$25 fine

CD (Police Department) \$25

Subsequent, \$15/CD Includes 1st class postage

DVD (Police Department) \$30/tape

Vehicle Impound/Storage Fees (actual costs + towing) Storage, \$45.00/per day

CAMPING FEES

(The following fees have been set by legislative enactments, Resolutions 15-097(S)(A), 05-05, 04-98(S)(A), 99-94, 93-35, 91-34 and; 91-20(S)).

“Campground” means an area owned, controlled, developed and/or maintained by the City, which contains one or more improved campsites or contains adequate area for one or more unimproved campsites.

“Camping” means:

1. The erection of, or occupancy of any tent.
2. The placing or leaving of any items normally found at a campsite within campsite such as cook stoves, lanterns, sleeping bags or bedding.
3. Parking of any camper unit in any area owned or controlled by the City that has been designated a camping area by official signs, in excess of twenty-four hours.

“Camping Season” means that period of time from April 1 through October 30.

RV \$ ~~15~~ **20**/day

~~14 calendar days~~ — \$189

All other camping \$ ~~10~~ **13**/day

~~14 calendar days~~ — \$125

All fees inclusive of sales tax.

LIBRARY FEES

235-3180

(Amended: Resolution 14-114, 13-076; Ordinance 05-08; Resolution 15-097(S)(A), 12-006, 04-98(S)(A); 03-87; 99-19(A); 98-86; 97-87)

Closed - Sundays. Open - Mon, Wed, Fri and Sat from 10 a.m. to 6 p.m. Tues and Thurs from 10 a.m. - 8 p.m.

Facility Use Fees for after-hours private use (including building supervision):

[Bold and underlined added. Deleted language stricken through.]

154	Conference Room \$50/hour
155	Reading Lounge \$50/hour
156	Children's Room \$50/hour
157	Entire facility, excluding staff work space -- \$300 Facility Use Fee
158	plus \$50/hour staff supervisor. \$300 damage/cleaning deposit.
159	
160	Library Cards Replacement cards \$5/issue
161	Limited (temporary) card \$10 non-refundable
162	Full (temporary) card \$50, \$25-refundable. Refunds are issued the second
163	check run of each month via check from the City of Homer. Apply for refund
164	through Library staff and provide forwarding address. If the refund is not
165	claimed within six months the refund becomes a donation to the Library.
166	<u>Temporary Card \$25</u>
167	
168	Overdue Items - 14 day circulation (except digital devices) \$0.15/day
169	
170	7 day and 1 day circulation - \$1.00/day
171	Digital Devices \$5.00/day
172	Interlibrary Loans- \$1.00/day
173	2nd overdue notice - \$1.00/notice
174	
175	Bill notice - \$2.00/notice
176	Admin. Fee for Bills Sent to Collection Agency \$25.00
177	Maximum overdue charge per item (except digital devices) charge \$10.00
178	
179	Photo copy \$.15/ea (letter size) and (legal size) per side
180	\$.25/ea (11"x17") per side
181	\$0.50/ea color copies (letter size) and (legal size) per side
182	\$2.00/ea color copies (11"x17") per side
183	
184	Interlibrary loan fee \$3 standard size books
185	\$.15 per page for photo copy
186	\$4.00 for microfilm/videos/CDS/Audios
187	Additional charges may be assessed.
188	
189	Replacement/Repair of items
190	Lost or damaged items: Replacement cost plus \$7.00 processing fee
191	per item
192	Lost or damaged cases, hang-up bags, etc.: Replacement cost or
193	\$2.00, whichever is greater
194	
195	Lost map or inserts - \$10/item
196	Lost out-of print items - \$50/Alaskana
197	\$40/nonfiction
198	\$35/fiction
199	

[Bold and underlined added. Deleted language stricken through.]

Please Note: To receive a refund on a lost item, patrons must return the item within sixty days of lost status. Refunds of payment for items deemed valuable to the collection and returned after the 60- day period may be made at the discretion of the Director. No refunds will be given for digital devices.

Damaged Item - \$2.00/page
\$3.00/book jacket or cover damaged beyond repair - Full bindery cost or full replacement cost plus \$7.00 processing charge.
Improper Return of Digital Devices- \$25 fee if not returned to Front Desk staff

PLANNING AND ZONING DEPARTMENT

235-3106 or 235-8121 (Coordinates with Public Works)

(The following fees, for Zoning Permits have been set by legislative enactments, Resolution 00-17 as authorized by HCC 21.42.060, Resolution 03-12(A), Resolution 03-159, Resolution 04-35, and Resolution 04-98(S)(A), Resolution 05-27(S) and Resolution 05-35, Resolution 07-14 and Resolution 07-45, Resolution 08-124.)

Zoning Permit Fees:

Single Family /Duplex	\$200
Multi-Family/Commercial/Industrial	\$300, plus \$50 per hour when over six hours of administrative time.
Change of Use fee	\$50
Deck	\$50

Fees for commencing activities, without a permit, shall be assessed at the regular rate multiplied by one and one half (1.5) for Residential and two (2) for Commercial.

(The following fees have been set by legislative enactments to HCC 14.08.035.)

ROW Permit — minor	\$90 (less than 150 LF of right of way affected)
————— major	\$90 <u>\$225 (more than 150 LF of right of way affected)</u>

-

(The following fees have been set by legislative enactments to HCC 11.08.040):

Driveway Permit Residential	\$45
Commercial	\$60
Long <u>Driveway (addn)</u>	\$105

Publication Fees

Comp Plan large	\$20
Comp Plan small	\$10
Zoning Map	sm \$ 5 lg \$25
Road Maint. Map	\$ 5

Zoning Ordinance - HCC 21 \$ 15

[Bold and underlined added. Deleted language stricken through.]

246 Sign Permit - \$ 50
247 Variance - \$250
248 Erosion and Sediment Control Plan (BCWPD): \$300
249
250 Storm Water Protection Plan Fee: \$200
251
252 Conditional Use Permit Processing Fee
253 Amendment \$200
254 Fence \$300
255 Single Family/Duplex \$200
256 Multi-Family/Commercial/Industrial
257 \$500 for uses less than 8,000 sq. ft.
258 \$1,000 for uses 8,001 sq. ft. to 15,000 sq. ft.
259 \$2,500 for uses 15,001 sq. ft. to 25,000 sq. ft.
260 \$5,000 for uses 25,001 sq. ft. to 40,000 sq. ft.
261 \$8,000 for uses 40,001 sq. ft. and larger
262
263 Recording (as Required) \$50
264 Fees for commencing activities, without a permit, shall be assessed at the regular rate multiplied by
265 one and one half (1.5) for Residential and two (2) for Commercial.
266
267 Traffic Impact Analysis and Community Impact Assessment – when required, applicant will be charged
268 for the actual cost of the study, plus a 10% administrative fee. The City will be responsible for hiring
269 and managing the study.
270
271 (Resolution 03-159 and 96-13 HCC 12.12.03)
272
273 Rezone - \$500
274 (HCC 21.63 repealed via Ordinance 03-21.)
275
276 Flood Hazard Development Permit \$200
277
278 Preliminary Plat Processing Fee \$300, or \$100 per lot, whichever is greater. (Resolution 07-14,
279 03-159 and 96-13)
280
281 Elimination of a common interior lot line. \$200.00
282 Right of Way and Section Line \$300
283 Easement Vacation Application
284 Fee: (In addition to applicable preliminary
285 plat fees).
286 Utility easement vacation: no fee
287
288 Bridge Creek Watershed Permit - zoning permits are required for the Bridge Creek Watershed Area.
289 Although no fees will be charged for the zoning permits outside of City Limits, the evaluation process
290 is still in effect.
291

[Bold and underlined added. Deleted language stricken through.]

Street Renaming Fees

(A) For name changes or naming of public dedicated streets other than those named during the subdivision process:

(1) Street Naming Petition and hearing advertising fee \$150

(2) Installation of each new City sign, post, etc. Per sign: \$150

(3) Replacement of existing City sign due to change where no post is needed. Per sign: \$ 80

The minimum fee shall be either a combination of 1 and 2 OR 1 and 3, above; however, all signs that need to be changed and/or maintained by the City must be paid for prior to installation.

(B) For Private Road Naming:

(1) Street Naming Petition and hearing advertising fee \$150

(2) Installation of each new City sign, post, etc. Per sign: \$150

(3) If no public hearing or public notice is necessary, i.e., 100% petition and no partial dedicated street involved No fee

(4) If no signs are required No fee

FIRE DEPARTMENT FEES

Emergency 911 Administrative Office - 235-3155

(The following fees have been set by legislative enactments Resolutions 91-97, 92-06, 92-43(S), 03-145, 04-98(S)(A) and 06-64(S)A, 15-097(S)(A))

AMBULANCE:

Basic Life Support (BLS), Resident	\$500 <u>\$750 plus \$15/ load mile</u>
Basic Life Support, Non-Resident	<u>\$1,000 plus \$15/load mile</u>
Advanced Life Support (ALS) 1, Resident	\$800 <u>\$950 plus \$15/load mile</u>
Advanced Life Support 1, Non-Resident	<u>\$1,500 plus \$15/load mile</u>
Advanced Life Support 2, Resident	<u>\$1,250 plus \$15/load mile</u>
Advanced Life Support 2, Non-Resident	<u>\$1,750 plus \$15/load mile</u>
Non-Emergency Transport	\$500 <u>Billed as Basic Life Support Resident and Non-Resident Mileage - \$15 per mile, one-way from pick up location to destination</u>
Standby, billed per each half hour	\$ 25 <u>\$60/hour or \$510/8 hour day, crew of 2</u>
Mileage , one-way load miles	\$12.00 <u>\$15.00</u> mile
Medevac	Determined by level of call, see BLS, ALS rate

[Bold and underlined added. Deleted language stricken through.]

338	FIRE:		
339	Type 1 Engines (>1,000 gals or 1,500 GPM)	\$240/hr.	\$2,040 day
340	Type 1 Tenders (<3,000 gals or 1,000 GPM)	\$144/hr.	\$1,224/day
341	Ladder Truck	\$360/hr.	\$3,060/day
342	Medic Unit/Ambulance	\$60/hr.	\$510/day
343	Brush Patrol	\$100/hr.	
344	Command Vehicle	\$ 50/hr.	
345	Rescue/Extrication Truck	\$144/hr. (1 hour minimum)	\$1,224/day
346	Command/Utility Vehicle	\$ 60/hr.	\$510/day
347	6 x 6 ATV	\$25/hr.	\$200/day
348	VOLUNTEER PERSONNEL:		
349	Fire Department IC (1)	\$36/hr.	
350	(IC - Incident Command)		
351	Safety Officer/Officer	\$36/hr.	
352	Driver/Engineer (1 per vehicle)	\$24/hr.	
353	Firefighters (Minimum 1 per tender, 2 per Engine)	\$18/hr.	
354	EMT (Minimum 2 per Rescue Medical Unit)	\$18/hr.	

PUBLIC WORKS DEPARTMENT

Administrative - 235-3170
 (The following fees have been set by legislative enactment Resolution 15-097(S)(A), 04-98(S)(A) and 95-1).

R.V. Station dumping	\$5 per dumping
Bluelines, copies minimum	\$10 + \$2/pg.
Standard Construction Specs	\$50
Job Specific Specifications and plans	vary in price.

SUBDIVISION AGREEMENT FEE SCHEDULE:

Agreement Application, Plan Review, Inspection, and Warranty Period Deposits

A developer shall pay the City's actual cost associated with the reviewing, approving, coordinating and inspecting improvements required to be completed under a subdivision agreement. The City's cost shall include, but is not limited to, administering the agreement, plan checking, surveillance, and administrative overhead. Prior to initiating each phase of the subdivision approval process, a deposit shall be paid. Deposits shall not bear interest. The deposits shall be held in a separate account and disbursed only as authorized by this fee schedule. The deposits are described below:

- 1) Subdivision Agreement Application: Upon submitting an application agreement, the Developer will provide a \$300 deposit.
- 2) Subdivision Improvement Plan Review: Upon submission of plans for review and approval, the Developer will provide a plan review deposit of .5% of the estimated cost of improvements or \$300, whichever is greater.
- 3) Construction Inspection: Prior to the issuance of a notice to proceed with construction to the Developer, the Developer shall pay a deposit toward the City's costs based upon the

[Bold and underlined added. Deleted language stricken through.]

estimated cost of the improvements to be constructed under the subdivision agreement as follows:

<u>Estimated Construction Cost</u>	<u>Deposit</u>
\$10,000 or less	\$300
Over \$10,000 up to \$50,000	4% of the estimated costs
Over \$50,000 up to \$150,000	3% of the estimated costs
Over \$150,000 up to \$500,000	2.5% of the estimated costs
Over \$500,000	\$13,000

After the City finds the subdivision improvements meet City specifications, it shall determine its costs to date. If costs (plus any deposit required under subsection 4 below) exceed the total deposits received, the Developer shall pay the balance to the City prior to final acceptance of the improvements. If the total deposits exceed the costs, the City shall refund the balance (less any deposit required under subsection 4 below) to the Developer.

4) Initiation of Warranty Period: Prior to acceptance of completion by the City of the undertaking by the developer, the Developer shall also pay a deposit toward the City's cost incurred during the warranty period under the subdivision agreement in the amount determined by the Public Works Director, but not to exceed \$2,000.

If at any time the City finds its costs exceed the total deposit received, the City may periodically bill and receive payment from the Developer for those actual incurred costs in excess of the amount of deposit.

ROW Permit - minor \$90 (less than 150 LF of right-of-way affected)
major \$90 \$225 (more than 150 LF of right-of-way affected)

(The following fees have been set by legislative enactments to HCC 11.08.040).

Driveway Permit Residential \$45

Commercial \$60

Long Driveway (addn) \$105

(Contact Planning Department - at City Hall, 235-3106. Planning issues the permits.)

PASSED AND ADOPTED by the City Council of Homer, Alaska, this ____ day of December, 2016.

CITY OF HOMER

BRYAN ZAK, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

[Bold and underlined added. Deleted language stricken through.]

428 Fiscal Note: Revenue amounts not defined in CY2017 budget.

[Bold and underlined added.] Deleted language stricken through.



City of Homer

www.cityofhomer-ak.gov

Office of the City Clerk

491 East Pioneer Avenue
Homer, Alaska 99603

clerk@cityofhomer-ak.gov

(p) 907-235-3130

(f) 907-235-3143

Memorandum 16-175

TO: MAYOR ZAK AND HOMER CITY COUNCIL
FROM: JO JOHNSON, CITY CLERK
DATE: OCTOBER 19, 2016
SUBJECT: AMENDMENTS TO FEE SCHEDULE

There are amendments to the City of Homer Fee Schedule under Administrative, Camping, Library, Planning and Zoning, Fire, and Public Works. Explanations for these amendments in each department follow.

Administrative – It is necessary to update the language pertaining to Special Assessment Districts due to this year's revision in the allocation method of street reconstruction and new street construction. The language is consistent with Resolution 16-041(S-2)(A) adopted by Council in May to change the allocation of costs for street improvements to make them consistent with water and sewer assessments.

Camping – Despite a minimal fee increase in FY 2016, camping on the world famous Homer Spit is still amongst the cheapest tent camping of all the municipalities on the Peninsula. Fees for City-owned RV sites are possibly the cheapest of any surrounding community; and may even be less than State Park fees. The proposed 20% increase in camping fees could generate an additional \$30,000 a year. This revenue could pay for increased labor and materials to address deferred campground and park maintenance, or fund reserve accounts.

Library – Currently there are two kinds of temporary library cards for people who do not live in the service area, and for people who will only be here for a short period of time. The fees and number of items allowed for check-out are different for the temporary cards; one of the temporary cards offers a refunded fee. This causes an unwelcome burden on staff and the Finance Department with refunding the fees. The amendment will provide for one fee for a temporary card with no refund.

Planning and Zoning – The fee section pertaining to right-of-way permit and driveway permit fees is removed and transferred to Public Works who handles both of these permits.

Fire – Amendments to ambulance fees were recommended by Amerik, the company we have contracted with for ambulance billing. The fee structure for both residents and non-residents helps capture additional revenue from users that do not contribute to the service through property tax or annual contract. The load mileage rate is increased from \$12 to \$15 per mile. This is the one way rate charged between the location where the patient is picked up, to their destination.

Increases to the Basic Life Support (BLS) (non-emergency transport call) and the Advanced Life Support (ALS) calls were made. A new ALS 2 rate was added to recapture some of the added expenses when this level of care is provided the patient.

Fees for the rescue truck for extrication to aid access or removal of a patient were maintained at \$144/hour with a 1-hour minimum charge requirement. This is something that doesn't happen often, but it does increase the complexity of the call. Most private auto insurers cover this expense for their policy holders when the call is related to a motor vehicle crash.

Currently we charge \$25/half-hour for ambulance standby, which is very low. This charge should be raised to include potential payment of a crew in addition to a normal response as it is getting more difficult to encourage volunteer coverage of special events, pushing paid staff to cover when required. This would be outside the "typical" usage under DOF contracted rates. Though we don't currently charge for high school special event standby's, based on volunteer participation this football season, we may have to monetarily encourage participation for these types of events, when high school policies mandate ambulance coverage as they do for football. Currently we provide athletic event standby's free of charge, when a volunteer crew is available. We will have to convince the high school that we can no longer provide EMS coverage to football games without adequate compensation (more than the offered hot dog and drink courtesy of the concession stand). The current rate we are able to charge the Division of Forestry under our Cooperative Agreement is \$60/hour or \$510/day, with crew of 2.

Public Works – The fee section pertaining to right-of-way permit and driveway permit fees is included in Public Works instead of Planning and Zoning. It is Public Works who issues both permits.

RECOMMENDATION:

Adopt Resolution 16-109 to amend the fees under Administrative, Camping, Library, Planning and Zoning, Fire, and Public Works Departments.

**CITY OF HOMER
HOMER, ALASKA**

City Manager

RESOLUTION 16-110

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
ADDING TRACT 2-A WADDELL PARK SUBDIVISION 1985 REPLAT
TO THE CITY OF HOMER LAND ALLOCATION PLAN AS A LOT
AVAILABLE FOR SALE AND AUTHORIZING THE CITY MANAGER TO
PROCEED WITH A REQUEST FOR PROPOSAL.

WHEREAS, Ordinance 14-42(S) accepted a State of Alaska Legislative Grant for
\$1,430,000 for Waddell Way Road Improvements; and

WHEREAS, The grant application indicated that a 25% match from the Homer
Accelerated Roads and Trail Program Fund would be provided to facilitate the completion of
the road project; and

WHEREAS, The project required the purchase of Tract 2-A Waddell Park Subdivision
1985 Replat, referred to herein as the Waddell property for \$855,000; and

WHEREAS, Ordinance 15-30 directed the funds generated from the sale of the
remaining parcel that was not used for the road back into the grant project account and the
HART Fund in a 75/25 split.

WHEREAS, Before it is listed for sale, the parcel will be appraised to establish a
competitive market value; and

WHEREAS, It is in the best interest of the City to engage the contract real estate agent
to handle the advertising and sale of the Waddell property in an expeditious manner.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, adds Tract
2-A Waddell Park Subdivision 1985 Replat to the Land Allocation Plan and authorizes the City
Manager to proceed with a Request for Proposal through the City's contract real estate agent.

BE IT FURTHER RESOLVED that proceeds of the sale will be split 75% to the HART fund
and 25% to reimburse the project fund.

PASSED AND ADOPTED by the Homer City Council this 24th day of October, 2016.

CITY OF HOMER

BRYAN ZAK, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

Fiscal Note: Proceeds from sale of parcel unknown at this time.

NOTES

1. NO PERMANENT STRUCTURES SHALL BE CONSTRUCTED OR PLACED WITHIN AN EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE SAID EASEMENT.
2. ALL WASTEWATER DISPOSAL SYSTEMS SHALL COMPLY WITH EXISTING APPLICABLE LAWS AT THE TIME OF CONSTRUCTION.
3. ALL DEVELOPMENT IN THIS SUBDIVISION IS SUBJECT TO THE REQUIREMENTS OF THE CITY OF HOMER'S ZONING DISTRICT.
4. THERE IS A 10' UTILITY EASEMENT FRONTING ON ALL STREET RIGHT OF WAYS, EXTENDING TO 20' WITHIN 5' OF SIDE LOT LINES.
5. THESE LOTS ARE SERVED BY THE CITY OF HOMER SEWER AND WATER.
6. A LOW-VALUE WETLAND PERMIT IS REQUIRED PRIOR TO ANY FILLING OF WETLANDS; A 20' EASEMENT EXISTS ALONG EXISTING DRAINAGE UNTIL SUCH TIME IT IS RELOCATED (#00-20 HRD).
7. THESE LOTS ARE SUBJECT TO THE ZONING LAWS AND REGULATIONS OF THE CITY OF HOMER.
8. NO DIRECT ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY IS PERMITTED UNLESS APPROVED BY THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION.
9. THE RIGHT OF CONSTRUCT A "SKYWALK" FROM TRACT 2A ACROSS WADDELL WAY TO TRACT 3A, SUBJECT TO MINIMUM CROSSING AND MAXIMUM BUILDING HEIGHTS, IS HEREBY RESERVED (#87-27 HRD).

LEGEND

- 5/8" x 30" REBAR W/ 1.5" ALCAP (PLAT #2000-20 HRD)
- 5/8" REBAR OF RECORD (PLAT #1987-27 HRD)
- 5/8" x 30" REBAR (PLAT #2005-81 HRD)
- 1/2" REBAR 3686-S 1982 (PLAT #2005-81 HRD)
- 2" ALCAP 3686-S (PLAT #1990-58 HRD)
- 1.5" ALCAP 3815-S 1989 (PLAT #2005-81 HRD)

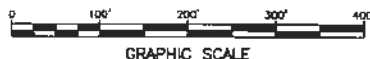
PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF _____

BY: _____
AUTHORIZED OFFICIAL
KENAI PENINSULA BOROUGH

DATE _____

LIBRARY



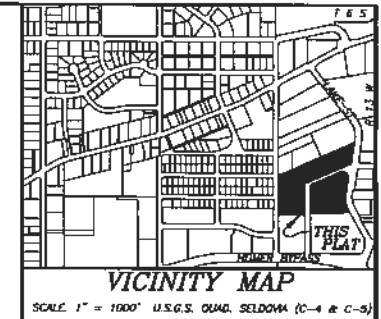
10. THE FOLLOWING BUILDING SETBACK LIMITS SHALL APPLY UNLESS A LESSER STANDARD IS APPROVED BY THE APPROPRIATE PLANNING COMMISSION (#87-27 HRD):
 - A) 60' FROM THE NORTHERN BOUNDARY OF TRACT A.
 - B) 70' FROM THE CENTERLINES OF LAKE STREET AND THE HOMER BYPASS.
 - C) A 170' RADIUS SETBACK FROM THE CENTERLINES OF THE INTERSECTION OF WADDELL WAY AND LAKE STREET.
 - D) 60' FROM THE CENTERLINE OF WADDELL WAY.

CURVE TABLE

CURVE	CHD. BRNG.	CHD. DIST.	RADIUS	LENGTH
C1	S 52°38'51" E	122.58'	70.00'	149.32' (R)
C2	S 10°17'55" E	185.95'	289.09'	189.32' (R)
C3	S 33°08'37" W	27.30'	25.00'	28.88' (R)

NOTARY'S ACKNOWLEDGMENT

FOR: _____
ACKNOWLEDGED BEFORE ME THIS _____
DAY OF _____, 2015
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____



CERTIFICATE OF OWNERSHIP

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, THAT WE HEREBY ADOPT THIS PLAT OF SUBDIVISION, AND BY OUR FREE CONSENT DEDICATE ALL RIGHTS OF WAY AND PUBLIC AREAS TO PUBLIC USE, AND GRANT ALL EASEMENTS TO THE USE SHOWN HEREON.

ALBERT G. WADDELL JR.
3695 LAKE ST.
HOMER, AK 99603

SIGNOR
HOMER ELECTRIC ASSOCIATION, INC.
3977 LAKE ST.
HOMER, AK 99603

NOTARY'S ACKNOWLEDGMENT

FOR: _____
ACKNOWLEDGED BEFORE ME THIS _____
DAY OF _____, 2015
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

HOMER RECORDING DISTRICT KPB FILE No. 2015-777

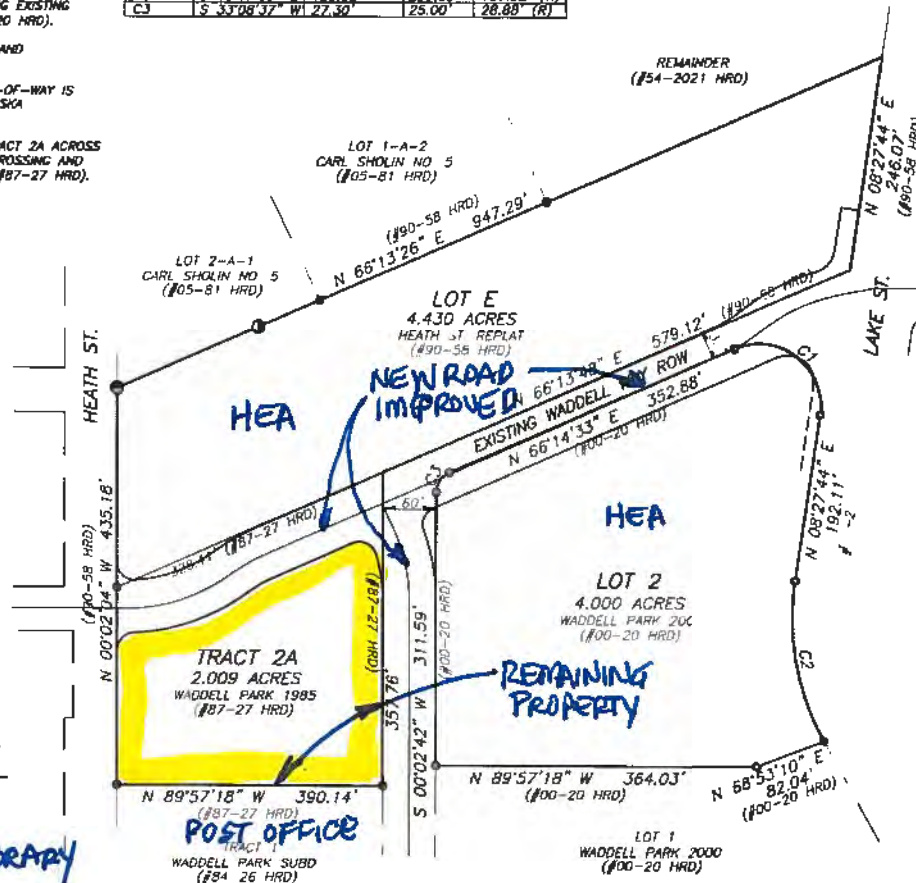
WADDELL WAY PLAT

A REPLAT OF LOT E HEATH ST. REPLAT HM 0900058, TRACT 2-A WADDELL PARK SUBD. 1985 REPLAT HM 0870027, AND LOT 2 WADDELL PARK 2000 HM 2000020, LOCATED WITHIN THE NE 1/4 SEC 20, T. 6 S., R. 13 W., S.M., WITHIN THE CITY OF HOMER, KENAI PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA CONTAINING 10.439 ACRES

SEABRIGHT SURVEY + DESIGN KENTON T. BLOOM, P.L.S.

1044 EAST ROAD, SUITE A
HOMER, ALASKA 99603
(907) 235-4247

DRAWN BY: KK CHKD BY: KB JOB #2015-43
DATE: 8/2015 SCALE: 1"=100' SHEET #1 OF 1



WASTEWATER DISPOSAL

PLANS FOR WASTEWATER DISPOSAL, THAT MEET REGULATORY REQUIREMENTS ARE ON FILE AT THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.



**CITY OF HOMER
HOMER, ALASKA**

City Manager

ORDINANCE 14-42(S)

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
ACCEPTING AND APPROPRIATING A LEGISLATIVE GRANT IN THE
AMOUNT OF \$1,430,000 FOR WADDELL WAY ROAD
IMPROVEMENT, AND AUTHORIZING THE CITY MANAGER TO
EXECUTE THE APPROPRIATE DOCUMENTS.

WHEREAS, The City has been awarded a Legislative Grant in the amount of \$1,430,000
for Waddell Way Road Improvement; and

WHEREAS, It is in the City's best interest to accept and appropriate the grant.

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

Section 1. The Homer City Council hereby accepts and appropriates a Legislative
Grant in the amount of \$1,430,000 for Waddell Way Road Improvement as follows:

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
151-7002	Waddell Way Road Improvement	\$1,430,000

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

ENACTED BY THE HOMER CITY COUNCIL this 25th day of August, 2014.

CITY OF HOMER


FRANCIE ROBERTS, MAYOR PRO TEMPORE

ATTEST:

JO JOHNSON, MMC, CITY CLERK

YES: 6

NO: 0

ABSENT: 0

ABSTAIN: 0

First Reading: 8/11/14

Public Hearing: 8/25/14

Second reading: 8/25/14

Effective Date: 8/26/14

Reviewed and approved as to form:

Walt Wrede 8/27/14
Walt Wrede, City Manager

Thomas F. Klinkner, City Attorney

Date: _____

Date: 9/1/14

**CITY OF HOMER
HOMER, ALASKA**

City Manager/
Public Works Director

ORDINANCE 15-30

AN ORDINANCE OF THE HOMER CITY COUNCIL AMENDING THE FY 2015 OPERATING BUDGET BY APPROPRIATING A 25% MATCH TO THE WADDELL ROAD IMPROVEMENT LEGISLATIVE GRANT IN THE AMOUNT OF \$357,500 FROM THE HOMER ACCELERATED ROADS AND TRAIL PROGRAM (HART) FUND; AUTHORIZING THE PURCHASE OF THE WADDELL PROPERTY IN SUPPORT OF THE WADDELL ROAD IMPROVEMENT PROJECT; AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL APPROPRIATE DOCUMENTS.

WHEREAS, The City Council accepted and appropriated a Legislative Grant (Ordinance 14-42(S)) in the amount of \$1,430,000 for the Waddell Road Improvements; and

WHEREAS, The grant covers design, utilities, property acquisition, and construction costs for the Waddell Road Improvement project; and

WHEREAS, The grant application indicated that a 25% match from the Homer Accelerated Road and Trail Fund would be provided to facilitate the completion of the road project; and

WHEREAS, The project requires the purchase of Tract 2-A Waddell Park Subdivision 1985 Replat, referred to herein as the Waddell property (see Memorandum 15-134); and

WHEREAS, The property was been determined by appraisal to have a value of \$855,000; and

WHEREAS, The aforementioned legislative grant will cover 75% (\$641,250) and the City match will cover 25% (\$213,750) of the cost of the property purchase; and

WHEREAS, The funds generated from the sale of the remaining parcel and the cabins will be distributed back into the grant project account and the HART Fund in generally the same proportions.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The Homer City Council approves the purchase of the Waddell property.

Expenditure:

<u>Account Number</u>	<u>Description</u>	<u>Amount</u>
160-0766	HART Fund	\$213,750
151-7002	Waddell Way Road Grant	\$641,250

Section 2. The Homer City Council hereby amends the FY 2015 Operating Budget by appropriating \$357,500 from the HART Program as a 25% match to the Waddell Way Road Improvement Legislative grant:

Expenditure:

<u>Account Number</u>	<u>Description</u>	<u>Amount</u>
160-0766	HART Fund	\$357,500

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

ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER, ALASKA, this 24 day of August 2015.

CITY OF HOMER

Mary E. Wythe
MARY E. WYTHE, MAYOR

ATTEST:

Melissa Jacobson, Acting City Clerk
JO JOHNSON, MMC, CITY CLERK



YES: 6

NO: 8

ABSTAIN: 0

ABSENT: 0

77 First Reading: 8/10/15
78 Public Hearing: 8/24/15
79 Second Reading: 8/24/15
80 Effective Date: 8/25/15

81

82

83 Reviewed and approved as to form:

84

85

86 Mary K. Koester

87 Mary K. Koester, City Manager

88

89

90 Date: 8.27.15

Thomas F. Klinkner

Thomas F. Klinkner, City Attorney

Date: 9-1-15



City of Homer

www.cityofhomer-ak.gov

Office of the City Clerk

491 East Pioneer Avenue
Homer, Alaska 99603

clerk@cityofhomer-ak.gov

(p) 907-235-3130

(f) 907-235-3143

Memorandum 16-171

TO: MAYOR ZAK AND HOMER CITY COUNCIL

FROM: JO JOHNSON, MMC, CITY CLERK

DATE: OCTOBER 17, 2016

SUBJECT: TRAVEL AUTHORIZATION FOR MAYOR ZAK AND COUNCILMEMBERS ERICKSON AND STROOZAS TO ATTEND THE ALASKA MUNICIPAL LEAGUE 66TH ANNUAL LOCAL GOVERNMENT CONFERENCE IN ANCHORAGE, ALASKA, NOVEMBER 14 - 18, 2016.

Mayor Zak and Councilmembers Erickson and Stroozas would like to attend the Alaska Municipal League (AML) 66th Annual Local Government Conference in Anchorage, Alaska, November 14 – 18, 2016.

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

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

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

For FY 2016 Council budgeted \$4,500 for transportation and \$2,500 for subsistence. To date \$3,539.34 has been expended from Transportation Acct. No. 100.0100.5236, leaving a balance of \$960.66; and \$1,456.79 has been expended from Subsistence Acct. No. 100.0100.5237, with a balance of \$1,043.21 remaining.

RECOMMENDATION:

Discuss the travel and if approved allocate funds for transportation.

Fiscal Note: Mayor and Council 2016 Budget: 100.0100.5236 - Transportation: \$4,500.00 and 100.0100.5237 - Subsistence: \$2,500.00.



City of Homer

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(f) 907-235-3143

Memorandum 16-176

TO: MAYOR ZAK AND CITY COUNCIL

FROM: JO JOHNSON, CITY CLERK

DATE: OCTOBER 19, 2016

SUBJECT: RESCHEDULING THE NOVEMBER AND DECEMBER CITY COUNCIL MEETINGS

Mayor Zak has requested that the City Council meeting dates for November and December be moved up one week. This would reschedule the November 28th council meeting to November 21st and the December 12th meeting to December 5th.

RECOMMENDATION:

Approve the rescheduling of November and December council meetings.

VISITORS

Prince William Sound Regional Citizens' Advisory Council BRIEFING SHEET

CONCERNS ABOUT CHANGES TO THE REGIONAL STAKEHOLDER COMMITTEE

Earlier this year, changes were proposed to the Regional Stakeholder Committee (RSC). The RSC is a forum for communication between spill responders and stakeholders affected by an incident, which has been practiced during drills since the Exxon Valdez oil spill. The council believed these changes would reduce public involvement in oil spill response and cleanup.

The Alaska Regional Response Team (ARRT) had proposed replacing the RSC with two groups, the "Affected Stakeholders Group" and the "Tribal and Local Government Group." It was unclear if either group would continue to have access to Unified Command or the Incident Action Plan during a response.

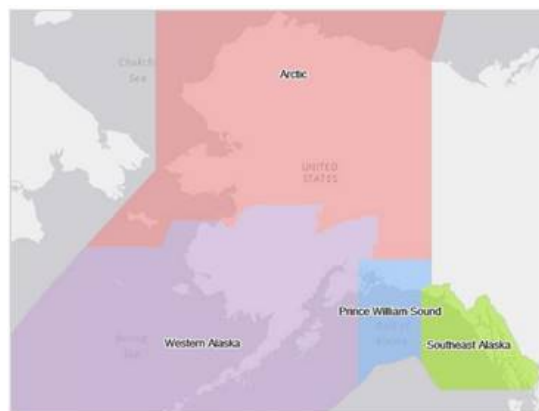
Based on comments received from the council, and communities and stakeholders potentially impacted by the proposed changes, the Alaska Department of Environmental Conservation announced that the proposal had been withdrawn. While the council's concerns have been alleviated for now, monitoring of a new proposal that could affect stakeholder input continues.

CHANGES IN AREA OIL SPILL PLANNING

At the council's September board meeting in Cordova, the Department of Environmental Conservation noted that they have opened public scoping concerning how the ARRT may change oil spill area planning for the state of Alaska. Below are two maps that show the area planning changes being considered:



Current Subareas



New Areas, under consideration

The first map shows ten subareas around which oil spill planning is currently organized relative to the second map showing four areas the state would like to organize oil spill planning around in the future. These four new boundaries generally follow the current U.S. Coast Guard "Captain of the Port" zones, which include southeast Alaska, Prince William Sound, and western Alaska. The western Alaska zone has been split into Arctic and western Alaska areas that generally follow the state's current on-scene-coordinator areas. The new Prince William Sound area changes very little from the former subarea. However, the current Cook Inlet subarea and the Kodiak Island subarea would be combined with the



The Prince William Sound Regional Citizens' Advisory Council, with offices in Anchorage and Valdez, is an independent non-profit corporation whose mission is to promote the environmentally safe operation of the Valdez Marine Terminal and the oil tankers that use it.

Bristol Bay and Aleutians in the new organizational scheme. The public scoping period is **open until November 15, 2016**, and all contact information is at the state's public scoping website: http://dec.alaska.gov/spar/ppr/plans/regional_plan.htm.

UPCOMING TUG AND BARGE CONTRACT CHANGE

Beginning July of 2018, tug and barge services contracted by Alyeska Pipeline Service Company in Prince William Sound will no longer be filled by Crowley Maritime Corporation. These services will be replaced by Edison Chouest Offshore (ECO), contracted through 2028. The council is committed to working with Alyeska and the regulators to ensure that the level of safety and care for oil spill prevention and response is not weakened as a result of the upcoming transition.

The council's understanding and expectation is that the new services will meet or exceed the current system, with several technological enhancements from what is in place today. This transition provides an opportunity to improve upon existing capabilities, and Alyeska has made a commitment for the council to be involved in the transition planning process.

To this end, the council is working to develop specific recommendations regarding equipment capabilities and a process to ensure that crews are adequately trained and qualified before the new contractor takes over. The council has concerns regarding the change in equipment and people with experience, and the transition process needs to be handled very carefully in order to maintain the level of prevention and response capabilities in place today. A strong pre-qualification process needs to take place before the change-over occurs, with ongoing trainings and exercises to ensure that crews remain proficient in Gulf of Alaska conditions after the change-over.

ECO is currently building new tugs and open water response barges. Four of the tugs will be General Purpose tugs, used for docking tankers, towing response barges, and general use. Five Escort Tugs will be built and used for escorts, docking, and towing response barges. Three new open water barges will be outfitted with Crucial skimmers and Ocean Busters and will replace the current TransRec barges.

Edison Chouest plans to start recruiting personnel mid-next year. They will have to comply with the 20% Alaska Native hire requirements. They are planning equipment sea trials and personnel pre-qualification drills and exercises in the Gulf of Mexico and in Puget Sound before bringing the equipment to Prince William Sound, where additional demonstration exercises will be done. There is also a planned 6-8 week overlap of ECO and Crowley crews and equipment in Prince William Sound. The council intends to observe as many drills and exercises as possible to verify personnel and equipment capabilities.

Alyeska has stated that they will share more information soon, and the council looks forward to receiving that information so we can work with them to verify equipment and personnel capabilities. The council was created to involve local citizens in decisions that impact the safe transportation of oil. Our members have local knowledge and input that is essential to ensuring the strongest possible oil spill prevention and response system for our waters. We have a number of concerns about the transition, but mostly because we have not received much information. This lack of information is creating a large portion of the concerns by the council and members of Prince William Sound and downstream communities represented on it.



The Prince William Sound Regional Citizens' Advisory Council, with offices in Anchorage and Valdez, is an independent non-profit corporation whose mission is to promote the environmentally safe operation of the Valdez Marine Terminal and the oil tankers that use it.

MORGAN PARTNERSHIP LLC

September 28, 2016

Katie Koester, City Manager
City of Homer
491 E. Pioneer Avenue
Homer, Alaska 99603

Re: 2017 Contract for Lobby Services

Dear Mrs. Koester:

Thank you for the opportunity to submit this proposal to continue our six-year representation of the City of Homer. Linda and I know you agree that close monitoring of and engagement with the Legislature and Administration in Juneau is crucial.

The state's current fiscal condition will be a catalyst for a changing political landscape in the years ahead. Major issues likely to arise include state budget pressures prompting efforts to pass more responsibilities on to municipalities, maintaining state funding for PERS past service costs, and addressing public health and safety issues. We welcome the opportunity to continue the City's political engagement in these and other critical issues. In concert with you, Council members and key staff members, we will continue to devote the time required to help protect the City of Homer's interests and ensure positive outcomes of state legislation, budgets, regulatory and executive actions.

We propose to continue existing terms of a base annual fee of \$40,000 covering calendar year 2017. This fee includes all reasonable direct and indirect costs. Client-directed travel, lodging, meals and entertainment would continue to be invoiced, as necessary. Our past contracts have been executed between the City and Anderson Group, LLC with the City granting its permission for a concurrent subcontractor agreement between Anderson Group, LLC and Yuri Morgan. Going forward, we propose the City contract directly with Yuri Morgan (Morgan Partnership, LLC) who, in turn, will subcontract with Linda Anderson. So, while our letterhead will change, the City will continue to receive the benefit of having our collective knowledge and contacts working on its behalf.

We have enjoyed working with you, Council members and your professional staff. You have been immediately responsive to requests for information, professional dialogue with key public officials, and analysis of legislative proposals and their impact. We wish to continue what we believe to be a successful and beneficial relationship on behalf of Homer.

Sincerely,



Yuri Morgan



Linda Anderson

Enclosures

City of Homer

Anticipated 2017 Legislative Session Issues

- Programmatic cost shifting of state services to local government
 - health insurance pooling
 - regulatory oversight of state functions
 - transportation systems
 - police / emergency / community jails
- PERS unfunded liability
 - Statewide Appropriation
 - Pension Obligation Bonds
 - Municipal contribution rate (22%)
 - Termination costs and efficiently managing the delivery of municipal programs and services
- Alaska Title 4 / Alcoholic Beverage Control Board
 - economic development and the rights and obligations of licensees
- Municipal dispatch consolidation proposals
- New statewide taxes
 - Statewide sales tax proposals
 - Statewide bed tax proposals
 - Statewide property tax/exemption proposals
- Sharing of fisheries taxes with municipalities
- Revenue Sharing Programmatic Changes and Funding
- Continued monitoring of legislation yet to be announced, both benefiting and adversely impacting the COH

*****DRAFT*****
2017 CONTRACT FOR SERVICES

**CITY OF HOMER
and
MORGAN PARTNERSHIP, LLC**

This Contract, effective as of January 1, 2017, is between the City of Homer (hereinafter referred to as "Client"), of 491 E. Pioneer Avenue, Homer, Alaska 99603, and Morgan Partnership, LLC (hereinafter referred to as "Contractor"), of 3298 Riverview Drive, Fairbanks 99709.

RECITALS

WITNESSETH that:

Whereas, the need for such a Contract has been deemed necessary by Client;

Whereas, Client is entering into this Contract by direct negotiations and not by competitive bid because this is a contract for professional consulting services and Client has determined that it is not feasible to solicit these services through competitive bidding due to the professional nature of the services and the specific qualifications required of the Contractor; and

Whereas, Contractor is willing to undertake the performance of this Contract under its terms.

AGREEMENT

For consideration received, recited herein, Contractor agrees to provide services to Client and/or its designated representative, as set forth in Section H, the Statement of Work.

A. PERIOD OF PERFORMANCE

Subject to either party's right to terminate, the period of performance under this Contract shall commence on January 1, 2017 and expire on December 31, 2017. Performance may be extended for additional periods by the written contract of both parties.

B. CONSIDERATION

For services rendered under this Contract, Client agrees to compensate Contractor the sum total of \$40,000 in calendar year 2017 to be paid in five equal payments by the fifteenth day of the month for five consecutive months beginning in

January 2017. If payment is received 30 days past the date due, a 5% late payment fee on the amount owing will apply, and interest will accrue at the maximum legal rate.

Contractor agrees to make at least two trips to Homer each year to consult with the Council and staff. Contractor and Client agree to each pay the costs associated with one trip per year. Where feasible and prudent, Contractor agrees to control costs by coordinating trips to Homer with other scheduled trips to Anchorage.

Contractor specifically recognizes that the limitation upon this Contract is essential and expressly agrees to be bound thereby. Contractor may submit invoices for reimbursement for travel expenses, lodging, food and entertainment expenses pre-authorized by Client.

C. INDEMNIFICATION

Contractor shall indemnify and hold harmless Client for any and all liability or claim for injury to persons or damage to property arising out of Contractor's performance or non-performance of this Contract.

Client shall indemnify and hold harmless Contractor for any and all liability or claim for injury to persons or damage to property arising out of Client's performance or non-performance of this Contract.

D. ASSIGNMENT AND SUBCONTRACTS

This is a Contract for professional services and no portion of this Contract may be assigned, delegated, or sub-contracted without the written permission of Client or its designee. Client is aware of the existence of a contract between Contractor and Linda Anderson, an independent contractor, and Client hereby gives its written permission as to this sub-contract and for Contractor to assign tasks and use the services of Mrs. Anderson.

E. TAXES

Contractor is, for all purposes, including taxes, workers compensation, and insurance an independent Contractor and not Client's employee. Contractor agrees to make all Social Security, federal or state tax payments or other payments as required by law.

F. STATE OF ALASKA REPORTING REQUIREMENTS

Contractor is responsible to meet all reporting deadlines as required by the Alaska Public Offices Commission with regard to "Lobbyist" Reports and filings. Client is responsible to meet all reporting deadlines as required by the Alaska Public Offices Commission with regard to "Employer of Lobbyist" Reports and filings.

G. COMPLETE CONTRACT

This Contract contains the complete agreement concerning the arrangement between the parties and shall, as of the effective date, supersede all other contracts between the parties. The parties stipulate and agree that neither of them has made any representation with respect to the subject matter of this Contract or any other representations except as are specifically set forth herein, and that neither of them has relied upon any representations in entering into this Contract, except as are specifically set forth herein. Each of the parties acknowledges that he or it has relied on its own judgment in entering into this Contract.

H. STATEMENT OF WORK

Contractor shall perform the following services for Client for the duration of this Contract:

1. Work to secure capital and/or operating budget funding as requested by Client;
2. Political strategy development tailored to meet the specific objectives of Client;
3. Identification of and monitoring the progress of all legislation introduced or proposed for introduction in the Alaska Legislature which may affect Client;
4. Bi-weekly and ad hoc reporting to Client and in sufficient detail to keep Client reasonably apprised of the status and likelihood of passage of such legislation;
5. Evaluation of all relevant legislation and advisory to Client of circumstances which necessitate the presence of Client in Juneau to lobby, testify, or otherwise act to protect the interests of Client;
6. Engagement with members of the Legislature and Administration on behalf of Client on all proposed legislation, regulations and executive actions affecting Client, and coordination with other industry lobbyists and associations when strategically advantageous to Client;
7. Coordination and organization of Client visits to Juneau during the legislative session, including meetings and/or social functions with key public officials.

Client and/or its designees shall be responsible for the following:

1. Provide Contractor with all legislative and administrative priorities and pertinent information necessary for legislative committee and administrative hearings and meetings;
2. Organize and provide technical support to promote Client's goals, i.e. professional testimony;

3. Be available to provide timely input and testimony either via teleconference or in person before legislative committees and administration officials relative to Client's priorities.

I. CONFLICT RESOLUTION PROCEDURES

Contractor shall communicate, coordinate, and report to Client as required under this Contract. Except as otherwise provided, if Contractor receives instruction from other clients that Contractor reasonably, in good faith, believes to be contradictory to instructions provided by Client on a specific issue, Contractor shall declare a conflict by giving notice thereof to each client. After giving said notice of conflict, Contractor shall not carry out any of the duties, tasks, or functions requested by any of the contradictory instructions. Contractor will assist in conciliation efforts to resolve client differences. Said failure to act shall not constitute a breach of this Contract nor shall it decrease the Contract sum or travel reimbursement payable to Contractor hereunder. Contractor shall refrain from so acting until such time as Contractor receives non-contradictory written instructions on the same subject from each client, or from one of said clients who represents to Contractor that the officials have conferred and are now in agreement as to how to proceed. Contractor shall then carry out said instructions as otherwise required by this Contract. Regardless of the existence of a specific conflict, Contractor shall continue to perform all other duties required under this Contract that are not involved in the conflict.

J. TERMINATION

This Contract may be terminated by either party for any reason upon 30 days written notice; in the event such notice is given by either party during the first five months of a year in which this agreement is in effect, compensation will be pro-rated for the portion of five months that this Contract was in effect.

Any notice of termination by Contractor shall be executed by Contractor. Any notice of termination by Client shall be executed by the City Manager of the City of Homer.

K. GENERAL CONDITIONS

1. The Contractor's and the Client's performance under this Contract shall comply with all applicable statutes, regulations, ordinances, policies and ethical rules.

2. No waiver of any provision of this Contract shall be effective unless in writing signed by both parties. The failure by any party to object to non-performance of, or to seek to compel performance of, an obligation under this Contract shall not constitute a waiver of any subsequent breach of the same or any different obligation.

3. The laws of the State of Alaska shall govern the rights and duties of the parties under this Contract. Venue for any action or proceeding arising from this Contract shall be in the state court at Homer, Alaska.

4. This Contract and the exhibits to it constitute the entire agreement between the parties, superseding all previous representations, discussions and any verbal agreements between them.

5. This Contract may not be modified, limited or added to except by a writing signed by both parties.

6. Notices concerning this Contract shall be given by the parties in writing and shall be personally delivered or mailed to a party at the address set out above. Notice shall be complete when delivered or faxed or emailed.

7. If any provision of this Contract is held to be unenforceable, in whole or in part, such holding will not affect the validity of the other provisions of this Contract.

8. This Contract constitutes the complete and entire statement of all terms, conditions and representations of the agreement between the parties with respect to its subject matter.

IN WITNESS WHEREOF, the parties have executed this Contract and represent that they have the express authority to sign on behalf of the respective agency or party listed below.

CONTRACTOR:
MORGAN PARTNERSHIP, LLC

CLIENT:
CITY OF HOMER

BY: _____
Yuri R. Morgan, President

BY: _____
Katie Koester, City Manager

DATE: _____

DATE: _____

2016 Municipal Lobbyist Contract Fees

2016 Employer of Lobbyist	2016 Contract Lobbyist Fees (\$'000s)
North Slope Borough *	295
Municipality of Anchorage	200
Northwest Arctic Borough	106
Alaska Municipal League	100
Fairbanks North Star Borough	100
City of Seward	97
Matanuska Susitna Borough *	80
Northwest Arctic Borough	80
City of Unalaska	79
City of Nome	75
City of Whittier *	66
City of Nome	60
City and Borough of Juneau, Alaska	55
Lake and Peninsula Borough	55
City of Cordova	50
City of Kotzebue	50
City of Kodiak	49
Ketchikan Gateway Borough	48
City of Valdez *	48
Municipality of Skagway	48
Haines Borough	45
Kodiak Island Borough	45
Aleutians East Borough	42
City of Ketchikan	42
Petersburg Borough	42
City and Borough of Sitka	41
City of King Cove	41
Bristol Bay Borough	40
City of Akutan	40
City of Fairbanks	40
City of Galena	40
City of Homer	40
City of Hoonah	40
City of Bethel *	40
City and Borough of Yakutat *	37
City and Borough of Wrangell	36
City of Dillingham *	33
City of Sand Point	10
Mean	64
Median	48

Source: Alaska Public Offices Commission

* 2016 lobbying contract fees reported "monthly"; total lobbying contract fees from year-end 2015

ANNOUNCEMENTS
PRESENTATIONS
BOROUGH REPORT
COMMISSION REPORTS

CITY OF HOMER
HOMER, ALASKA

Mayor's Recognition

Homer High Girls and Boys Cross Country Running Teams
State Championship and Coach Bill Steyer

WHEREAS, The Homer Girls and Boys Cross Country Running Teams both won the Class 1-2-3A Division State Championship; and

WHEREAS, The Homer Boys Cross Country Team ranked 11th and the Girls Cross Country Team ranked 13th nationally for Division II Schools; and

WHEREAS, The Girls Cross Country Team won their third straight State title, matching the school's precedent of three straight from 1988 to 1990; and

WHEREAS, Coach Bill Steyer has been coaching the Cross Running Team and Track N Field Team for six years; his year-long commitment to both programs has been very successful; and

WHEREAS, Coach Bill Steyer has supplied athletes with off season conditioning plans and he has trained the athletes at a high level year in and year out.

NOW, THEREFORE, I, Bryan Zak, Mayor of the City of Homer, do hereby recognize:

**Homer High Girls and Boys Cross Country Running Teams
State Championship and Coach Bill Steyer**

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND CAUSED THE Seal of the City of Homer, Alaska, to be affixed this 24th day of October, 2016.

CITY OF HOMER

BRYAN ZAK, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

CITY OF HOMER
HOMER, ALASKA

MAYOR'S PROCLAMATION

EXTRA MILE DAY
November 1, 2016

WHEREAS, Homer, Alaska is a community which acknowledges that a special vibrancy exists within the entire community when its individual citizens collectively “go the extra mile” in personal effort, volunteerism, and service; and

WHEREAS, Homer, Alaska is a community which encourages its citizens to maximize their personal contribution to the community by giving of themselves wholeheartedly and with total effort, commitment, and conviction to their individual ambitions, family, friends, and community; and

WHEREAS, Homer, Alaska is a community which chooses to shine a light on and celebrate individuals and organizations within its community who “go the extra mile” in order to make a difference and lift up fellow members of their community; and

WHEREAS, Homer, Alaska, acknowledges the mission of Extra Mile America to create 550 Extra Mile cities in America and is proud to support “Extra Mile Day” on November 1, 2016.

NOW, THEREFORE, I, Bryan Zak, Mayor of Homer, Alaska, do hereby proclaim November 1, 2016 to be **Extra Mile Day**. I urge each individual in the community to take time on this day to not only “go the extra mile” in his or her own life, but to also acknowledge all those who are inspirational in their efforts and commitment to make their organizations, families, community, country, or world a better place.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Homer, Alaska, to be affixed this 24th day of October, 2016.

CITY OF HOMER

BRYAN ZAK, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

PUBLIC HEARING(S)

Ordinances 16-48(S), 16-50, 16-51, 16-52, 16-53

Ordinances 16-48(S), 16-50, 16-51, 16-52, 16-53 internet address:

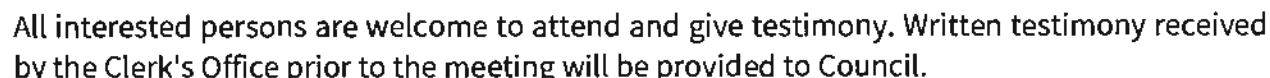
Ordinance 16-48(S), An Ordinance of the City Council of Homer, Alaska, Amending HCC 1.18.030 to Add HCC 1.18.030(q), Which Incorporates HCC 2.04.030, and Its Prohibition Against Council Member Influence and Direction of City Employees and the City Manager, Into the Homer Ethics Code. Smith.

Ordinance 16-S0, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.62.040 Currently Entitled “Pre-Application Conference,” to Authorize the City Planner to Recommend to the State of Alaska That It Deny an Application for a Marijuana Establishment That Does Not Comply With Homer City Code and Authorize the City Planner to Recommend That the State Impose Conditions to Approval When Necessary to Ensure Compliance With the Homer City Code. City Manager/Cannabis Advisory Commission.

Ordinance 16-51, An Ordinance of the City Council of Homer, Alaska, Enacting HCC Chapter 11.36, Vegetation in Rights-of-Way, Providing for the Removal of Vegetation That Interferes With the Reasonable Public Use of a Right-of-Way. City Manager.

Ordinance 16-52, An Ordinance of the City Council of Homer, Alaska, Amending the 2016 Operating Budget to Provide for Complete Natural Gas Conversion and Energy Efficient Lighting at the Fire Hall by Appropriating \$115,000 From the Revolving Energy Fund. City Manager/Public Works Director.

Ordinance 16-53, An Ordinance of the City Council of Homer, Alaska, Authorizing the City Manager to Issue a Request for Proposal for Lot 11, Homer Spit Subdivision No. 5, for a Long-Term Communications Tower Lease and Amending the FY 2016 Operating Budget by Appropriating Funds in the Amount of \$12,500.00 From Port and Harbor Depreciation Reserves to Fund Tower Consultant Services With Cityscape Consultants, Inc. City Manager.



** Copies of proposed Ordinances, in entirety, are available for review at Homer City Clerk's Office. Copies of the proposed Ordinances are available for review at City Hall, the Homer Public Library, and the City's homepage - <http://clerk.ci.homer.ak.us>. Contact the Clerk's Office at City Hall if you have any questions. 235-3130, Email: clerk@ci.homer.ak.us or fax 235-3143.

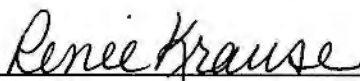
Jo Johnson, MMC, City Clerk

Publish: Homer News October 20, 2016

CLERK'S AFFIDAVIT OF POSTING

I, Renee Krause, Deputy City Clerk for the City of Homer, Alaska, do hereby certify that a copy of the Public Hearing Notice for **Ordinance 16-48(S)**, Amending HCC 1.18.030 to Add HCC 1.18.030 (q) Which incorporates HCC 2.04.030, and Its Prohibition Against Council Member Influence and Direction of City Employees and the City Manager, Into the Homer Ethics Code; **Ordinance 16-50**, Amending Homer City Code 21.62.040 Currently Entitled Pre Application Conference to Authorize the City planner to Recommend to the State of Alaska That it Deny An Application for a Marijuana Establishment That Does Not Comply With Homer City Code and Authorize the City Planner to Recommend that the State Impose Conditions to Approval When Necessary to Ensure Compliance with the Homer City Code; **Ordinance 16-51**, Enacting HCC Chapter 11.36, Vegetation in Rights of Way, Providing for the Removal of Vegetation that Interferes with Reasonable Public Use of a Right of Way; **Ordinance 16-52**, Amending the 2016 operating Budget to Provide for Complete Natural Gas Conversion and Energy Efficient Lighting at the Fire Hall by Appropriating \$115,000 from the Revolving Energy Fund; **Ordinance 16-53**, Authorizing the City Manager to Issue a Request for Proposals for Lot 11, Homer Spit Subdivision No. 5 for a Long Term Communications Tower Lease and Amending the FY 2016 Operating Budget by Appropriating Funds in the Amount of \$12,500 from Port and Harbor Depreciation Reserves to Fund Tower Consultant Services with Cityscape Consultants, Inc. was distributed to the City of Homer kiosks located at City Clerk's Office, and the Homer Public Library on Wednesday October 12, 2016 and posted the same on City of Homer Website on Tuesday, October 11, 2016.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal of said City of Homer this 12th day of October, 2016.



Renee Krause, CMC, Deputy City Clerk



ORDINANCE REFERENCE SHEET
2016 ORDINANCE
ORDINANCE 16-48

An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.04.030 to Permit City Employees and the City Manager to Make Local Office Campaign Contributions and Amending HCC 1.18.030 to Add HCC 1.18.030(Q), Which Incorporates HCC 2.04.030, and Its Prohibition Against Council Member Influence and Direction of City Employees and the City Manager, Into the Homer Ethics Code.

Sponsor: Mayor

1. Council Regular Meeting September 26, 2016 Postponed to October 10, 2016
2. Council Regular Meeting October 10, 2016 Introduction
3. Council Regular Meeting October 24, 2016 Public Hearing and Second Reading
 - a. Substitute Ordinance 16-48 as adopted by Council on October 10, 2016

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

3 Smith

4 **ORDINANCE 16-48(S)**
5

6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
7 AMENDING HCC 1.18.030 TO ADD HCC 1.18.030(q), WHICH
8 INCORPORATES HCC 2.04.030, AND ITS PROHIBITION AGAINST
9 COUNCIL MEMBER INFLUENCE AND DIRECTION OF CITY
10 EMPLOYEES AND THE CITY MANAGER, INTO THE HOMER ETHICS
11 CODE.
12

13 WHEREAS, The purpose of the Homer Ethics Code is, in part, to set reasonable
14 standards of conduct for City of Homer ("City") employees, officers, and officials and ensure
15 that these employees, officers, and officials are aware of the standards of conduct demanded
16 of them; and
17

18 WHEREAS, HCC 2.04.030 prohibits certain acts and conduct by City officials, the City
19 Manager, and City employees but is located in a section of the Code applying to the City
20 Manager and thus easily missed by City officials and employees; and
21

22 WHEREAS, It is in the City's best interest to incorporate HCC 2.04.030 by reference into
23 the Homer Ethics Code, thereby increasing City official and employee awareness of the
24 prohibitions imposed by HCC 2.04.030,
25

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

28 Section 1. Homer City Code Chapter 1.18.030 is amended to add HCC 1.18.030(q) and
29 to read as follows:
30

31 1.18.030 Standards and prohibited acts.

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

35 b. Official Action. No City official or the City Manager shall participate in any
36 official action in which:

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

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

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

[Bold and underlined added. Deleted language stricken through.]

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

45 5. Exceptions.

46 a. This subsection does not prohibit a person from acquiring a
47 substantial financial interest in the subject of the action after the
48 longer of 12 months after the official action is approved, or 12
49 months after the person's term or employment ends.

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

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

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

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

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

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

78 1. A rezoning, quasi-judicial or platting action pending before the
79 Commission; or

80 2. An application that would require approval by a quasi-judicial or
81 platting action of the Commission.

82 In the case of the reappointment of an incumbent to another term, the
83 prohibition above also applies to an official who had such a matter pending
84 before the Homer Advisory Planning Commission within one year before the

Added language ~~Deleted language stricken through.~~

85 date of the reappointment. The Board of Ethics may, upon written request,
86 grant an exception to this one-year period when it determines the public
87 interest does not require continuing enforcement of the prohibition.

88 g. Use of Office for Personal Gain. No City official or the City Manager shall seek
89 office or position or use their office or position for the purpose of obtaining
90 anything of value for himself **or herself**, an immediate family member or a
91 business that he **or she** owns or in which **he or she** holds an interest, or for the
92 purpose of influencing any matter in which he **or she** has a financial interest.
93 This subsection does not prohibit the receipt of authorized remuneration for
94 the office or position.

95 h. Inappropriate Use of Office Title or Authority. No City official or the City
96 Manager shall use the implied authority of office or position for the purposes of
97 unduly influencing the decisions of others, or promoting a personal interest
98 within the community. City officials and the City Manager will refrain from
99 using their title except when duly representing the City in an authorized
100 capacity. Unless duly appointed by the Mayor or Council to represent the
101 interests of the full Council, Council members shall refrain from implying their
102 representation of the whole by the use of their title.

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

111 j. Confidential Information. No City official or the City Manager may disclose
112 information he or she knows to be confidential concerning employees of the
113 City, City property, City government, or other City affairs, including but not
114 limited to confidential information disclosed during an executive session,
115 unless authorized or required by law to do so.

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

- 123 1. A person who holds an appointed City office on a board or
124 commission shall not be eligible for employment with the City in the
125 department related to the board or commission during the official's
126 term of office and until one year has elapsed following the period of

[Bold and underlined added. Deleted language stricken through.]

127 service. An exception may be made on a case-by-case basis with the
128 express authorization of the City Council.

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

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

- 140 1. A meal of reasonable value;
- 141 2. Discounts or prizes that are generally available to the public or large
142 sections thereof;
- 143 3. Gifts presented by an employer to its employees in recognition of
144 meritorious service, or civic or public awards;
- 145 4. A lawful campaign contribution made to a candidate for public office;
- 146 5. An occasional nonpecuniary gift insignificant in value;
- 147 6. Any gift which would have been offered or given to him **or her** if he **or**
148 **she** were not a City official or the City Manager.

149 m. Use of City Property. No City official, the City Manager, or City hired
150 consultant or contractor may use, request or permit the use of City vehicles,
151 equipment, materials or property for any non-City purpose, including but not
152 limited to private financial gain, unless that use is available to the general
153 public on the same terms or unless specifically authorized by the City Council.
154 This subsection does not prohibit de minimis personal use.

155 n. Political Activities – Limitations of Individuals. A City official may not take an
156 active part in a political campaign or other political activity when on duty.
157 Nothing herein shall be construed as preventing such officials from exercising
158 their voting franchise, contributing to a campaign or candidate of their choice,
159 or expressing their political views when not on duty or otherwise
160 conspicuously representing the City.

161 o. Influencing Another City Official's Vote. A City official may not attempt to
162 influence another City official's vote or position on a particular item through
163 contact with the City official's employer or by threatening financial harm to
164 another City official.

165 p. City officials or the City Manager shall not participate in public testimony
166 before any City body in any matter in which they have a substantial financial
167 interest unless:

- 168 1. They or the City is the applicant; or

[Bold and underlined added. Deleted language stricken through.]

2. They fully and publicly disclose the nature of their interest in the subject of the action.

q. No City official may violate HCC 2.04.030.

Section 3. This ordinance shall be of a permanent and general character and shall be included in the City code.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 24th day of October, 2016.

CITY OF HOMER

BRYAN ZAK, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

First Reading:

Public Hearing:

Second Reading:

Effective Date:

Reviewed and approved as to form.

Mary K. Koester, City Manager

Holly C. Wells, City Attorney

Date: _____

Date: _____

Fiscal Note: NA

[Bold and underlined added. Deleted language stricken through.]

ORDINANCE REFERENCE SHEET
2016 ORDINANCE
ORDINANCE 16-50

An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.62.040 Currently Entitled “Pre-Application Conference,” to Authorize the City Planner to Recommend to the State of Alaska That It Deny an Application for a Marijuana Establishment That Does Not Comply With Homer City Code and Authorize the City Planner to Recommend That the State Impose Conditions to Approval When Necessary to Ensure Compliance With the Homer City Code.

Sponsor: City Manager/Cannabis Advisory Commission

1. Council Regular Meeting October 10, 2016 Introduction
 - a. Memorandum 16-163 from Cannabis Advisory Commission
2. Council Regular Meeting October 24, 2016 Public Hearing and Second Reading
 - a. Memorandum 16-163 from Cannabis Advisory Commission
 - b. Memorandum 16-169 from City Planner
- 3.

establishments in the City of Homer once those applications have been submitted to the city for its review by the State of Alaska. The City Planner, or his or her designee, shall recommend to the State of Alaska, within 15 days of receipt of an application denying an application that does not comply with this code or he or she may recommend approving the application with conditions that, if adopted, will result in compliance with this code.

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

Section 3. This ordinance shall be of a permanent and general character and shall be included in the City code.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 24th day of October, 2016.

CITY OF HOMER

BRYAN ZAK, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

First Reading:

Public Hearing:

Second Reading:

Effective Date:

Reviewed and approved as to form.

[Bold and underlined added. Deleted language stricken through.]

85
86
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93

Mary K. Koester, City Manager

Date: _____

Fiscal Note: N/A

Holly C. Wells, City Attorney

Date: _____



City of Homer

www.cityofhomer-ak.gov

Office of the City Clerk

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Homer, Alaska 99603

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Memorandum 16-163

TO: ADVISORY PLANNING COMMISSION

FROM: CANNABIS ADVISORY COMMISSION

THRU: RENEE KRAUSE, CMC, DEPUTY CITY CLERK

CC: KATIE KOESTER, CITY MANAGER

DATE: AUGUST 30, 2016

SUBJECT: ORDINANCE 16-50, AMENDING TITLE 21.62.040, DESIGNATING THE CITY
PLANNER TO APPROVE ALL MARIJUANA RELATED APPLICATIONS

At the regular meeting on August 25, 2016 the Cannabis Advisory Commission reviewed and approved a draft ordinance providing the City Planner or his/her designee, as the designated authority to review and approve all applications submitted to the City of Homer from the State of Alaska pertaining to marijuana as they relate to city code with the amendment that it be reviewed and approved or denied with or without recommendations within 15 days of receipt of the application.

Following is the excerpt of the meeting minutes that reflects the discussion and motions amending and approving the draft ordinance.

Recommendation:

Review and amend or approve Ordinance 16-50.

NEW BUSINESS

A. Draft ordinance 16-XX, Outlining the Regulatory Responsibilities of the Commission regarding Applications

Correct title according the draft ordinance submitted by the City Attorney: Amending Homer City Code 21.62.040, Currently Entitled Pre-Application Conference” to Authorize the City Planner to Recommend to the State of Alaska that it Deny an Application for a Marijuana Establishment that Does Not Comply with Homer City Code and Authorize the City Planner to Recommend that the State Impose Conditions to Approval When Necessary to Ensure Compliance with the Homer City Code.

There was a bit of confusion to bringing the ordinance to the floor for discussion or making a motion to approve. City Planner Abboud stated he could provide a report on the ordinance. Chair Young yielded the floor.

City Planner Abboud stated that this ordinance was very simple and amended Title 21 putting the applications under his review. Since it is amending Title 21 this will have to go before the Planning Commission for review, Public Hearing and approval before going to Council and he has not finalized the next Planning Commission agenda so he can get it on that for the next meeting.

Commissioner Harris wanted to postpone this ordinance until after the new council is elected.

Commissioner Clark commented that he saw no reason to move this forward that it is pretty straight forward. Commissioner Reynolds agreed and recommended sending this to Planning Commission that everything is so up in the air that there is no reason to withhold action on it now.

Commissioner Harris expressed concerns with expediency in reviewing and approving applications received by the city. City Planner Abboud responded with the time requirement that is already imposed in state regulations regarding local opposition. He did not believe it would take much time to review and resubmit to the state.

Commissioner Harris expressed clarification on her concerns that existing membership on Planning Commission would try to change the rules from the time an application is received and approval. City Planner Abboud noted that under the proposed regulation the Planning Commission would not be involved unless the applicant appealed his decision. He further noted that his recommendations would fall under existing requirements. He further noted that reviewing an application within 10 or 15 days is doable.

Commissioner Harris further explained that she would like to see a date within this ordinance that current regulations as of this date to make sure that no regulations change in the meantime.

Discussion and points made by the commission ensued on the following:

- 10-15 day limit is appropriate*
- the application will be coming from the state to the city planner*
- to change current city code will require two meetings at the planning commission and two meetings at the city Council level and will also require at least two weeks to get on the agenda.*
- lack of public involvement in the zoning changes because they fall under the public's radar*
- notice requirement by the state gives the city the notice required to make changes in building requirements and codes*
- preference to have a review board other than the planning commission review an application especially those applications that have been denied*

REYNOLDS/YOUNG - MOVED TO AMEND LINE 45 TO ADD WITHIN 15 DAYS OF RECEIPT OF APPLICATION.

Discussion ensued in clarification of intent of the motion was to amend the ordinance to provide the 15 day time limit for review and approval with or without recommendations. The intent for the paragraph to read as follows:

b. The City Planner shall be responsible for reviewing all applications filed with the State of Alaska under AS 17.38 for the operation of marijuana establishments in the City of Homer once those applications have been submitted to the city for its review by the State of Alaska. The City Planner or his or her designee, shall recommend to the State of Alaska, WITHIN 15 DAYS OF RECEIPT OF AN APPLICATION, denying an application that does not comply with this code or he or she may recommend approving the application with conditions that, if adopted, will result in compliance with this code.

City Planner Abboud stated that he does have staff available to act in his absence in response to a question by the commission.

Chair Young called for the vote.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Commissioner Reynolds recognized that the City Planning Department has a responsibility to follow and apply the guidelines and regulations that are imposed and she has never seen a bias previously. Commissioner Sarno echoed those sentiments and further stated that City planner Abboud has shown professionalism and believes that any application they received would get a fair hearing.

Commissioner Sarno inquired if any zoning changes were proposed to revise code that affect marijuana businesses would this (Cannabis Advisory) commission get a chance to review these changes before going to Council?

Commissioner Stead responded that they would not, he is not the expert but any proposed changes to zoning falls under the purview of the Planning Commission and there is no requirement to notify this commission. He also stated that to suggest that members of the Planning Commission are nefarious and feels that those acts would be a criminal, he cannot think that the commission in how it acts and works together today would do that, they do their very best to put personal feeling aside and he is a bit affronted at the implication but appreciates it is Commissioner Harris' personal opinion and she is entitled to her opinion. Commissioner Stead appreciates the other commissioners supportive comments and believes City Planner Abboud does his very best to be fair in his recommendations.

HARRIS/REYNOLDS - MOVED TO AMEND THE DRAFT ORDINANCE TO INCLUDE ADDITIONAL WHEREAS ON LINE 16 THAT STATES CONDITIONAL USE PERMITS WILL BE APPROVED ACCORDING TO EXISTING ZONING REGULATIONS AS OF THIS MONTH.

Commissioner Reynolds cited that there is no precedent to set a zoning map and regulations in place. She understands that it is confusing but does not think there is a way to lock the zoning into place. Further discussion on the time frame for approval within 15 days and additional limits would be onerous.

VOTE. NO. ROBL, STEAD, YOUNG, SARNO, REYNOLDS, CLARK

VOTE. YES. HARRIS.

Motion failed.

REYNOLDS/ROBL – MOVED TO FORWARD THE DRAFT ORDINANCE TO THE PLANNING COMMISSION.

There was no discussion.

VOTE. YES. CLARK, REYNOLDS, SARNO, YOUNG, STEAD, ROBL.

VOTE. NO. HARRIS.

Motion carried.



City of Homer

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Memorandum 16-169

TO: MAYOR WYTHER AND HOMER CITY COUNCIL
THROUGH: KATIE KOESTER, CITY MANAGER
FROM: RICK ABBOD, CITY PLANNER
DATE: October 10, 2016
SUBJECT: DRAFT ORDINANCE 16-50 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA AMENDING HOMER CITY CODE 21.62.040 CURRENTLY ENTITLED "PRE-APPLICATION CONFERENCE," TO AUTHORIZE THE CITY PLANNER TO RECOMMEND TO THE STATE OF ALASKA THAT IT DENY AN APPLICATION FOR A MARIJUANA ESTABLISHMENT THAT DOES NOT COMPLY WITH HOMER CITY CODE AND AUTHORIZE THE CITY PLANNER TO RECOMMEND THAT THE STATE IMPOSE CONDITIONS TO APPROVAL WHEN NECESSARY TO ENSURE COMPLIANCE WITH THE HOMER CITY CODE.

The Homer Advisory Planning Commission (HAPC) discussed the ordinance at the September 7th meeting and held a Public Hearing on the meeting of September 21st. The ordinance makes the City Planner responsible for reviewing all applications for marijuana establishments submitted to the city from the state for comments. The Cannabis Advisory Commission (CAC) added language that the review shall be accomplished in 15 days from submittal.

The review of the City Planner consists of reviewing the application for applicable regulations of the city. Generally, it would confirm that the location is allowed in code and would specify, as conditions, any other requirements for permits. For instance, a Fire Marshall approval would be necessary prior to issuing a zoning permit and A CUP would be necessary for any proposed structure over 8000 square feet.

No other provisions are specified in code for review by other bodies. Any decision of the City Planner may be appealed to the Planning Commission.

Recommendation

The HAPC recommends approval of Draft Ordinance 16-50.

Att.

1. Staff Report PL 16-51 & PL 16-55
2. Planning Commission minutes 9/7 & 9/21



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MEMORANDUM 16-

TO: MAYOR WYTHER AND HOMER CITY COUNCIL
THROUGH: KATIE KOESTER, CITY MANAGER
FROM: RICK ABBOD, CITY PLANNER
DATE: October 10, 2016
SUBJECT: DRAFT ORDINANCE 16-50 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA AMENDING HOMER CITY CODE 21.62.040 CURRENTLY ENTITLED "PRE-APPLICATION CONFERENCE," TO AUTHORIZE THE CITY PLANNER TO RECOMMEND TO THE STATE OF ALASKA THAT IT DENY AN APPLICATION FOR A MARIJUANA ESTABLISHMENT THAT DOES NOT COMPLY WITH HOMER CITY CODE AND AUTHORIZE THE CITY PLANNER TO RECOMMEND THAT THE STATE IMPOSE CONDITIONS TO APPROVAL WHEN NECESSARY TO ENSURE COMPLIANCE WITH THE HOMER CITY CODE.

The Homer Advisory Planning Commission (HAPC) discussed the ordinance at the September 7th meeting and held a Public Hearing on the meeting of September 21st. The ordinance makes the City Planner responsible for reviewing all applications for marijuana establishments submitted to the city from the state for comments. The Cannabis Advisory Commission (CAC) added language that the review shall be accomplished in 15 days from submittal.

The review of the City Planner consists of reviewing the application for applicable regulations of the city. Generally, it would confirm that the location is allowed in code and would specify, as conditions, any other requirements for permits. For instance, a Fire Marshall approval would be necessary prior to issuing a zoning permit and A CUP would be necessary for any proposed structure over 8000 square feet.

No other provisions are specified in code for review by other bodies. Any decision of the City Planner may be appealed to the Planning Commission.

Recommendation

The HAPC recommends approval of Draft Ordinance 16-50

Att.

1. Staff Report PL 16-51 & PL 16-55
2. Planning Commission minutes 9/7 & 9/21

CITY OF HOMER
HOMER, ALASKA

City Manager

ORDINANCE 16-XX

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA AMENDING HOMER CITY CODE 21.62.040 CURRENTLY ENTITLED "PRE-APPLICATION CONFERENCE," TO AUTHORIZE THE CITY PLANNER TO RECOMMEND TO THE STATE OF ALASKA THAT IT DENY AN APPLICATION FOR A MARIJUANA ESTABLISHMENT THAT DOES NOT COMPLY WITH HOMER CITY CODE AND AUTHORIZE THE CITY PLANNER TO RECOMMEND THAT THE STATE IMPOSE CONDITIONS TO APPROVAL WHEN NECESSARY TO ENSURE COMPLIANCE WITH THE HOMER CITY CODE.

WHEREAS, THE State of Alaska marijuana establishment registration application process required under Alaska Statute 17.38 subjects approval of all applications to the non-opposition of the city in which the applicant's establishment is located; and

WHEREAS, it is in the City's best interest to authorize the City of Homer Planner ("City Planner"), or his or her designee, to review the State of Alaska applications for registration of marijuana establishments within the City and ensure that all establishments operating within the City comply with Homer City Code;

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code 21.62.040, "Pre-application conference," is amended to read as follows:

Homer City Code 21.62.040 Pre-application conference **and State of Alaska application review process.**

a. When this title requires a conditional use permit for a marijuana facility, the applicant must meet with the City Planner to discuss the conditional use permit process and any issues that may affect the proposed conditional use. This meeting is to provide for an exchange of general and preliminary information only and no statement made in such meeting by either the applicant or the City Planner shall be regarded as binding or authoritative for the purposes of this title.

b. **The City Planner shall be responsible for reviewing all applications filed with the State of Alaska under AS 17.38 for the operation of marijuana establishments in the City of Homer once those applications have been submitted to the city for its review by the State of Alaska. The City Planner, or his or her designee, shall,**

[**Bold and underlined added.** Deleted language stricken through.]

within 15 days of receipt of application, recommend to the State of Alaska denying an application that does not comply with this code or he or she may recommend approving the application with conditions that, if adopted, will result in compliance with this code.

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

Section 3. This ordinance shall be of a permanent and general character and shall be included in the City code.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this _____ day of _____, 2016.

CITY OF HOMER

MARY E. WYTHE, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

First Reading:

Public Hearing:

Second Reading:

Effective Date:

Reviewed and approved as to form.

Mary K. Koester, City Manager

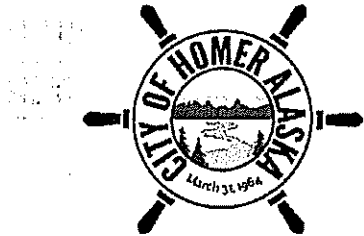
Thomas Klinkner, City Attorney

Date: _____

Date: _____

Fiscal Note: NA

[Bold and underlined added. Deleted language stricken through.]



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(f) 907-235-3118

Staff Report PL 16-51

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: September 7, 2016
SUBJECT: Ordinance 16-xx, AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA AMENDING HOMER CITY CODE 21.62.040 CURRENTLY ENTITLED "PRE-APPLICATION CONFERENCE," TO AUTHORIZE THE CITY PLANNER TO RECOMMEND TO THE STATE OF ALASKA THAT IT DENY AN APPLICATION FOR A MARIJUANA ESTABLISHMENT THAT DOES NOT COMPLY WITH HOMER CITY CODE AND AUTHORIZE THE CITY PLANNER TO RECOMMEND THAT THE STATE IMPOSE CONDITIONS TO APPROVAL WHEN NECESSARY TO ENSURE COMPLIANCE WITH THE HOMER CITY CODE.

Introduction

The City Attorney was asked by the Cannabis Advisory Commission to create a procedure in code for the review of proposed State marijuana establishment applications.

Analysis

Part of the State procedure for marijuana applications is to request that the local authority review the application and recommend approval, approval with conditions, or denial. In this case, I would review all applicable zoning regulations and make my recommendation based on the code. If the application would trigger any other permits, I would make a conditional recommendation for approval.

Commissioner Harris had a concern that the application could be held up if a timely response from the city was not received. I suggested that a 15 day response timeframe would not be an issue for the Planning Office.

This process makes the Planning Office the only official reviewer of the applications at this stage. If someone chooses to challenge the recommendation they would have to bring an appeal to the Planning Commission.

To be clear, the CAC made a motion for a 15day time limit for my review of an application review submitted from the state. I will have the Attorney review and amend for the public hearing if it is acceptable to the Planning Commission.

Staff Recommendation

Staff recommends the commission discuss and set a public hearing for the next meeting.

Attachments

1. Ordinance 16-xx
2. Minutes of EDC meeting

CITY OF HOMER
HOMER, ALASKA

City Manager

ORDINANCE 16-XX

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA AMENDING HOMER CITY CODE 21.62.040 CURRENTLY ENTITLED "PRE-APPLICATION CONFERENCE," TO AUTHORIZE THE CITY PLANNER TO RECOMMEND TO THE STATE OF ALASKA THAT IT DENY AN APPLICATION FOR A MARIJUANA ESTABLISHMENT THAT DOES NOT COMPLY WITH HOMER CITY CODE AND AUTHORIZE THE CITY PLANNER TO RECOMMEND THAT THE STATE IMPOSE CONDITIONS TO APPROVAL WHEN NECESSARY TO ENSURE COMPLIANCE WITH THE HOMER CITY CODE.

WHEREAS, THE State of Alaska marijuana establishment registration application process required under Alaska Statute 17.38 subjects approval of all applications to the non-opposition of the city in which the applicant's establishment is located; and

WHEREAS, it is in the City's best interest to authorize the City of Homer Planner ("City Planner"), or his or her designee, to review the State of Alaska applications for registration of marijuana establishments within the City and ensure that all establishments operating within the City comply with Homer City Code;

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code 21.62.040, "Pre-application conference," is amended to read as follows:

Homer City Code 21.62.040 Pre-application conference **and State of Alaska application review process.**

- a. When this title requires a conditional use permit for a marijuana facility, the applicant must meet with the City Planner to discuss the conditional use permit process and any issues that may affect the proposed conditional use. This meeting is to provide for an exchange of general and preliminary information only and no statement made in such meeting by either the applicant or the City Planner shall be regarded as binding or authoritative for the purposes of this title.
- b. **The City Planner shall be responsible for reviewing all applications filed with the State of Alaska under AS 17.38 for the operation of marijuana establishments in the City of Homer once those applications have been submitted to the city for its review by the State of Alaska. The City Planner, or his or her designee, shall**

[**Bold and underlined added.** Deleted language stricken through.]

recommend to the State of Alaska denying an application that does not comply with this code or he or she may recommend approving the application with conditions that, if adopted, will result in compliance with this code.

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

Section 3. This ordinance shall be of a permanent and general character and shall be included in the City code.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this _____ day of _____, 2016.

CITY OF HOMER

MARY E. WYTHER, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

First Reading:

Public Hearing:

Second Reading:

Effective Date:

Reviewed and approved as to form.

Mary K. Koester, City Manager

Thomas Klinkner, City Attorney

[Bold and underlined added. Deleted language stricken through.]



MEMORANDUM

TO: ADVISORY PLANNING COMMISSION
FROM: CANNABIS ADVISORY COMMISSION
THRU: RENEE KRAUSE, CMC, DEPUTY CITY CLERK
CC: KATIE KOESTER, CITY MANAGER
DATE: AUGUST 30, 2016
SUBJECT: DRAFT ORDINANCE 16-XX, AMENDING TITLE 21.62.040, DESIGNATING THE CITY PLANNER TO APPROVE ALL MARIJUANA RELATED APPLICATIONS

At the regular meeting on August 25, 2016 the Cannabis Advisory Commission reviewed and approved a draft ordinance providing the City Planner or his/her designee, as the designated authority to review and approve all applications submitted to the City of Homer from the State of Alaska pertaining to marijuana as they relate to city code with the amendment that it be reviewed and approved or denied with or without recommendations within 15 days of receipt of the application.

Following is the excerpt of the meeting minutes that reflects the discussion and motions amending and approving the draft ordinance.

Recommendation:
Review and Amend or Approve the Draft Ordinance.

NEW BUSINESS

A. Draft ordinance 16-XX, Outlining the Regulatory Responsibilities of the Commission regarding Applications

Correct title according the draft ordinance submitted by the City Attorney: Amending Homer City Code 21.62.040, Currently Entitled Pre-Application Conference” to Authorize the City Planner to Recommend to the State of Alaska that it Deny an Application for a Marijuana Establishment that Does Not Comply with Homer City Code and Authorize the City Planner to Recommend that the State Impose Conditions to Approval When Necessary to Ensure Compliance with the Homer City Code.

There was a bit of confusion to bringing the ordinance to the floor for discussion or making a motion to approve. City Planner Abboud stated he could provide a report on the ordinance. Chair Young yielded the floor.

City Planner Abboud stated that this ordinance was very simple and amended Title 21 putting the applications under his review. Since it is amending Title 21 this will have to go before the Planning Commission for review, Public Hearing and approval before going to Council and he has not finalized the next Planning Commission agenda so he can get it on that for the next meeting.

Commissioner Harris wanted to postpone this ordinance until after the new council is elected.

Commissioner Clark commented that he saw no reason to move this forward that it is pretty straight forward. Commissioner Reynolds agreed and recommended sending this to Planning Commission that everything is so up in the air that there is no reason to withhold action on it now.

Commissioner Harris expressed concerns with expediency in reviewing and approving applications received by the city. City Planner Abboud responded with the time requirement that is already imposed in state regulations regarding local opposition. He did not believe it would take much time to review and resubmit to the state.

Commissioner Harris expressed clarification on her concerns that existing membership on Planning Commission would try to change the rules from the time an application is received and appraisal. City Planner Abboud noted that under the proposed regulation the Planning Commission would not be involved unless the applicant appealed his decision. He further noted that his recommendations would fall under existing requirements. He further noted that reviewing an application within 10 or 15 days is doable.

Commissioner Harris further explained that she would like to see a date within this ordinance that current regulations as of this date to make sure that no regulations change in the meantime.

Discussion and points made by the commission ensued on the following:

- 10-15 day limit is appropriate*
- the application will be coming from the state to the city planner*
- to change current city code will require two meetings at the planning commission and two meetings at the city Council level and will also require at least two weeks to get on the agenda.*
- lack of public involvement in the zoning changes because they fall under the public's radar*
- notice requirement by the state gives the city the notice required to make changes in building requirements and codes*

- preference to have a review board other than the planning commission review an application especially those applications that have been denied

REYNOLDS/YOUNG - MOVED TO AMEND LINE 45 TO ADD WITHIN 15 DAYS OF RECEIPT OF APPLICATION.

Discussion ensued in clarification of intent of the motion was to amend the ordinance to provide the 15 day time limit for review and approval with or without recommendations. The intent for the paragraph to read as follows:

b. The City Planner shall be responsible for reviewing all applications filed with the State of Alaska under AS 17.38 for the operation of marijuana establishments in the City of Homer once those applications have been submitted to the city for its review by the State of Alaska. The City Planner or his or her designee, shall recommend to the State of Alaska, WITHIN 15 DAYS OF RECEIPT OF AN APPLICATION, denying an application that does not comply with this code or he or she may recommend approving the application with conditions that, if adopted, will result in compliance with this code.

City Planner Abboud stated that he does have staff available to act in his absence in response to a question by the commission.

Chair Young called for the vote.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Commissioner Reynolds recognized that the City Planning Department has a responsibility to follow and apply the guidelines and regulations that are imposed and she has never seen a bias previously. Commissioner Sarna echoed those sentiments and further stated that City planner Abboud has shown professionalism and believes that any application they received would get a fair hearing.

Commissioner Sarno inquired if any zoning changes were proposed to revise code that affect marijuana businesses would this (Cannabis Advisory) commission get a chance to review these changes before going to Council?

Commissioner Stead responded that they would not, he is not the expert but any proposed changes to zoning falls under the purview of the Planning Commission and there is no requirement to notify this commission. He also stated that to suggest that members of the Planning Commission are nefarious and feels that those acts would be a criminal, he cannot think that the commission in how it acts and works together today would do that, they do their very best to put personal feeling aside and he is a bit affronted at the implication but appreciates it is Commissioner Harris' personal opinion and she is entitled to her opinion. Commissioner Stead appreciates the other commissioners supportive comments and believes City Planner Abboud does his very best to be fair in his recommendations.

HARRIS/REYNOLDS - MOVED TO AMEND THE DRAFT ORDINANCE TO INCLUDE ADDITIONAL WHEREAS ON LINE 16 THAT STATES CONDITIONAL USE PERMITS WILL BE APPROVED ACCORDING TO EXISTING ZONING REGULATIONS AS OF THIS MONTH.

Commissioner Reynolds cited that there is no precedent to set a zoning map and regulations in place. She understands that it is confusing but does not think there is a way to lock the zoning into place. Further discussion on the time frame for approval within 15 days and additional limits would be onerous.

VOTE. NO. ROBL, STEAD, YOUNG, SARNO, REYNOLDS, CLARK

VOTE. YES. HARRIS.

Motion failed.

REYNOLDS/ROBL – MOVED TO FORWARD THE DRAFT ORDINANCE TO THE PLANNING COMMISSION.

There was no discussion.

VOTE. YES. CLARK, REYNOLDS, SARNO, YOUNG, STEAD, ROBL.

VOTE. NO. HARRIS.

Motion carried.



City of Homer

www.cityofhomer-ak.gov

Planning

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Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report PL 16-55

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: September 21, 2016
SUBJECT: Ordinance 16-xx, AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA AMENDING HOMER CITY CODE 21.62.040 CURRENTLY ENTITLED "PRE-APPLICATION CONFERENCE," TO AUTHORIZE THE CITY PLANNER TO RECOMMEND TO THE STATE OF ALASKA THAT IT DENY AN APPLICATION FOR A MARIJUANA ESTABLISHMENT THAT DOES NOT COMPLY WITH HOMER CITY CODE AND AUTHORIZE THE CITY PLANNER TO RECOMMEND THAT THE STATE IMPOSE CONDITIONS TO APPROVAL WHEN NECESSARY TO ENSURE COMPLIANCE WITH THE HOMER CITY CODE.

The City Attorney has produced an ordinance that prescribes that the City Planner review all marijuana applications received from the state.

The Cannabis Advisory Committee (CAC) amended the ordinance to require a response within 15 days, which should not be a problem for the office.

It is questionable whether or not it will make much difference in the processing of the license since the state runs a 60 day protest timeline.

Staff Recommendation

Staff recommends the commission hold a public hearing and make a recommendation to the City Council

Attachments

1. SR 16-51
2. Ordinance 16-xx
3. Minutes of CAC Aug. 25, 2016

REPORTS

City Planner Abboud commented on the Borough Opt Out Ban on Marijuana and that it will be up to the Assembly to determine if they will have a Special Election or wait until next October.

PUBLIC HEARINGS

PENDING BUSINESS

NEW BUSINESS

A. Draft Ordinance 16-XX, Outlining the Regulatory Responsibilities of the Commission regarding Applications

Correct title according the Draft ordinance submitted by the City Attorney: Amending Homer City Code 21.62.040, Currently Entitled "Pre-Application Conference" to Authorize the City Planner to Recommend to the State of Alaska that it Deny an Application for a Marijuana Establishment that Does Not Comply with Homer City Code and Authorize the City Planner to Recommend that the State Impose Conditions to Approval When Necessary to Ensure Compliance with the Homer City Code.

There was a bit of confusion to bringing the ordinance to the floor for discussion or making a motion to approve. City Planner Abboud stated he could provide a report on the ordinance. Chair Young yielded the floor.

City Planner Abboud stated that this ordinance was very simple and amended Title 21 putting the applications under his review. Since it is amending Title 21 this will have to go before the Planning Commission for review, Public Hearing and approval before going to Council and he has not finalized the next Planning Commission agenda so he can get it on that for the next meeting.

Commissioner Harris wanted to postpone this ordinance until after the new council is elected.

Commissioner Clark commented that he saw no reason to move this forward that it is pretty straight forward. Commissioner Reynolds agreed and recommended sending this to Planning Commission that everything is so up in the air that there is no reason to withhold action on it now.

Commissioner Harris expressed concerns with expediency in reviewing and approving applications received by the city. City Planner Abboud responded with the time requirement that is already imposed in state regulations regarding local opposition. He did not believe it would take much time to review and resubmit to the state.

Commissioner Harris expressed clarification on her concerns that existing membership on Planning Commission would try to change the rules from the time an application is received and approval. City Planner Abboud noted that under the proposed regulation the Planning Commission would not be involved unless the applicant appealed his decision. He further noted that his recommendations would fall under existing requirements. He further noted that reviewing an application within 10 or 15 days is doable.

Commissioner Harris further explained that she would like to see a date within this ordinance that current regulations as of this date to make sure that no regulations change in the meantime.

Discussion and points made by the commission ensued on the following:

- 10-15 day limit is appropriate
- the application will be coming from the state to the city planner
- to change current city code will require two meetings at the planning commission and two meetings at the city Council level and will also require at least two weeks to get on the agenda.

- lack of public involvement in the zoning changes because they fall under the public's radar
- notice requirement by the state gives the city the notice required to make changes in building requirements and codes
- preference to have a review board other than the planning commission review an application especially those applications that have been denied

REYNOLDS/YOUNG - MOVED TO AMEND LINE 45 TO ADD WITHIN 15 DAYS OF RECEIPT OF APPLICATION.

Discussion ensued in clarification of intent of the motion was to amend the ordinance to provide the 15 day time limit for review and approval with or without recommendations. The intent for the paragraph to read as follows:

b. The City Planner shall be responsible for reviewing all applications filed with the State of Alaska under AS 17.38 for the operation of marijuana establishments in the City of Homer once those applications have been submitted to the city for its review by the State of Alaska. The City Planner or his or her designee, shall recommend to the State of Alaska, WITHIN 15 DAYS OF RECEIPT OF AN APPLICATION, denying an application that does not comply with this code or he or she may recommend approving the application with conditions that, if adopted, will result in compliance with this code.

City Planner Abboud stated that he does have staff available to act in his absence in response to a question by the commission.

Chair Young called for the vote.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Commissioner Reynolds recognized that the City Planning Department has a responsibility to follow and apply the guidelines and regulations that are imposed and she has never seen a bias previously. Commissioner Sarno echoed those sentiments and further stated that City Planner Abboud has shown professionalism and believes that any application they received would get a fair hearing.

Commissioner Sarno inquired if any zoning changes were proposed to revise code that affect marijuana businesses would this (Cannabis Advisory) commission get a chance to review these changes before going to Council?

Commissioner Stead responded that they would not, he is not the expert but any proposed changes to zoning falls under the purview of the Planning Commission and there is no requirement to notify this commission. He also stated that to suggest that members of the Planning Commission are nefarious and feels that those acts would be a criminal, he cannot think that the commission in how it acts and works together today would do that, they do their very best to put personal feeling aside and he is a bit affronted at the implication but appreciates it is Commissioner Harris' personal opinion and she is entitled to her opinion. Commissioner Stead appreciates the other commissioners supportive comments and believes City Planner Abboud does his very best to be fair in his recommendations.

HARRIS/REYNOLDS - MOVED TO AMEND THE DRAFT ORDINANCE TO INCLUDE ADDITIONAL WHEREAS ON LINE 16 THAT STATES CONDITIONAL USE PERMITS WILL BE APPROVED ACCORDING TO EXISTING ZONING REGULATIONS AS OF THIS MONTH.

Commissioner Reynolds cited that there is no precedent to set a zoning map and regulations in place. She understands that it is confusing but does not think there is a way to lock the zoning into place. Further discussion on the time frame for approval within 15 days and additional limits would be onerous.

VOTE. NO. ROBL, STEAD, YOUNG, SARNO, REYNOLDS, CLARK

VOTE. YES. HARRIS.

Motion failed.

REYNOLDS/ROBL - MOVED TO FORWARD THE DRAFT ORDINANCE TO THE PLANNING COMMISSION.

There was no discussion.

VOTE. YES. CLARK, REYNOLDS, SARNO, YOUNG, STEAD, ROBL.

VOTE. NO. HARRIS.

Motion carried.

B. Election of Chair and Vice Chair.

Chair Young summarized the actions required from the commission on electing a vice chair and chair.

The commission elected to vote by a show of hands or voice vote.

Chair Young called for nominations of vice chair and opened the floor by nominating Commissioner Stead.

Commissioner Harris nominated Commissioner Reynolds.

Chair Young closed the nominations and called for a show of hands for Commissioner Stead for Vice Chair. He received 5 votes. Commissioner Reynolds received 2 votes. Congratulations were expressed from the commission to Commissioner Stead and Chair Young turned the meeting over to Vice Chair Stead.

Vice Chair Stead opened the floor for nominations for Chair. Five hands shot up.

Commissioner Harris nominated Commissioner Reynolds.

Commissioner Sarno nominated Commissioner Clark. Commissioner Reynolds seconded that nomination.

Deputy City Clerk Krause stated that there were no rules against nominating a person who was not present.

Vice Chair Stead closed the nominations for chair and called for a show of hands for Commissioner Reynolds for Chair. There was one vote. Vice Chair Stead then called for a show of hands for Commissioner Clark for Chair. There were 4 votes.

Clarification was requested on a nomination for Commissioner Carroll. She was not nominated officially. Commissioner Young cast her vote for Commissioner Clark bringing the total to 5.

Congratulations were expressed for Commissioner Clark and the gavel and meeting was turned over to newly elected Chair Clark.

D. Next Meeting Deliverables, Agenda Items

Chair Clark asked for items that the commission would like for the September agenda. Commissioner Young noted that if they thought of something before the agenda closed they can email the Clerk and add it to the agenda.

INFORMATIONAL MATERIALS

A. 2016 Meeting Schedule and Packet Processing Deadlines

B. 2016 Commission Attendance at Council Meetings

Chair Clark requested volunteers to attend the Council meeting on the

COMMENTS OF THE AUDIENCE

Bryan Zak, resident, complimented Commissioner Young for chairing an efficient meeting and congratulated Commissioner Clark on being selected as the new Chair. He commented that it was nice to see young people getting involved and sitting on these commissions. He shared that at the last AML meeting the Director of the Marijuana Control Board, Cynthia Franklin spoke and pointed out the nine different applications and the website page where you can see all the applicants for the various licenses and included the information for the rest of Council. This was a good meeting. It was nice to see that the commissioners did not have fangs and horns.

COMMENTS OF STAFF

Deputy City Clerk Krause had no comments.

City Planner Abboud commented on the record that the planning staff would be more than happy to assist in the processes of getting a permit for any business including marijuana and the planning commission whether they were pro-marijuana or not tried the best they can to do the best they can for the community and that the opportunity to have looser regulations or going in the opposite direction is always there, they do try to put their personal feelings aside in reviewing these things in regards to code compliances.

COMMENTS OF THE CHAIR

Chair Clark appreciated everyone's faith in him and promise to step up to the plate to perform the job expected of him. He appreciated everyone showing up for the meeting and the comments received. Thank you everyone for a quick and easy meeting.

COMMENTS OF THE COMMISSION

Commissioner Robl announced he will miss the September meeting and when he gets back from vacation his schedule will firm up and he will be able to attend a council meeting or two.

Commissioner Harris wished him well hunting and hoped he got a big one.

Commissioner Stead, Young, no comments.

Commissioner Sarno congratulated Chair Clark.

Commissioner Reynolds will be in attendance for the next commission meeting although she will miss the Council meeting. She congratulated Chair Clark and Vice Chair Stead. Thanked everyone for participating.

ADJOURN

There being no further business to come before the Commission, the meeting adjourned at 6:39 p.m. The next regular meeting is scheduled for THURSDAY, SEPTEMBER 22, 2016 at 5:30 p.m. in the City Hall Cowles Council Chambers located at 491 E Pioneer Avenue, Homer, Alaska.

Renee Krause, CMC, Deputy City Clerk

Approved: _____

HOMER ADVISORY PLANNING COMMISSION
REGULAR MEETING MINUTES
SEPTEMBER 7, 2016

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

HIGHLAND/STROOZAS MOVED THAT WE INCREASE THE SAD APPLICATION FEE TO \$1000.

Question was raised if the fee is refundable.

VENUTI/STROOZAS MOVED TO AMEND THAT THE FEE IS NON REFUNDABLE.

There was discussion that the \$1000 fee be applied toward cost of the project.

Deputy City Clerk Jacobsen commented her understanding is the application fee is an administrative fee to process a property owner's application for an improvement district.

Commissioner Abrahamson commented the program provides for overhead like facilities and administration and questions if it might be double dipping if the project goes forward. City Planner Abboud said he could follow up and see how the application fee is applied and the commission discussed how the administrative fees could be accounted for.

Deputy City Clerk Jacobsen gave a brief overview of the what the City Clerk's office does including working with the applicant for the proposed district, working with public works to get a map of the boundaries, also preparing and mailing petitions to property owners via certified mail and scheduling and advertising public meetings and public hearings before the assessment district is approved.

VOTE: (Amendment) NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

There was no further discussion on the main motion as amended.

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

Motion carried.

New Business

A. Staff Report PL 16-51, Ordinance from the Cannabis Advisory Commission

City Planner Abboud reviewed the staff report. He commented that when doing a review for zoning compliance, he doesn't foresee anything that would impede meeting the 15 day timeline for review. If an application triggers a conditional use permit, it will be address in the appropriate timeframe for a CUP. He touched on the state's timeline and pointed out they have 60 days, and he hopes they will move the applications along.

There was brief discussion that the city would get half of the application fee that the state collects.

Chair Stead asked for a motion to schedule a public hearing on the draft ordinance at the September 21st meeting.

HIGHLAND/BRADLY SO MOVED.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

B. Staff Report PL 16-52, Recommendation for the number of commissioners on the Borough Planning Commission

City Planner Abboud commented the Commission had a good discussion about this at their worksession. It's implied there is a population formula that will determine who serves on the Borough Planning Commission; it's vague and can't be determined for certain who will serve.

Commissioner Venuti, Homer's representative on the Borough Planning Commission, commented the Borough has been out of compliance on this for nine years and it will be put off until 2020. His concern is eliminating any input from Seldovia or Anchor Point and while this group could oppose this proposal by the Borough Mayor, he thinks it's the councils place to make the recommendation to the borough.

HIGHLAND/BOS MOVED TO RECOMMEND TO CITY COUNCIL ON STAFF REPORT PL 16-52 THAT THE COMMISSION OPPOSES THE MAYOR'S SUBSTITUTE ORDINANCE 2016-25.

There was brief discussion that all of the cities should be specifically represented and that "at-large geographic region members" is vague.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Informational Materials

A. City Manager's Report dates August 17, 2016

Comments of the Audience

Comments of Staff

There were no staff comments.

- Use Homer's arts, recreation and agriculture sectors to strengthen the physical, social, and economic fabric of our downtown core.
- We want locals and visitors to explore our historic downtown, experience its unique sense of place, and reinvigorate its economy
- Goals of the Project in 2017 are Branding of Homer as "City of Peonies", Pioneer Avenue sign, Peony festival - July 4th connection, Marketing in Chamber of Commerce visitor guide, More Gardens and partnering with Public Works, Realtor's placemaking grant; for Planning Commission to consider ahead DOT Repaving project, on street parking, safe walking zones, safe traffic flow, coherent branding and visual elements, vacant run-down buildings.

Brief comments from the commission regarding line of sight issues were made.

REPORTS

A. Staff Report PL 16-54, City Planner's Report

City Planner Abboud provided information on proposed changes to the Borough Planning Commission to comply with State of Alaska requirements and reported that Mayor Navarre attended the City Council meeting, answering questions from Council. City Planner Abboud expressed concern on how the Borough will make changes to meet the state's membership requirements.

Commissioner Venuti stated he attended the Assembly meeting on Tuesday evening and they voted on the issue but at the end of the meeting a request for reconsideration was issued. So they are back to where they started.

Commissioners were requested to volunteer to attend a Council meeting in the future to provide a report these dates were listed. The following dates were filled:

October 10th - Commissioner Bos (Appointed by Chair Stead)

October 24th - Commissioner Highland

November 28th - Commissioner Abrahamsen (Appointed by Chair Stead)

December 12th Commissioner Bradley (Appointed by Chair Stead)

PUBLIC HEARINGS

A. Staff Report PL 16-55, Ord. 16-xx City Planner review of Marijuana Establishment Applications from the State of Alaska

City Planner Abboud reported City Attorney Wells expressed concern on the time period being too short and while understanding the reason behind the proposed amendment by the Cannabis Advisory Commission to include a 15 day review period from the City Planner or designee, would like to see it changed to 30 days. City Planner Abboud stated that he had no problem with the 15 day period and would rather leave it up to council to make any amendments. He further explained that his understanding was that the state has a 60 day period but the attorney did not feel comfortable putting time limits in city code.

Chair Stead opened the public hearing. Seeing no public present to testify closed the public hearing.

HIGHLAND/STROOZAS - MOVED TO RECOMMEND CITY COUNCIL APPROVE THE DRAFT ORDINANCE REGARDING CITY PLANNER REVIEW OF MARIJUANA APPLICATIONS FROM THE STATE OF ALASKA.

There was a brief discussion on the 15 day turn around period.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

ORDINANCE REFERENCE SHEET
2016 ORDINANCE
ORDINANCE 16-51

An Ordinance of the City Council of Homer, Alaska, Enacting HCC Chapter 11.36, Vegetation in Rights-of-Way, Providing for the Removal of Vegetation That Interferes With the Reasonable Public Use of a Right-of-Way.

Sponsor: City Manager

1. Council Regular Meeting October 10, 2016 Introduction
 - a. Memorandum 16-164 from Public Works Superintendent
2. Council Regular Meeting October 24, 2016 Public Hearing and Second Reading
 - a. Memorandum 16-164 from Public Works Superintendent

**CITY OF HOMER
HOMER, ALASKA**

City Manager

ORDINANCE 16-51

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
ENACTING HCC CHAPTER 11.36, VEGETATION IN RIGHTS-OF-
WAY, PROVIDING FOR THE REMOVAL OF VEGETATION THAT
INTERFERES WITH THE REASONABLE PUBLIC USE OF A RIGHT-
OF-WAY.

THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code Chapter 11.36, Vegetation in Rights-of-Way, is enacted to
read as follows:

Chapter 11.36
VEGETATION IN RIGHTS-OF-WAY

Sections:

11.36.010 Vegetation in rights-of-way.

11.36.020 Removal of vegetation in rights-of-way.

11.36.010 Vegetation in rights-of-way.

All or any part of a tree, shrub or other vegetation that is located in, over or under a
public right-of-way in the city is subject to removal by the city as necessary for the reasonable
public use of the right-of-way, including without limitation removal as authorized in HCC
11.36.020, regardless of whether:

a. The vegetation existed in, over or under the right-of-way before the granting,
dedication or improvement of the right-of-way;

b. The vegetation was planted in the right-of-way by another person, including
without limitation an owner of property adjacent to the right-of-way; or

c. The vegetation originated on property adjacent to the right-of-way, to the extent
that limbs, branches or roots of the vegetation extend into, over or under the right-of-way.

11.36.020 Removal of vegetation in rights-of-way.

The city manager may cause the removal of all or any part of a tree, shrub of other
vegetation that is located on, over or under a public right-of-way if the city manager finds that
the vegetation:

a. Obstructs or interferes with the use of the right-of-way by vehicular or pedestrian
traffic;

b. Obscures visibility to or from the right-of-way or otherwise constitutes a safety
hazard;

c. Interferes with the maintenance of the right-of-way, including without limitation
paving, grading, cleaning and snow removal;

d. Has the potential if not removed to damage pavement or other improvements in the right-of-way;

e. Has the potential if not removed to damage or interfere with the operation of overhead or underground public utility facilities in the right-of-way.

Section 2. This ordinance is of a permanent and general character and shall be included in the City code.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 24th day of October, 2016.

CITY OF HOMER

BRYAN ZAK, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

AYES:

NOES:

ABSTAIN:

ABSENT:

First Reading:

Public Reading:

Second Reading:

Effective Date:

Reviewed and approved as to form:

Mary K. Koester, City Manager

Holly C. Wells, City Attorney

Date: _____

Date: _____



City of Homer

www.cityofhomer-ak.gov

Public Works

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publicworks@cityofhomer-ak.gov

(p) 907- 235-3170

(f) 907-235-3145

Memorandum 16-164

To: Katie Koester, City Manager
From: Dan Gardner, PW Superintendent
Date: September 23, 2016
Subject: Vegetation in Road Right-of-Ways

The city is charged with clearing vegetation within the right-of-way (ROW) in order to deal with sight distance issues, maintain drainages, and to prevent damage to equipment. Over the years, ROW creep has occurred where branches from large spruce and alders have reached into the ROW. This can create problems where snow laden branches fall to a point where snow removal equipment cannot operate without the cab being slapped by the branches. This is a safety matter and also a matter of protecting equipment. Some of the ROW creep prevents periodic ditching efforts to maintain drainages due to alders growing into the drainage ditch and backslope areas.

As many of the alders have grown over the years to significant heights, it is becoming increasingly more hazardous to attempt to “trim” the sides of the alders vertically as the heights often reach higher than our equipment can reach. And, it’s not the safest operation to be trimming vertically at those heights with the brush cutter.

It is our intention to begin the task of manually cutting vegetation to the limits of the ROW to reclaim the ROW and then attempt to keep the vegetation mowed to ground elevation with the brush cutter. This will take years to accomplish as time permits. The proposed vegetation ordinance is intended to put existing standards and law into a city ordinance. As we work through areas where clearing will take place, reasonable efforts will be made to notify property owners of any trimming that will take place of branches on trees that are located on private property where branches are encroaching into the ROW. No work will take place on private property unless approval is obtained from the property owner.

ORDINANCE REFERENCE SHEET
2016 ORDINANCE
ORDINANCE 16-52

An Ordinance of the City Council of Homer, Alaska, Amending the 2016 Operating Budget to Provide for Complete Natural Gas Conversion and Energy Efficient Lighting at the Fire Hall by Appropriating \$115,000 From the Revolving Energy Fund.

Sponsor: City Manager/Public Works Director

1. Council Regular Meeting October 10, 2016 Introduction
 - a. Memorandum 16-165 from Public Works Director
2. Council Regular Meeting October 24, 2016 Public Hearing and Second Reading
 - a. Memorandum 16-165 from Public Works Director

**CITY OF HOMER
HOMER, ALASKA**

City Manager/
Public Works Director

ORDINANCE 16-52

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
AMENDING THE 2016 OPERATING BUDGET TO PROVIDE FOR
COMPLETE NATURAL GAS CONVERSION AND ENERGY EFFICIENT
LIGHTING AT THE FIRE HALL BY APPROPRIATING \$115,000 FROM
THE REVOLVING ENERGY FUND.

WHEREAS, The Fire Hall is currently undergoing expansion and this would be the most
cost effective time to convert the Fire Hall to natural gas and install energy efficient lighting;
and

WHEREAS, Significant operating cost savings can be gained by converting the Fire Hall
to natural gas and installing energy efficient lighting; and

WHEREAS, The Revolving Energy Fund was created by the City Council to provide a
long term source of funding for energy efficiency projects in City facilities; and

WHEREAS, Costs associated with this conversion include installation of gas service
lines and meters, installation of boiler, new hydronic baseboard and unit heaters, and
installation of energy efficient light fixtures/luminaires.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The FY 2016 Operating Budget is hereby amended by appropriating
\$115,000 from the Revolving Energy Fund for the conversion to natural gas and installation of
efficient lighting at the Fire Hall.

Expenditure:

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
620-0375	Fire Hall Gas Conversion/	\$115,000
(Revolving Energy Fund)	Efficient Lighting	

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

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 24th day of October, 2016.

CITY OF HOMER

BRYAN ZAK, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

First Reading:

Public Hearing:

Second Reading:

Effective Date:

Reviewed and approved as to form:

Mary K. Koester, City Manager

Holly C. Wells, City Attorney

Date: _____

Date: _____



City of Homer

www.cityofhomer-ak.gov

Public Works

3575 Heath Street
Homer, AK 99603

publicworks@cityofhomer-ak.gov

(p) 907- 235-3170

(f) 907-235-3145

Memorandum 16-165

TO: Mary K. Koester, City Manager
FROM: Carey Meyer, Public Works Director
DATE: October 4, 2016
SUBJECT: **Homer Fire Hall Improvements Utilizing Revolving Energy Fund to Complete Energy Conservation Improvements**

Although not a part of the original scope of work, this would be the time to convert the Fire Hall to natural gas and install energy efficient lighting. The Council created and has utilized the Revolving Energy Fund to provide a long-term source of funding for energy efficiency projects in City facilities. This fund was created in 2010 and currently has \$138,000 in the fund. This fund has been used to complete similar energy conservation improvements at City facilities (including City Hall, Public Works, Harbor Facilities, Sewer Treatment Plant, Airport and Police Station).

Adding electric heat and improving ventilation in the bays at the Fire Hall would require costly upgrades to the electrical service. To eliminate this cost, Public Works has directed the design team to extend natural gas to the Fire Hall and convert the electric unit heaters in the bays to natural gas; freeing up electrical service capacity for heating the proposed expansion. This work can be completed within the original budget.

Currently the Fire Hall spends about \$27,500 annually for electricity. Without conversion to natural gas, annual energy costs would increase to \$33,000 due to square foot expansion.

Complete conversion to natural gas and installation of energy efficient lighting would decrease overall energy costs by 65%. This would result in a savings of approximately \$21,500 per year. The total cost to convert to natural gas and install energy efficient lighting is estimated to be \$145,000 (\$30,000 from original budget; \$115,000 additional funding). The "investment" of \$145,000 would be "paid back" in 6.7 years. Reduced operating costs will benefit the Fire Hall's operating budget while the building is being used as a fire station and increase the building's value when the time comes to sell.

Recommendation: The Council pass an ordinance amending the 2016 Operating Budget by appropriating \$115,000 from the Revolving Energy Fund to provide for the conversion to natural gas and installation of energy efficient lighting at the Fire Hall and authorizing the City Manager to execute all appropriate documents. (Fiscal Note: 620-0375)

ORDINANCE REFERENCE SHEET
2016 ORDINANCE
ORDINANCE 16-53

An Ordinance of the City Council of Homer, Alaska, Authorizing the City Manager to Issue a Request for Proposal for Lot 11, Homer Spit Subdivision No. 5, for a Long-Term Communications Tower Lease and Amending the FY 2016 Operating Budget by Appropriating Funds in the Amount of \$12,500.00 From Port and Harbor Depreciation Reserves to Fund Tower Consultant Services With Cityscape Consultants, Inc.

Sponsor: City Manager

1. Council Regular Meeting October 10, 2016 Introduction
 - a. CityScape Consultants, Inc. – Wireless Communications Consulting Services
2. Council Regular Meeting October 24, 2016 Public Hearing and Second Reading
 - a. CityScape Consultants, Inc. – Wireless Communications Consulting Services

**CITY OF HOMER
HOMER, ALASKA**

City Manager

ORDINANCE 16-53

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, AUTHORIZING THE CITY MANAGER TO ISSUE A REQUEST FOR PROPOSAL FOR LOT 11, HOMER SPIT SUBDIVISION NO. 5, FOR A LONG-TERM COMMUNICATIONS TOWER LEASE AND AMENDING THE FY 2016 OPERATING BUDGET BY APPROPRIATING FUNDS IN THE AMOUNT OF \$12,500.00 FROM PORT AND HARBOR DEPRECIATION RESERVES TO FUND TOWER CONSULTANT SERVICES WITH CITYSCAPE CONSULTANTS, INC.

WHEREAS, Resolution 15-030(A) authorized the City Manager to issue a request for proposal (RFP) for Homer Spit No. 5 Lot 11 for a long term cell tower lease; and

WHEREAS, On June 29, 2015, Resolution 15-049 awarded a twenty year lease with two five-year options on a portion of Lot 11, Homer Spit Subdivision, No. 5 to SpitwSpots Inc. of Homer, Alaska, and authorized the City Manager to execute the appropriate documents; and

WHEREAS, On August 3, 2016 negotiations with SpitwSpots were terminated after failure to come to an agreement that both parties found mutually beneficial; and

WHEREAS, Since August 2016, the City has received letters of interest from four different companies interested in constructing a tower on Homer Spit No. 5 Lot 11; and

WHEREAS, It is the policy of the City of Homer for a letter of interest to trigger Council to consider authorizing a request for proposal; and

WHEREAS, Moving forward without additional delay on this project is important so that a tower can be up by the next construction season to serve the great demand for increased communications capacity in Homer; and

WHEREAS, Due to the complexity of tower regulations and requirements, staff recommends hiring a professional wireless communications firm to facilitate the request for proposal process and subsequent negotiations; and

WHEREAS, Hiring a third party will allow for an expert and objective analysis of all RFPs which will be both beneficial to the City of Homer and the businesses submitting proposals; and

WHEREAS, CityScape Consultants, Inc. has extensive experience in Alaska handling tower negotiations with municipalities such as Juneau and the MatSu Borough and is qualified to facilitate the process for the City of Homer.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The City Council of Homer, Alaska, authorizes the City Manager to issue a request for proposal for a long-term tower lease on a portion of Lot 11, Homer Spit Subdivision No. 5.

Section 2. The Homer City Council hereby amends the FY 2016 Operating Budget by appropriating \$12,500.00 from Port and Harbor Depreciation Reserves to hire CityScape Consultants, Inc. to facilitate the lease negotiations, including request for proposal, selection process, and siting of the tower and equipment.

Expenditure:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
456-380	Consultant services for communications tower	\$12,500.00

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

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 24th day of October, 2016.

CITY OF HOMER

BRYAN ZAK, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

YES:

82 NO:

83 ABSTAIN:

84 ABSENT:

85

86 First Reading:

87 Public Hearing:

88 Second Reading:

89 Effective Date:

90

91 Reviewed and approved as to form:

92

93 _____

94 Mary K. Koester, City Manager

95

96 Date: _____

97

Holly C. Wells, City Attorney

Date: _____

98 Fiscal Note: \$12,500.00 from Port and Harbor Depreciation Reserves (456-380).

Helping Local Government Solve Wireless Telecommunications Issues

CityScape CONSULTANTS, INC.



Wireless Telecommunications Consulting Services

Contact:
CityScape Consultants, Inc.
Elizabeth H. Smith
Direct: 561-541-3104
Elizabeth@CityScapeGov.com
Or Kay Miles
Tel: 561-558-2808
Kay@CityScapeGov.com

www.CityScapeGov.com

WIRELESS TELECOMMUNICATIONS CONSULTING SERVICES

OVERVIEW

Telecommunications is a specialized technology that requires not only radio frequency engineering, but also land use planners, attorneys who understand communications law, and tower management administrative personnel.

CityScape began in 1997 and specializes in working with local governments and all stakeholders who have an interest in the wireless telecommunications industry. Whether the interest is founded on promoting the long range goals of our clients and industry; or protecting the aesthetics of the community; or managing state or local land use development standards, CityScape is able to bridge the common concerns and make recommendations for solutions that meet the underlying interest of each special interest group.

CityScape's menu of radio frequency engineering and land use planning consulting services related to wireless telecommunications planning issues include:

- **Review and Revisions to Telecommunications Ordinance:** review of existing tower regulations in local zoning codes and draft text amendment recommendations designed to promote healthy deployment of wireless networks;
- **Third Party Expert Application Review:** wireless site plan and radio frequency (RF) review;
- **Wireless Master Planning:** mapping to illustrate theoretical and actual propagation network coverage; network gap analysis; network forecasting and gap analysis troubleshooting; land use strategies designed to control wireless telecommunications deployments;
- **Assessment, Mapping and Inventory of Existing Wireless Facilities:** comprehensive assessment of existing antenna and tower infrastructure;
- **Public Workshops on Wireless Telecommunications:** informational workshops on wireless network deployment and design.
- **Professional Site Management and Leasing:** wireless lease negotiations for antenna and tower infrastructure proposed on publicly owned property;

CityScape provides technical information used to develop policy decisions based on factual engineering data related to the necessities in wireless network design. Important in the CityScape program is our expertise and background in wireless telecommunications engineering, legal, and land use planning and zoning disciplines. Our specialized knowledge of the wireless industry will help local government better understand technical and legal options relating to wireless siting decisions as it relates to your telecommunications policies and decisions.

CityScape has no current affiliations with any wireless communication industry companies, service providers, or tower owners and/or construction companies. CityScape consults only to local government agencies on wireless telecommunications issues related to wireless telephone, broadband, broadcast and public safety network deployments.

GOALS, OBJECTIVES AND TASKS FOR HOMER, AK WIRELESS INFRASTRUCTURE RFP

PHASE 1:

CityScape will assist with the revision of an existing RFP for wireless infrastructure development on City properties. CityScape will offer proposed text for the revisions, including but not limited to revisions to a standard lease form to be attached as an exhibit to the RFP, as well as assist the City in refining its goals, utilizing applicable industry standards and relevant information requirements needed for a vendor to design and construct wireless infrastructure on public property. Additionally, CityScape will offer language in terms of acceptable design and location of such infrastructure. CityScape will facilitate the distribution of the RFP to prospective bidders and upon receipt of responses, CityScape will assist the City in the review and evaluation of all proposals received in the RFP process including but not limited to; negotiating the lease terms, including best rental rates; checking references of proposers, analyzing feasibility of the proposed deployment plans against applicable industry standards and communicating with potential candidates regarding additional questions. Additionally, CityScape will assist the City in choosing the correct candidate for the construction and build-out of the projects.

Cost approximately* \$8,500 plus time and travel if applicable

PHASE 2:

Once the vendor is selected from the RFP process, CityScape will provide expert review for the placement and construction of the facility ensuring they meet the requirements of the applicable zoning, permissible and necessary height, safety and aesthetics, potential maximum collocation, siting of public safety equipment and compliance with applicable federal guidelines. CityScape will assist in reviewing all aspects and details of the project.

Cost approximately* \$4,000 per infrastructure plus time and travel if applicable

PHASE 3:

Oversee the construction and development of the infrastructure by selected vendor.

Cost depends on mutually agreed upon scope tbd

*Exact cost of services will be agreed upon and set once complete scope is determined and mutually accepted. CityScape works on a fixed rate schedule without any additions or contingencies.

**CITY OF HOMER
HOMER, ALASKA**

Mayor/City Council

RESOLUTION 15-030(A)

**A RESOLUTION OF THE HOMER CITY COUNCIL APPROVING THE
CITY OF HOMER 2015 LAND ALLOCATION PLAN.**

WHEREAS, The Property Management Policy and Procedures Manual sets policy for municipal land management; and

WHEREAS, Chapter 3 of the Property Management Policy and Procedures Manual establishes that a Land Allocation Plan will be developed annually; and

WHEREAS, The City Council discussed the Land Allocation Plan during a Worksession on April 27, 2015; and

WHEREAS, The Economic Development Advisory Commission, Parks and Recreation Advisory Commission, Port and Harbor Advisory Commission, and Advisory Planning Commission reviewed the draft Land Allocation Plan and provided their recommendations as outlined in Memorandum 15-055 by the Deputy City Planner; and

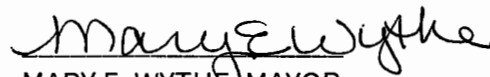
WHEREAS, Council had the following recommendations to amend the plan:

1. Homer Spit No. 5 Lot 11 - portion be available for long term cell tower lease
2. Homer Spit No. 2 Lot 12-A - remove from short term lease
3. Homer Spit Subdivision Amended, Lots 28 and 29 - retain for parking and restrooms, deleting reference to harbormaster office
4. HM T06S R 13W S19 Portion Thereof S of Olsen Lane; T 6S R 13W Sec 28 Seward Meridian HM Govt Lots 5, 6, 7, 8; T 6S R 13W Sec 28 Seward Meridian HM Govt Lots 10-15 - designate as parks
5. C7 - Government Lots 10, 21, 24, 25 HM T06S R13W S14 will be advertised for sale
6. E19 - T 6S R 13W Sec 20 Seward Meridian HM 0840005 Lakeside Village Sub Amended Lot 2 Blk 4 staff to explore and bring a recommendation to replat to extend through to Lakeside Drive (act on Resolution 09-33)
7. E22 - That Portion of Govt Lot 3 Lying Southwesterly of Kachemak Drive, T6S R13W S23 list lot for sale pending appraisal and attempt to contact adjacent land owners to see if they have an interest in purchasing
8. E23 - Government Lot 36 HM T06S R13W S14, Harry Feyer Subdivision Lot 1 list lot for sale pending appraisal
9. E6 - HM0880016 T06S R14W S24 Lillian Walli Estate Sub Lot 60, 65, 66, 67, 70, 57, 58, 59 list all lots for sale

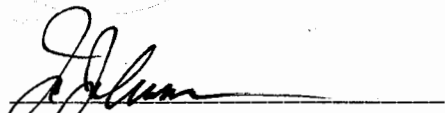
43 NOW, THEREFORE, BE IT RESOLVED by the City Council that the City of Homer 2015
44 Land Allocation Plan is hereby approved as presented.

45
46 PASSED AND ADOPTED by the Homer City Council this 27th day of April, 2015.

47
48 CITY OF HOMER

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51 
52 MARY E. WYTHE, MAYOR

53 ATTEST:

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57 JO JOHNSON, MMC, CITY CLERK

58
59 Fiscal Note: N/A

**CITY OF HOMER
HOMER, ALASKA**

City Manager

RESOLUTION 15-049

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
AWARDING A NEW TWENTY-YEAR LEASE, WITH TWO FIVE-YEAR
OPTIONS ON A PORTION OF LOT 11, HOMER SPIT SUBDIVISION,
NO. 5 TO SPITWSPOTS (SWS), INC. OF HOMER, ALASKA, AND
AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE
THE APPROPRIATE DOCUMENTS.

WHEREAS, A Request for Proposals for Homer Spit Property Lease for an Owner-
Operated/Subleased Wireless Communication Tower was issued April 15, 2015; and

WHEREAS, The advertisement for sealed proposals to lease City property on the
Homer Spit was advertised in the Homer Tribune April 22 and 29, 2015, and the Anchorage
Daily News on April 26, 2015, posted on Alaska Bid Network and on the City Clerk's Bids and
RFPs website; and

WHEREAS, Sealed proposals were due at the Office of the City Clerk by 4:00 p.m. on
May 14, 2015 with an extension until May 21, 2015 as outlined in Addendum #2; and

WHEREAS, Two proposals were submitted and the Lease Committee reviewed the
pro/cons of each proposal and determined the three most significant differences between
GCI and SWS proposals is:

- 1) the available number of co-locations and potential revenue source from
subleasing,
- 2) the proposed square foot amount, and
- 3) the proposed monthly base rent and how requested reimbursements affect the final
revenue to the City from this lease.

WHEREAS, The Lease Committee favors SWS proposal as it offers more co-locations on
their tower, creating a higher use of the tower and higher revenues for the City's Port and
Harbor Enterprise; and

WHEREAS, It is appropriate that the City Council review and approve the new lease
proposal given the scope of the project; and

39 WHEREAS, The City administration has reviewed the proposal using the criteria
40 contained in the adopted Lease Policy, determined that the new proposal is in the City's
41 interest, and recommends approval of a new lease; and
42


43 NOW, THEREFORE, BE IT RESOLVED that the Homer City Council hereby approves a
44 new twenty-year lease, with two five-year options, for SPITwSPOTS, Inc. on a portion of Lot
45 11, Homer Spit Subdivision, No. 5, and authorizes the City Manager to negotiate and execute
46 the appropriate documents.
47

48 PASSED AND ADOPTED by the Homer City Council this 29th day of June, 2015.
49

50 CITY OF HOMER
51

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54 MARY E. WYTHE, MAYOR

55 ATTEST:

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59 JO JOHNSON, MMC, CITY CLERK
60

61 Fiscal Note: Lease revenue \$3,100 per month and 25% of sublease fees.

ORDINANCE(S)

CITY MANAGER'S REPORT



City of Homer

www.cityofhomer-ak.gov

Office of the City Manager

491 East Pioneer Avenue
Homer, Alaska 99603

citymanager@cityofhomer-ak.gov

(p) 907-235-8121 x2222

(f) 907-235-3148

Memorandum

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

Orientation from City Attorney

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

Tours for Councilmembers

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

Visit with Sen. Murkowski

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

Campground Notice

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

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

Update on Revisions to Title IV (Alcohol)

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

Letter of Non-objection

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

Letter of Support for Homer Senior Citizens Inc. to KPB

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

Enc:

Campground notice

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

The Homer Foundation Report

Draft letter of support of KPB Resolution 2016-061



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

NOTICE

October 19, 2016

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

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

Katie Koester
City Manager

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



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

October 15, 2016

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

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

Dear Mr. Meehan,

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

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

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

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

Sincerely,

Katie Koester
City Manager
907-235-8121

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

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

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

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

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

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

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

Vehicles are not allowed on the beach at the bottom of the airport beach access road. Vehicles are allowed east of that area, but there is no public vehicle access point to get to that



part of the beach. Land owners or those with land owner permission may access the beach from private vehicle access points. Once on the beach, nothing in City laws or policy condones trespassing on adjacent private lands.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Chapter 7.16 VEHICLES IN BEACH AREAS

Sections:

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

7.16.010 Definitions.

In this chapter:

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

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

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

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

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

"Tideland" means land that is periodically covered by tidal water between the elevation of mean high water and mean low water. [Ord. 18-05(S-2)(A-2) § 2, 2016].

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

a. Except as provided in subsections (b) through (d) of this section, no person may operate, stop or park a motor vehicle within or upon any beach area.

b. A person may operate, stop or park a motor vehicle within and upon the beach area east of a line extending south from the southern end of a line extending south from the southern end of the vacated easement formerly known as Shirlene Circle, and within and upon the beach area west of Bishops Beach Park Access.

c. A person may operate, stop or park a motor vehicle within and upon the beach area between the south end of Mariner Park beach to the east end of the seawall from October 1st through March 31st solely for the purpose of gathering sand and coal.

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

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

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

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

7.16.040 Impoundment authorized.

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

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

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

Where Can I Drive?

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



HOMER FOUNDATION
Quarterly Report to Fund Holders
April - June 2016

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

Fund Type: Field of Interest
Fund Code: 1305

PORTFOLIO SHARE (Corpus)

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

AVAILABLE FOR DISTRIBUTION (Earnings)

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



City of Homer

www.cityofhomer-ak.gov

Office of the City Clerk

491 East Pioneer Avenue
Homer, Alaska 99603

clerk@cityofhomer-ak.gov

(p) 907-235-3130

(f) 907-235-3143

Memorandum

TO: MAYOR ZAK AND CITY COUNCIL
FROM: RENEE KRAUSE, CMC, DEPUTY CITY CLERK
DATE: OCTOBER 17, 2016
SUBJECT: BID REPORT

NOTICE OF SALE INVITATION TO BID Notice is hereby given that the **42' vessel Klahowya**, located on the uplands on the North side of the Homer Small Boat Harbor in Homer, Alaska, will be sold by the City of Homer to the highest bidder as is, together with its equipment, gear, furniture, apparel, fixtures, tackle, boats, machinery, anchors and all appurtenances. The Klahowya is a 42' Munk recreational vessel with a 11' beam and a 6' draft. Vessel is considered to be abandoned. A bidder's packet and bidding instructions are available at Homer City Hall, Office of the City Clerk, 491 E. Pioneer Avenue, Homer, AK 99603, phone (907) 235-3130. Sealed bids will be received at the office of the City Clerk **until 2:00 p.m., October 25, 2016**, at which time they will be opened and read. The time of receipt will be determined by the City Clerk's time stamp. Bids received after the time fixed for the receipt of the bids shall not be considered. Bidders are required to be on the City's plan holder's list for their bid to be considered. All bidders must submit a City of Homer Plan Holders Registration form to be on the Plan Holders List and to be considered responsive. Plan holder registration forms are available online at <http://www.cityofhomer-ak.gov/rfps>

CITY ATTORNEY REPORT

COMMITTEE REPORTS

PENDING BUSINESS

**CITY OF HOMER
HOMER, ALASKA**

Port and Harbor Director/
Port & Harbor Advisory Commission

RESOLUTION 16-054

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
AMENDING THE CITY OF HOMER FEE SCHEDULE TO IMPLEMENT
A NEW GRADUATED HARBOR MOORAGE RATE STRUCTURE.

WHEREAS, The Port Director/Harbormaster established how harbor moorage fees are structured and implemented, and are to be included in the City of Homer Fee Schedule; and

WHEREAS, The City of Homer Fee Schedule to amend the harbor moorage rate structure is effective January 1, 2017.

WHEREAS, The Port and Harbor Advisory Commission discussed and unanimously supported the recommendation by the Port Director/Harbormaster to implement a new graduated harbor moorage rate structure of \$0.05 increase per linear foot, based on the following equation,

Permanent Moorage Rate	$\left(\frac{\$}{\text{foot}} \right) = \frac{\$43.49 + (\$0.05/\text{foot}) \times \text{vessel length (feet)}}{\text{foot}}$
------------------------	---

and cap the increases at the 86 foot vessel size.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby amends the City of Homer Fee Schedule to include the graduated harbor moorage rate structure effective January 1, 2017 as follows:

PORT AND HARBOR DEPARTMENT

Harbor Office - 235-3160

Fish Dock - 235-3162

(The following fees have been set by legislative enactments to HCC 10, Ord. 95-18(A) and Resolutions 14-114, 12-037(S), 12-023, 10-89, 06-52, 06-04, 05-123, 04-96, 03-154(S), 03-104, 03-88, 00-39, 99-118(A), 99-101, 99-78(S), 99-30(A), 95-69 (Port/Harbor Tariff No. 600), Resolution 95-19, Resolution 01-84(S)(A), Resolution 02-81(A), Resolution 07-121, Resolution 08-123, Resolution 15-091)

All rates except load and launch ramp fees and parking fees for Ramps 1 - 4, which are inclusive of sales tax, will have sales tax applied. The resulting figure will be rounded to the nearest half dollar for billing purposes.

43 BOAT CHANGE FEE:

44 \$25.00 administrative fee

46 STALL WAIT LIST:

47 A \$30.00 per year charge will be assessed for a listing on a permanent reserved stall
48 assignment.

49 Large quantity waste oil disposal (with Harbor Master approval) - \$3.25 gallon

51 PARKING FEES:

52 Parking fees to be collected at Ramp 1, Ramp 2, Ramp 3 and Ramp 4 seasonally (Memorial
53 Day through Labor Day). Parking fee is \$5 per calendar day. Posted parking time limits will be
54 established and enforced as per Homer city code 10.04.100.

56 Seasonal permits for day use parking (Ramps 1-4): \$250.00.

57 Long Term parking permits required for Vehicles 20' or less parked in excess of seven (7)
58 consecutive 24-hour days.

60 Long Term Parking annual permit (January 1st through December 31st): fee \$200.00.

62 Long Term Parking annual permit fee for vessel owners paying annual moorage in the Homer
63 Harbor: fee \$100.00.

65 Vehicles over 20' and trailers are not eligible for long term parking permits.

67 Monthly parking permit for vehicles less than 20': fee \$70.00 for 30 consecutive days.

69 Monthly parking permit for vehicles over 20': fee \$85.00 for 30 consecutive days in a portion of
70 Lot 9 only.

72 Long term parking will be enforced year around.

74 Parking lot restrictions for long term parking, May 1 through October 1, as depicted on
75 attached map (Attachment A).

77 Existing code definitions for restricted parking, vehicles, junk vehicles, and fines for violations
78 apply.

80 Fines, \$25.00 per calendar day, limited to \$250.00 fine per calendar year, with \$200.00 of the
81 fine credited towards the long term parking annual permit.

ANNUAL HARBOR MOORAGE FEES:

\$43.49 per linear foot **with an increase of \$0.05 per foot based on the following equation,**
plus \$50.00 administrative charge:

Permanent Moorage Rate	$\left(\frac{\$}{\text{foot}} \right) = \frac{\$43.49 + (\$0.05/\text{foot}) \times \text{vessel length (feet)}}{\text{foot}}$
------------------------	---

The graduated increases shall cap at the 86 foot vessel size.

Reserved Stall - length of the float stall assigned, or overall length of vessel whichever is greater, plus \$50.00 administrative charge.

Float Plane Fee - daily moorage rate of (2) 24' vessels shall be assessed on a daily basis for float planes or a monthly rate equal to the monthly rate for (2) 24' vessels.

PORT DOCKAGE FEES:

Dockage charges will be assessed based on lineal foot per calendar day or portion thereof as follows:

0' to 100'	\$338.00	451' to 475'	\$1,604.00	651' to 675'	\$3,917.00
101' to 200'	\$506.00	476' to 500'	\$1,762.00	676' to 700'	\$4,420.00
201' to 300'	\$788.00	501' to 525'	\$1,996.00	701' to 725'	\$5,119.00
301' to 350'	\$1,005.00	526' to 550'	\$2,154.00	726' to 750'	\$5,858.00
351' to 375'	\$1,098.00	551' to 575'	\$2,334.00	751' to 775'	\$6,644.00
376' to 400'	\$1,206.00	576' to 600'	\$2,582.00	776' to 800'	\$7,459.00
401' to 425'	\$1,337.00	601' to 625'	\$2,957.00		
426' to 450'	\$1,490.00	626' to 650'	\$3,443.00		

A service charge of \$52 will be assessed to each vessel.

These charges are applicable to the "outer face" and "trestle berth" of Deep Water Dock and to all berthing locations on Pioneer Dock. The "inside berth" (berth No.2) of Deep Water Dock will have a 4-hour minimum dockage charge of 1/6 the daily rate, and a half day (up to 12 hours) docking charge of 1/2 the daily rate, with no service charge applicable.

WHARFAGE:

Minimum wharfage on any shipment will be ten dollars (\$10). Except as otherwise specifically provided, rates are in dollars per short ton of 2,000 lbs. or per 40 cu. ft.

129	COMMODITY	WHARFAGE RATE
130	Freight N.O.S.	\$7.96
131	(Not Otherwise Specified)	
132	Freight at barge ramp	\$5.14
133	Poles, logs, cants or cut	\$3.95/thousand board ft.
134	finished lumber per M.M.	
135	(Note: Industry standard conversion formulas shall be used in converting pounds to board	
136	feet measure.)	
137		
138	Logs that are unloaded at Port of Homer barge beaching site will be charged 50% of the	
139	wharfage rate applicable to outbound (export) shipment. However if these cargoes are not	
140	exported over Deep Water Dock with full payment of outbound wharfage within 60 days of	
141	unloading at the barge beaching site, then the additional 50% of wharfage will be owed and	
142	paid for inbound products.	
143		
144	Petroleum products	\$0.84/barrel
145	(inbound and outbound)	\$0.02 per gallon
146	Wood Chips (all grades)	\$ as per contract
147		
148	Seafood/fish product	Setting a tariff of \$4.76 per ton of seafood/fish
149		product across the dock, regardless of species.
150		
151	Livestock: Horses, mules,	\$10.12 per head
152	cattle, hogs, sheep, goats,	
153	all other livestock	
154		
155	Fowl: Any kind, crated	\$10.12 per crate
156		
157	Boats: Up to and including twenty (20) feet LOA	\$15.66 each
158	Over twenty (20) feet LOA	\$1.60 per lineal ft.
159	(Fishing boats, pleasure craft, skiffs, dinghies and other boats moved over the docks.)	
160		
161	Demurrage:	0.09/sq. ft.
162		
163	UPLANDS STORAGE:	
164	Land for Gear Storage:	
165	First come-first served basis; approved by Harbormaster; primarily for fishing related gear.	
166	Open areas, fishing gear	0.12/ sq. ft.
167	Open areas, non-fishing gear	0.17/ sq. ft.
168	Boat Trailers:	
169	Short term storage, up to 7 days - space available basis - no fee.	
170	Long term storage, 8 days or more - not available May 1 to Oct 1	
171	Up to 30 feet	\$ 75.00/month Oct 1 to May 1
172	Over 30 feet	\$100.00/month Oct 1 to May 1

TIDAL GRIDS:

The City of Homer operates two tidal grids. The wooden grid is for vessels of less than 60 feet in length. The steel grid is only for use by vessels of 60 feet or greater in length. Vessels that remain on either grid after their scheduled tide may be assessed a 50% surcharge for each unscheduled tide. Use of the steel grid shall be charged at the minimum rate applicable for a 60' boat if a boat of less length is allowed to use this grid.

The rate per foot per tide is \$1.05 for vessels 0' - 59'

The rate per foot per tide is \$2.55 for vessels 60' - 80'

The rate per foot per tide is \$3.25 for vessels 81' - 100'

The rate per foot per tide is \$3.82 for vessels 101' - 120'

The rate per foot per tide is \$4.24 for vessels 121' - 140'

WATER:

Potable water furnished to vessels at the Deep Water Dock and Main Dock:

Quantity charge - \$38.81 per one thousand gallons (minimum five thousand gallons).

Scheduled deliveries will have a minimum charge of one hundred and two (\$102.00) dollars for combined connection and disconnection.

Unscheduled deliveries will have a minimum charge of one hundred thirty nine dollars and thirty two cents (\$139.32) for combined connection and disconnection.

ELECTRICITY (per kilowatt):

Reserved stalls having a meter base at the berth shall be charged a meter availability fee.

The meter availability fee - \$23.95 per month

Connect/disconnect fee - \$28.80

Metered transient vessels will be charged a meter availability fee of \$28.80 per month with a one month minimum charge to be applied for shorter connection periods.

Connect/Disconnect fee 28.80. Unless other arrangements have been made in writing with the Harbormaster, transient vessels shall be charged the following rates (where metered power is unavailable).

	<u>110 volt</u>	<u>220 volt</u>	<u>208 volt/3-phase</u>
Daily (or part thereof)	\$ 10.20	\$ 20.12	\$42.50
Monthly	\$152.67	\$341.70	available meter only

* Vessels requiring conversion plugs may purchase them from the Harbormaster's office for a nominal fee.

208 volt/3-phase electrical power is available at System 5 on a first come first served basis, for vessels will be charged the following rates:

1. There will be an electrical usage charge per kilowatt hour as determined by the local public utility:
2. Vessels will be charged a meter availability fee of \$28.80 per month with a one month minimum charge to be applied for shorter connection periods.

3. There will be a \$28.80 connect/disconnect fee.

TOWING:

Inside small boat harbor: Skiff with operator – 1/2 hour \$68.00, Skiff with operator - 1 hour \$102.00. Any additional personnel required will be charged at rate of \$102.00 per hour each.

PUMPING VESSEL:

\$40.79 per day or portion thereof for electrical pumps.

\$69.97 per hour or portion thereof for gas pumps.

LABOR/PERSONNEL:

All labor provided by City personnel shall be charged at \$102.00 per hour (1/2 hour minimum at \$51.00). Work requiring callouts shall be charged at a minimum of two hours.

SPECIAL SERVICES:

Special services, including waste, bulk oil, or garbage disposal shall be billed at the City's actual cost plus 125% of city costs for services arranged for by the City but provided by others. Waste oil in quantities greater than 5 gallons, shall be charged a \$3.35 per gallon handling and disposal fee.

REGULATED GARBAGE HANDLING FEE:

Contact the Homer Harbormaster office for a list of contractors certified to handle regulated garbage at the Port of Homer. Fees will be negotiated between the contractor and vessel managers.

SEARCH AND RESCUE FEES:

When the City utilizes city equipment and personnel to provide search and rescue assistance to vessels outside of the Homer Port and Harbor, such as towing and rescue, the Harbormaster will charge users of those services \$102.00 per hour for skiff and operator for the first hour and for additional search and rescue assistance beyond one hour. Additional personnel will be charged at the rate of \$102.00 per man per hour.

PUBLIC LAUNCH RAMPS:

Vessels shall be charged \$13.00 per day to launch from the public launch ramps from April 1 through October 15. (Reserved stall lessees exempt for the boat assigned to and registered to the reserved stall only, not for other boats owned by the same individual.)

Vessel owners or operators may obtain a seasonal permit for \$130.00 entitling a specific vessel and owner to launch from April 1 through October 15. (Reserved stall lessees exempt for the boat assigned to and registered to the reserved stall only, not for other boats owned by the same individual.)

BEACHES AND BARGE RAMP:

The use of beaches and barge ramp under the City ownership or control for commercial barge vessel repair, equipment loading or similar purposes, must be approved by the Harbormaster. A beach use agreement will be filled out and signed by the user and Harbormaster prior to use of the beach.

The Harbormaster shall charge a fee of \$1.50 per foot based on the overall length of the vessel, for vessels landing or parking on the beaches under City ownership or control. This same rate shall apply to vessels using the barge ramp.

Charges for extended beach or barge ramp use may be adjusted by the Harbormaster under appropriate circumstances.

The user of any beach area or the barge ramp must repair any damage to the beach or ramp and remove all debris. Failure to make such repairs and removal will result in repairs and cleanup by the harbor staff. The costs incurred by the harbor staff will be fully charged to the beach user. Labor rate for the harbor staff will be one hundred and two dollars (\$102.00) per hour per person, plus appropriate equipment rental and material costs.

Sandblasting of vessel hull is not permitted on City beaches or barge ramp; water blasting using pressures that result in removal of paint is also prohibited. No paint chips or other paint materials are to be put into the water as a result of any maintenance done on the beach or ramp.

FISH DOCK:

The Fish Dock is to be used primarily for the loading and unloading of fish, fish products and fishing gear.

Cranes located onboard the vessel moored at Fish Dock may be utilized for loading/unloading the vessel only with prior approval granted by the Harbor Officer on duty.

Every person using a crane on the Fish Dock shall first obtain a license from the City.

Blocking access to cranes \$150.00/hour

Unattended vessels \$150.00/hour

Failure to obtain prior approval for a use other than loading and unloading fish, fish products or fishing gear will result in the imposition of a surcharge of thirty (\$30.00) dollars per hour in addition to the regular fee.

ITEM	FEE
Annual access	\$52.00 per year
Card (private license)	(annual renewal fee)
Card replacement fee	\$15.00 per occurrence
Cold Storage	\$334.75/month

305	(Cold storage rate structure	\$309/per month for two (2) consecutive months
306	is for storage area of eight (8) feet	
307	by ten (10) feet	\$283.25/per month for three (3)
308	consecutive	months
309		\$275.50/per month for nine (9) month season
310		Minimum one month rental
311		Inspection \$50/per hour
312	Bait Storage Fee (4x4x4)	
313	Per Day	\$5.15
314	Per Week	\$25.75
315	Per Month	\$77.25
316		
317	Ice Plant Bin Storage	\$200/per month, minimum two (2) months
318	(Roofed over, open sided	
319	storage bins at west end of	
320	of ice plant building sixteen (16) feet	
321	by twelve (12) feet)	
322		
323	Fish Dock crane	\$90.64/per hour
324	Minimum charge per hour for crane	Fifteen minutes
325	Ice	\$130.90/per ton
326		
327	Seafood Wharfage/Fish product	Setting a tariff of \$4.76 per ton of
328		seafood/fish product across the docks.
329		Regardless of species bait in quantities greater
330		than one ton that is loaded onto a vessel at Fish
331		Dock, shall be charged seafood wharfage.
332		
333	Freight NOS, Nonfish Cargo	\$14.50/per ton for cargo going over the
334		Fish Dock.
335		
336	Fish Waste Disposal Fees/Fish Grinder	\$5.00/Tub
337		\$30.00/Tote
338		
339	Fishing gear is free from wharfage, except as otherwise provided under a lease agreement,	
340	contract or operating agreement with the City of Homer, ice brought onto Fish Dock to be	
341	loaded into totes or transferred to boats at the dock, shall be charged wharfage at the Freight	
342	NOS rate, unless this is ice that was purchased from the City Ice Plant.	
343		
344	Minimum per hour charge for the cranes and cold storage inspection will be one quarter hour	
345	(fifteen minutes). All additional charges will be in one-quarter hour (fifteen minutes)	
346	increments.	
347		
348		

MARINE REPAIR FACILITY:

User fees and vendor fees to be collected for use of the Homer Marine Repair Facility are as follows:

- (1) Upland Dry Dockage use Fee per Month: \$ 0.17 per square foot/ for vessels paying annual moorage in Homer harbor \$0.20 per square foot for transient daily, monthly, semiannual moorage vessels
- (2) Administration Fee per month of Dry Dockage uplands usage: \$50.00
- (3) Beach Landing Fee per calendar day: \$1.50 per foot
- (4) Vendor Fee per calendar year: \$150.00
- (5) Harbor Labor Fee: \$102.00 per hour/\$51.00 minimum

PASSED AND ADOPTED by the Homer City Council this 24th day of October, 2016.

CITY OF HOMER

BRYAN ZAK, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

Fiscal Impact: To be determined.



Memorandum 16-084

TO: MAYOR BETH WYTHE & HOMER CITY COUNCIL
FROM: PORT & HARBOR ADVISORY COMMISSION
THROUGH: BRYAN HAWKINS, PORT DIRECTOR/HARBORMASTER
DATE: MAY 13, 2016
SUBJECT: NEW MOORAGE RATE STRUCTURE

Background

As you know, the Port and Harbor Advisory Commission and Port and Harbor staff has been hard at work since 2011 on the subject of harbor moorage rate increases and fee structure changes with the goal of making Homer Harbor's moorage rates sustainable and equitable. The commission's first goal of rate increases and sustainability was completed by amending the Terminal Tariff with Resolution 14-115, annually increasing moorage rates to be consistent with the Consumer Price Index, and Resolution 15-072, have moorage fees increased 3.2% per year for ten consecutive years, both taking effect January 1, 2016.

The secondary goal regarding equitability and the application of the fee structure to harbor users was first studied in 2014 and a square foot model was discussed, but after much input from large vessel owners that a square foot model was unfair, they ultimately decided against it. The commission then began looking into a graduated liner method for applying the rates to harbor users. Resolution 15-073 was adopted by City Council on August 15, 2015, allowing the Port and Harbor to contact with Northern Economics to assist the Port and Harbor Commission and staff in developing a graduated moorage rate structure, accompanied by a linear method version for comparison.

Northern Economics prepared a final study on January 12, 2016 and presented their findings to staff and the commission at their regular meeting on January 27, 2016. They recommended two rate structures and different approaches to applying each option. The first recommended alternative, Alternative A, was a progressive graduated rate structure with tiers set at a constant interval of 5 feet and a rate increase between tiers starting at 1.0 percent and decreasing to 0.1 percent with larger vessel sizes. The second recommended alternative, Alternative B, was a progressive continuous rate structure in which the annual moorage rate is calculated using the following equation:

$$\text{Permanent Moorage Rate} \left(\frac{\$}{\text{foot}} \right) = \frac{\$43.49 + (\$0.05 \times \text{foot}) \times \text{vessel length per foot}}{\text{foot}}$$

Two more discussions ~~and public hearings~~¹ were held on this topic and the commission came to a final consensus at their March 23, 2016 meeting and voted a unanimous yes to the following motion:

¹ Removed by Clerk Johnson 10/11/16

STOCKBURGER/DONICH MOVED TO ADOPT ALTERNATIVE B AT FIVE CENTS PER FOOT INCREASE AND CAP THE VESSEL SIZE AT 86 FEET.

As stated previously, the current Marina billing software cannot support a different billing method. This software is out of date and falling further and further behind in supplying our needs; Harbor Staff has been working on finding a replacement software program, so far realizing that there is not a program currently on the market that fits our needs and we will have to have a custom program made. Staff is still hoping to resolve this issue before the end of the year so a new rate structure can be implemented by January 1, 2017.

Recommendation

Approve Resolution 16-054 amending the City of Homer Fee Schedule and Resolution 16-055 amending the Port of Homer Terminal Tariff No. 600 to change from the standard per linear foot moorage rate structure to a graduated rate structure of \$0.05 increase per linear foot, based on the given equation, and cap the increases at the 86 foot vessel size. This new rate structure shall take effect January 1, 2017. An extension will be requested by Port and Harbor staff if there is a delay in implementing the new Marina billing software.

Attached: Resolution 14-115 Amending Terminal Tariff to Include Annual CPI Moorage Rate Increases
Resolution 15-072 Amending Terminal Tariff to Include 3.2% Moorage Rate Increases for 10 Years
Resolution 15-073 Approving the 3.2% Moorage Rate Increase & to Contract with Northern
Economics for a Harbor Rate Structure Study
Northern Economics Moorage Rate Structure Study dated January 12, 2016
Port & Harbor Advisory Commission Meeting Minutes dated March 23, 2016 Re: Pending Business –
Harbor Rates

**CITY OF HOMER
HOMER, ALASKA**

City Clerk

RESOLUTION 14-115

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
AMENDING THE PORT OF HOMER TERMINAL TARIFF NO. 600
MOORAGE RATES.

WHEREAS, Fees are reviewed annually during the budget cycle; and

WHEREAS, The Port and Harbor Advisory Commission discussed and recommended
that the harbor moorage rates should be increased to the Port of Homer Terminal Tariff No.
600, consistent with the Consumer Price Index.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby amends the Port of
Homer Terminal Tariff No. 600 as follows:

RULE: 34.18 - HARBOR MOORAGE RATES (A)

EFF: 01JAN2013

SUBSECTION 200

(a) CALCULATION OF MOORAGE RATES:

Mooring charges shall commence when a vessel is made fast to a wharf, pier, harbor
float or other facility, or when a vessel is moored to another vessel so berthed
(rafting). Charges shall continue until such vessel is completely free from and has
vacated the port and harbor facilities.

A vessel moored at any time between 12:01 A.M. and 10:00 A.M. shall be charged a full
day's moorage. The Harbormaster may, in his discretion and with proper and
appropriate advance notice, waive a daily rate for a vessel that will occupy mooring
space for a minimum time and, provided that the Harbormaster determines the use of
the public facilities by others will not be congested or adversely affected.

Mooring charges shall be calculated on the length of the vessel, or in the case of a
reserved stall, the length of the float stall assigned, whichever is greater.

Length shall be construed to mean the distance expressed in feet from the most
forward point at the stem to the aftermost part of the stern of the vessel, measured
parallel to the base line of the vessel. The length shall include all hull attachments
such as bowsprits, dinghies, davits, etc.

PORT AND HARBOR OF HOMER 4350 HOMER SPIT ROAD HOMER, ALASKA 99603 PHONE: 907.235.3160 TERMINAL TARIFF NO. 600	FMC NO. 600	PAGE	35
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(continued)

For billing purposes, when the actual length of the vessel is not immediately available, length of the vessel as published in "Lloyd's Register of Shipping" may be used. The City of Homer reserves the right to: (1) obtained the length from the vessel's register, or (2) measure the vessel.

All vessels in the harbor are subject to these rates, except properly registered seine skiffs or work skiffs attached to the mother vessel. Work skiff is defined as a boat that is usually carried on the deck or super structure of the mother vessel and is regularly used in the commercial enterprise of the mother vessel.

(b) ANNUAL MOORAGE FEE:

The annual moorage fee for reserved moorage and transient moorage privileges shall be ~~forty dollars and fifty cents~~ **forty-one dollars and seventy cents (\$40.50 \$41.70)** per lineal foot based on the overall length of the vessel (including all hull attachments such as bowsprits, davits, dinghies, swimsteps etc.) plus a fifty dollar (\$50.00) administration charge; or for a reserved stall, the length of the finger float stall assigned, or the overall length of the vessel, whichever is greater plus a fifty dollar (\$50.00) administration charge.

Any reproduction in the moorage fee due to a substituted or amended moorage agreement is not applied retroactively and the owner or operator is not entitled to a refund or a pro-rata adjustment of the moorage fees already due or paid. Any moorage agreement that expires will, after five days, automatically be charged a monthly rate retroactive to the expiration date. Unregistered vessels will also, after 5 days, automatically be charged a monthly rate retroactively to the date the vessel entered the harbor.

- (1) All reserved stall assignments are on an annual basis beginning October 1 and ending September 30 of the following year. Prepayment of a full year's moorage is due on or before October 1 of each year. Payment for reserved moorage will only be accepted from the individual assigned the reserved stall. The reserved stall payment shall be paid in full at the time the reserved stall/moorage agreement is executed to the satisfaction of the Harbormaster. Any other arrangements are at the discretion of the Harbormaster and must be

made in advance.

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PORT AND HARBOR OF HOMER 4350 HOMER SPIT ROAD HOMER, ALASKA 99603 PHONE: 907.235.3160 TERMINAL TARIFF NO. 600	FMC NO. 600	PAGE	36
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RULE: 34.18 - HARBOR MOORAGE RATES

(continued)

(2) A reserved stall assignment granted after October 1 will be charged a fee based on the number of months (including the month which it is granted regardless of the day of the month) left in the fiscal year ending September 30.

(c) A semiannual transient rate is available on a prepaid basis only for transient vessels mooring in the Small Boat Harbor for a period of six consecutive months. The transient semiannual rate is 67% of the annual rate. Vessels that do not renew will automatically be charged the monthly rate.

(d) The monthly transient rate will be 17% of the annual rate. Vessels that are properly registered and pay all moorage fees in advance may deduct fifty cents (\$.50) per foot per month.

(e) The daily transient rates are: 3% of the annual rate.
Vessels that properly register and pay all moorage fees in advance may deduct five dollars per day from the daily rate.


(f) FLOAT PLANE FEES:

With proper registration and specific permission from the Harbormaster, float planes may arrange for short-term moorage in the Small Boat Harbor. This is only allowed when ice and weather conditions prevent float planes from landing on Beluga Lake.

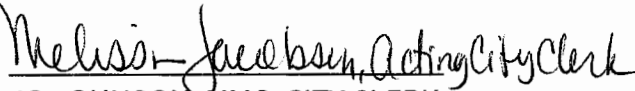
A fee in the amount equal to the daily rate for moorage of two (2) 24' vessels shall be assessed on a daily basis for float planes mooring within the confines of the Small Boat Harbor. A monthly rate in the amount equal to the monthly rate for two 24' vessels shall be assessed for float plane moorage for longer periods, and the moorage charge computed for a float plane's stay in the harbor shall be the lowest total charge resulting from the application of either the daily or the monthly rate indicated.

PASSED AND ADOPTED by the City Council of Homer, Alaska, this 8th day of
December, 2014.

CITY OF HOMER


MARY E. WYTHE, MAYOR

ATTEST:


JO JOHNSON, MMC, CITY CLERK

Fiscal Note: N/A

**CITY OF HOMER
HOMER, ALASKA**

Lewis/

Port and Harbor Advisory Commission

RESOLUTION 15-072

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
AMENDING THE PORT OF HOMER TERMINAL TARIFF NO. 600 AND
THE CITY OF HOMER FEE SCHEDULE ANNUAL MOORAGE RATES.

WHEREAS, City Council Resolution 06-100 resolves to establish a goal of gradually, over ten years, attaining a cash balance in depreciation reserve accounts equal to 40% of depreciable capital assets (excluding land); and

WHEREAS, In November 2012, the Homer City Council allocated \$20,000 for the purpose of a port and harbor fee and tariff rate study; and

WHEREAS, In May 2013 an RFP was issued requesting proposals from qualified firms to enter into a contract to conduct the study; and

WHEREAS, The contract was awarded to Northern Economics who completed the work in November 2013; and

WHEREAS, Northern Economics presented the report to the City Council in December, 2013 and forward the report to the Port and Harbor Commission with the direction to review and implement; and

WHEREAS, The Commission determined to focus on the harbor rates as its first priority of recommendations of the report; and

WHEREAS, Northern Economics recommended either a square foot method or a graduated linear foot method (the per foot moorage rate increases as vessels become longer) to achieve a fair and equitable distribution of moorage fees; and

WHEREAS, The Commission considered and rejected a square foot method to achieve the rate increase over a ten year period; and

WHEREAS, The Commission has selected the graduated linear foot method as its preferred alternative to achieve a fair and equitable rate distribution; and

WHEREAS, The Commission has determined it necessary to increase rates at 3.2% per year for the next ten years, plus the annual consumer price index (CPI) to achieve the financial goal; and

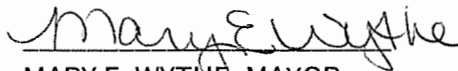
WHEREAS, The Commission held an open house on April 22 and a public hearing on June 24 to receive testimony.

NOW, THEREFORE, BE IT RESOLVED that the Homer City Council hereby amends the Port of Homer Terminal Tariff No. 600 and the City of Homer Fee Schedule for annual moorage fees to include a 3.2% moorage fee increase per year in addition to the annual CPI increase effective January 1, 2016 and;

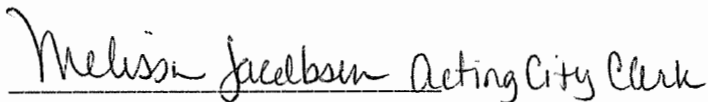
BE IT FURTHER RESOLVED that a graduated linear foot rate structure be developed, along with its implementation schedule in time for its use in assessing moorage rates effective January 1, 2017.

PASSED AND ADOPTED by the Homer City Council on this ^{24th} ~~10th~~ day of August, 2015.

CITY OF HOMER


MARY E. WYTHE, MAYOR

ATTEST:


JO JOHNSON, MMC, CITY CLERK

Fiscal Note: N/A

**CITY OF HOMER
HOMER, ALASKA**

Lewis/
Port and Harbor Director

RESOLUTION 15-073

A RESOLUTION OF THE HOMER CITY COUNCIL AWARDING A CONTRACT IN AN AMOUNT NOT TO EXCEED \$20,000 TO NORTHERN ECONOMICS TO PREPARE A GRADUATED RATE STRUCTURE, AND ALSO LINEAR RATE STRUCTURE FOR COMPARISON, AMENDING THE PORT OF HOMER TERMINAL TARIFF MOORAGE RATES TO INCORPORATE A 32% RATE INCREASE OVER TEN YEARS TO FUND THE PORT AND HARBOR RESERVES AS RECOMMENDED IN THE NORTHERN ECONOMICS NOVEMBER 2013 RATE STUDY; AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE APPROPRIATE DOCUMENTS.

WHEREAS, The Port and Harbor Advisory Commission held a worksession on April 8, 2014 to review and discuss the Port and Harbor Rate Study prepared by Northern Economics; and

WHEREAS, The Commission has addressed the Port and Harbor Rate Study at each of their regular meetings since then, considering a square foot methodology of assessing rates and also a straight linear method; and

WHEREAS, The Commission received input from large vessel owners that the square foot methodology put an unfair burden on their class of vessel; and

WHEREAS, The Commission brought forward a linear rate increase and received input from small vessel owners that supported considering a graduated methodology that would spread the cost more fairly among vessel classes; and

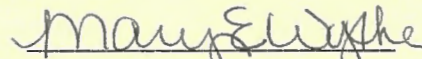
WHEREAS, Harbor staff suggested and the Commission agreed they have done as much as they can developing a rate structure that is perceived as fair and equitable and that Northern Economics has the experience to develop a graduated rate structure for the Commission to consider.

NOW, THEREFORE, BE IT RESOLVED that the Homer City Council hereby awards a contract in an amount not to exceed \$20,000 to Northern Economics to prepare a graduated rate structure, and also linear rate structure for comparison, amending the Port of Homer Terminal Tariff Moorage Rates to incorporate a 32% rate increase over ten years to fund the Port and Harbor Reserves as recommended in the Northern Economics November 2013 Rate Study and authorizing the City Manager to execute the appropriate documents.

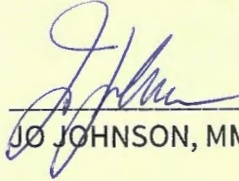
PASSED AND ADOPTED by the Homer City Council on this 10th day of August, 2015.



CITY OF HOMER


MARY E. WYTHE, MAYOR

ATTEST:


JO JOHNSON, MMC, CITY CLERK

Fiscal Note: \$20,000 funded under account 400.600

Memorandum

Date: January 12, 2016
To: Bryan Hawkins, Port Director, City of Homer
From: Northern Economics, Inc.
Re: Homer Harbor Rate Structure

This memo evaluates alternative rate structures for the Homer Harbor. Homer's current moorage rate structure is a flat fee charged per linear foot of vessel length or stall length, whichever is greater. The City of Homer is interested in investigating graduated rate structures in which the rate charged per foot would vary by vessel size. The purpose of this study is to provide an objective analysis of alternative rate structures and options for Homer Harbor.

Recommendations

Based on the findings of this rate structure analysis, Northern Economics makes the following recommendations to be considered by the Port and Harbor Commission.

Recommended alternatives

Northern Economics recommends two rate structure alternatives to be moved forward for further discussion and evaluation by the Port and Harbor Commission. The first recommended alternative, Alternative A, is a progressive graduated rate structure with tiers set at a constant interval of 5 feet and a rate increase between tiers starting at 1.0 percent and decreasing to 0.1 percent with larger vessel sizes. The second recommended alternative, Alternative B, is a progressive continuous rate structure in which the annual moorage rate is calculated using the following equation:

$$\text{Permanent Moorage Rate} \left(\frac{\$}{\text{foot}} \right) = \frac{\$43.19 + \frac{\$0.05}{\text{foot}} \times \text{vessel length (feet)}}{\text{foot}}$$

The recommended alternatives were selected from a list of five rate structure options that exemplify the most common trends found throughout the rate structures sampled for this study.

Two different approaches to applying the recommended alternatives have also been identified. The first approach is a rate structure that starts at a minimum vessel length of 6 feet and progresses consistently out to 200 feet, the maximum vessel length serviced by the harbor, similar to the current flat rate structure. The second approach is to place a cap on the rate structure for vessels that are too large to fit into a stall and instead must side tie to a transit raft. This second approach would result in a progressive rate for vessels up to 86 feet in length and a flat rate for larger vessels that are required to use a transient raft instead of a stall. The second approach is aimed at adjusting the rate structure for the different level of service provided to vessels that use a stall compared to vessels using the transient raft.

User group differentiation

Some of the harbors sampled in the rate structure review charge different rates based on the user type, typically differentiating between recreational and commercial users. The harbors that implemented different user-based rate structures typically catered strongly to a single user group, most commonly commercial fishing, unlike Homer's harbor which accommodates a variety of user groups. Reduced rates for commercial users are often subsidized by other local government departments through transfers and are used as a tool to increase sales tax revenues and job creation within the community or a specific industry. Northern Economics does not recommend that Homer adopt a user-based rate structure at this time since the harbor serves a diverse group of users and does not receive any financial benefits from the city for sales tax revenues its users generate.

Continue to offer discounts for longer reserved moorage

Homer Harbor currently offers discounts for yearly, semi-annual, and monthly billing cycles for reserved moorage. These discounts help to reduce administrative costs associated with billing and collecting reserved moorage fees and assist in managing cash flows within the harbor. Northern Economics recommends maintaining this practice under the selected rate structure.

Transition over multiple years

Northern Economics recommends transitioning to the selected rate structure over multiple years to mitigate steep increases in moorage rates that could potentially shock the market and negatively impact demand. Continued annual increases based on the change in the Anchorage Consumer Price Index (CPI), as well as the 3.2 percent annual increase established by Resolution 15-072, should also be factored into the transition plan. Due to the progressive nature of the recommended alternative rate structures, vessels with longer lengths may require a longer transition period than smaller vessels. Table 1 illustrates an example of a transition plan for the two recommended alternatives. This example uses the average annual increase in CPI between 2010 and 2014, 2.3 percent, as a proxy for future annual CPI-based rate adjustments. The columns for years 1 through 7 show the annual percentage increase in moorage rates during the example transition plans. The shaded cells indicate years in which an additional rate increase is added to the annual CPI and Resolution 15-072 rate adjustment to bring the current flat rate structure in line with the recommended alternatives.

Table 1. Example Transition Plan: Percent Increase in Moorage Rate by Year

Alternative	Vessel Length (ft)	% Change From Flat	Res. 15-072 Increase	Average Increase in CPI (%)	Moorage Rate Increase (%) by Year						
					1	2	3	4	5	6	7
Alternative A	18	1.0	3.2	2.3	6.5	5.5	5.5	5.5	5.5	5.5	5.5
	32	3.9	3.2	2.3	7.5	7.5	5.5	5.5	5.5	5.5	5.5
	54	7.5	3.2	2.3	8.0	8.0	8.0	5.5	5.5	5.5	5.5
	86	13.1	3.2	2.3	8.1	8.1	8.1	8.1	8.1	5.5	5.5
	112	16.4	3.2	2.3	8.2	8.2	8.2	8.2	8.2	8.2	5.5
Alternative B	18	1.4	3.2	2.3	6.9	5.5	5.5	5.5	5.5	5.5	5.5
	32	3.0	3.2	2.3	7.0	7.0	5.5	5.5	5.5	5.5	5.5
	54	5.5	3.2	2.3	7.3	7.3	7.3	5.5	5.5	5.5	5.5
	86	9.2	3.2	2.3	7.8	7.8	7.8	7.8	5.5	5.5	5.5
	112	12.2	3.2	2.3	7.9	7.9	7.9	7.9	7.9	5.5	5.5
Current Structure	18	-	3.2	2.3	5.5	5.5	5.5	5.5	5.5	5.5	5.5
	32	-	3.2	2.3	5.5	5.5	5.5	5.5	5.5	5.5	5.5
	54	-	3.2	2.3	5.5	5.5	5.5	5.5	5.5	5.5	5.5
	86	-	3.2	2.3	5.5	5.5	5.5	5.5	5.5	5.5	5.5
	112	-	3.2	2.3	5.5	5.5	5.5	5.5	5.5	5.5	5.5

Table 2 shows the annual moorage fees that would result from the transition plan illustrated in Table 1. The transition plan takes place over six years for Alternative A and five years for Alternative B with a maximum annual increase in annual moorage rates of 8.2 percent when the annual CPI-based adjustments and Resolution 15-072 annual increases are factored in.

Table 2. Example Transition Plan- Annual Moorage by Year

Alternative	Vessel Length (ft)	Annual Moorage Fee (\$) by Year							
		Current	1	2	3	4	5	6	7
Alternative A	18	782.82	833.70	879.56	927.93	978.97	1,032.81	1,089.62	1,149.55
	32	1,391.68	1,495.40	1,606.85	1,695.23	1,788.47	1,886.83	1,990.61	2,100.09
	54	2,348.46	2,536.63	2,739.87	2,959.41	3,122.17	3,293.89	3,475.06	3,666.18
	86	3,740.14	4,043.95	4,372.44	4,727.61	5,111.63	5,526.85	5,830.83	6,151.52
	112	4,870.88	5,271.95	5,706.05	6,175.89	6,684.42	7,234.82	7,830.54	8,261.22
Alternative B	18	782.82	836.68	882.69	931.24	982.46	1,036.49	1,093.50	1,153.64
	32	1,391.68	1,489.02	1,593.17	1,680.80	1,773.24	1,870.77	1,973.66	2,082.21
	54	2,348.46	2,520.83	2,705.84	2,904.44	3,064.18	3,232.71	3,410.51	3,598.09
	86	3,740.14	4,031.85	4,346.31	4,685.29	5,050.72	5,328.50	5,621.57	5,930.76
	112	4,870.88	5,257.50	5,674.80	6,125.23	6,611.41	7,136.18	7,528.67	7,942.75
Current Structure	18	782.82	825.88	871.30	919.22	969.78	1,023.11	1,079.39	1,138.75
	32	1,391.68	1,468.22	1,548.97	1,634.17	1,724.05	1,818.87	1,918.91	2,024.45
	54	2,348.46	2,477.63	2,613.89	2,757.66	2,909.33	3,069.34	3,238.16	3,416.26
	86	3,740.14	3,945.85	4,162.87	4,391.83	4,633.38	4,888.21	5,157.07	5,440.70
	112	4,870.88	5,138.78	5,421.41	5,719.59	6,034.17	6,366.05	6,716.18	7,085.57

Once a transition plan is developed, Northern Economics recommends publishing planned rate increases a few year in advance to allow vessel owners to plan ahead and make necessary adjustments to absorb the moorage rate increases.

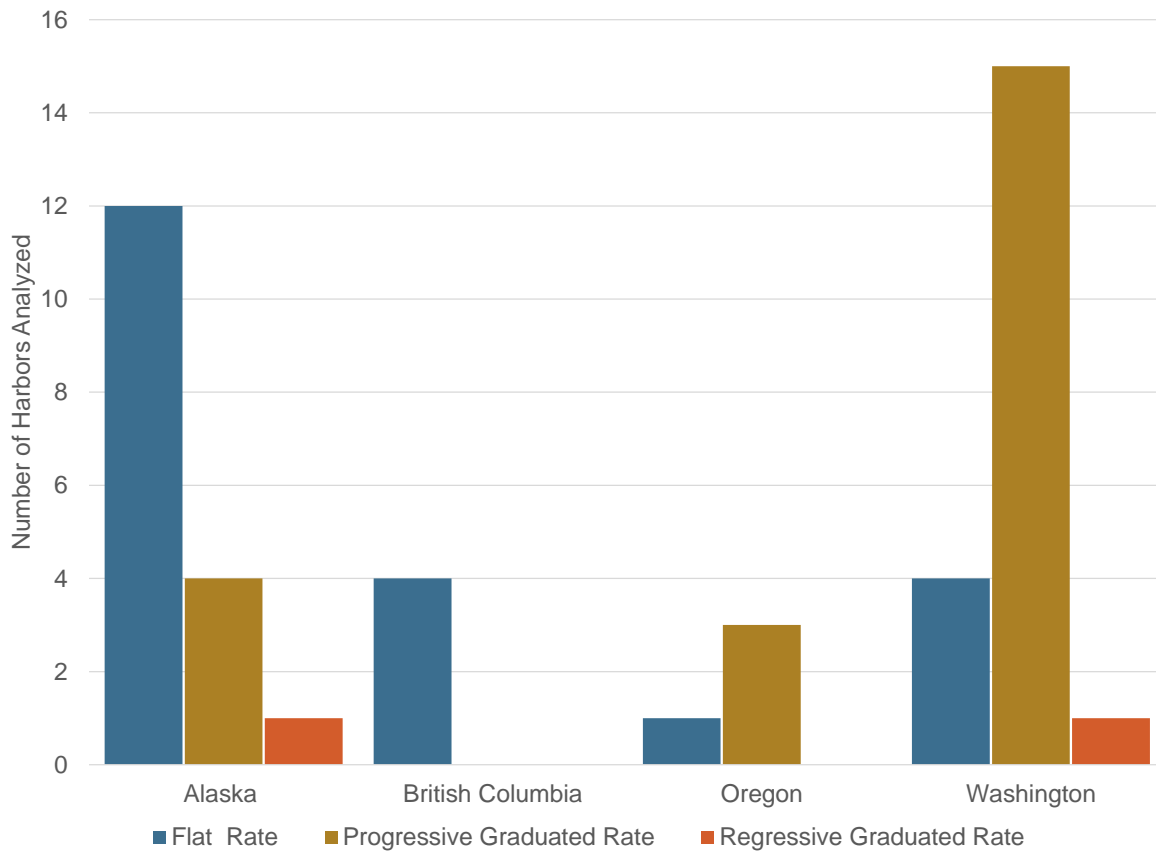
Rate Structure Review

Northern Economics analyzed the permanent moorage rate structures of 45 harbors across Alaska, British Columbia, Washington, and Oregon. Three distinct rate structures were identified within these harbors:

- **Flat Rate:** moorage rate per foot is constant, regardless of vessel or slip size.
- **Progressive Graduated Rates:** moorage rate per foot increases with the vessel or slip size.
- **Regressive Graduated Rates:** moorage rate per foot decreases with the vessel or slip size.

Of the 45 rate structures analyzed, 22 had flat rates and 23 had graduated rates. Of those with graduated rates, 21 were progressive and 2 were regressive. Figure 1 illustrates the distribution of the harbors analyzed by location and rate structure type. While flat rate structures are most common among Alaska harbors, both progressive and regressive rate structures are also being used in the state. Graduated rate structures are prevalent in Oregon and Washington.

Figure 1. Frequency of Rate Structure Types by Location



Source: websites and rate sheets collected from harbors

Table 3 lists the harbors analyzed in this study with the details about their graduated rate structures. These data were used as the basis for the five rate structure options and resulting recommended alternatives presented in this report.

Table 3. Graduated Rate Structures by Port

Port ^a	State	Graduation	Tier Size (ft)	Rate Change per Tier (%)	Transient Structure
Astoria	OR	Progressive	9	3-10	Graduated
Bainbridge	WA	Progressive	8	6-9	Graduated
Ballard Mill	WA	Progressive	2-8	6-9	Only offer Monthly
Bandon	OR	Progressive	various	\$0.01 ^b	Graduated
Bellingham	WA	Progressive	3-11	2-17	Graduated
Blaine	WA	Progressive	3-14	1-16	Flat Rate
Bremerton	WA	Progressive	4	2-9	Flat Rate
Dana Point	OR	Progressive	5	2-22	Flat Rate
Elliot Bay	WA	Progressive	2-10	2-9	Flat Rate
Everett	WA	Progressive	2-5	5-22	Permanent + Flat Fee
Fishermen's Terminal	WA	Progressive	10	1-9	Graduated
Friday Harbor	WA	Progressive	2-10	1-2	Graduated
Haines	AK	Progressive	40	\$6 ^c	Flat Rate
Kennewick	WA	Regressive	5-20	1-25	Flat Rate
Kodiak	AK	Progressive	20	7-20	1/60 of Annual
Olympia	WA	Progressive	8	4-13	Flat Rate
Petersburg	AK	Progressive	8-12	11-15	Flat Rate
Port Angeles	WA	Progressive	10	6-9	Graduated
Port Townsend	WA	Progressive	2-5	1-8	Flat Rate
Shilshole Bay	WA	Progressive	2-10	1-16	Graduated
Tacoma	WA	Progressive	2	various	Only offer Monthly
Thorne Bay	AK	Regressive	5-13	1-2	Graduated
Unalaska	AK	Progressive	10	7-23	Graduated

Notes:

^a Harbors with flat rate structures are not included in the table. These harbors included Brentwood Bay (BC), Chenega Bay, Comox (BC), Cordova, Dillingham, Grays Harbor (WA), Juneau, Kalama (WA), Ketchikan, Kingston (WA), Nanaimo (BC), Nome, Poulsbo (WA), Seward, Sitka, Skagway, Toledo (OR), Valdez, Whittier, and Wrangell.

^b Rate structure uses a \$0.01 increase between tiers instead of a consistent percent change between tiers

^c Rate structure uses a \$6 increase between tiers instead of a consistent percent change between tiers

Source: Websites and rate sheets collected from harbors.

Separate rate structures for transient and permanent moorage were common throughout the rate structures sampled, but the structure of transient moorage and premium over the permanent rate varied significantly between ports. In all cases, daily transient moorage rates were higher than the permanent moorage rates. Some harbors apply a separate graduated rate structure for transient moorage, but there were also a number of harbors that use a flat rate structure for transient moorage.

Rate Structure Options for Homer

Within graduated rate structures there are two main variables that can be manipulated to produce a customized rate structure. The first is the size and number of tiers within the graduated scale. These tiers can be set to a single uniform size or vary based on vessel size, slip size, or demand. Often tiers are matched with fleet or infrastructure characteristics, such as slip sizes, popular recreational vessels, or species-specific commercial fishing vessel lengths. The second variable is the extent of change

between tiers. The degree of change between tiers may be constant or vary across tiers. Often the rate change is proportional to the size of the tiers.

Based on the rate structure review, Northern Economics developed five rate structure options that illustrate the most common attributes found in the graduated rate structures sampled. These structure options illustrate how a graduated rate structure could be applied to Homer.

Option 1: A progressive graduated rate structure in which the tiers correspond to the slip sizes available in Homer Harbor. The rate increase for each tier ranges from 2 to 5 percent and increases at a decreasing rate.

Option 2: A progressive graduated rate structure with smaller tiers set at a constant interval of 5 feet. The rate increase for each tier ranges from 1.0 to 0.1 percent and increases at a decreasing rate.

Option 3: A progressive graduated rate structure with fewer tiers set at a constant interval of 20 feet. The rate increase for each tier ranges from 4 to 10 percent and increases at an increasing rate

Option 4: A regressive graduated rate structure with tiers set at a constant interval of 10 feet. The rate decrease for each tier ranges from 1 to 4 percent and decreases at an increasing rate.

Option 5: A progressive continuous rate structure in which the annual moorage rate is calculated using the following equation:

$$\text{Permanent Moorage Rate} \left(\frac{\$}{\text{foot}} \right) = \frac{\$43.19 + \frac{\$0.05}{\text{foot}} \times \text{vessel length (feet)}}{\text{foot}}$$

To narrow down the five options presented above, Northern Economics considered the pros and cons of each rate structure and how well each option could be adapted to fit Homer Harbor. Table 4 summarizes the pros and cons identified for each rate structure option.

Table 4. Rate Structure Options Pros and Cons

Rate Structure	Pros	Cons
Option #1	Tiers are directly tied to the infrastructure used (slip size)	Larger tiers and bigger rate jumps between tiers
Option #2	Smaller tiers and rate increases, facilitating a smoother transition between tiers	Incentivizes vessel owner to try to fit into the lowest tier possible
Option #3	Simple rate structure with few tiers	Large tiers and big rate jumps between tiers
Option #4	Reduces rates for larger vessels	Does not reflect the cost of accommodating larger vs. smaller vessels
Option #5	Logical and justifiable rates charged per foot of vessel length	Very detailed rate sheets needed for successful implementation

Tier Size

One of the main differentiating factors between the five rate structure options presented above is tier size. Option 3 has the largest tiers (20 feet), followed by Option 1 (corresponding with slip size, ranging from 2 to 25 feet) and Option 4 (10 foot). Option 2 has the smallest tier size (5 feet). Option 5 employs a continuous rate that effectively has a tier size of 1 foot.

Transitioning from a flat rate structure to a graduated rate structure that uses fewer but larger tiers may be seen as a drastic change and cause some dissention among customers whose vessels are close to the transition points between tiers. Larger rate increases between tiers may also be seen as biased towards smaller vessel sizes or a specific user group. For these reasons, Northern Economics recommends implementing a rate structure that uses smaller tier sizes.

Regressive vs Progressive

The majority of the graduated rate structures sampled are progressive, meaning that they employ an increasing rate change between tiers. Progressive rates reflect the logic that larger vessels requiring larger turning basins and exert more force on harbor infrastructure, resulting in decreased utilization of the harbor basin and more wear and tear on facilities than smaller vessels. Larger vessel owners are thus charged a higher rate per foot to account for the increased costs associated with infrastructure designed to accommodate their vessels.

Regressive graduated structures were the least common structure found within the sample. Regressive structures are often used at harbors that want to attract larger vessels to fill available capacity or attract commercial vessels that bring in additional revenue to local governments through other taxes or fees. Homer Harbor currently has a waiting list, attracts a diverse range of harbor users and vessels sizes, and does not receive a financial benefit from the City of Homer's tax revenues. For these reasons Northern Economics does not recommend a regressive rate structure for Homer Harbor.

Recommended Alternative Rate Structures for Homer

Based on the criteria discussed above, Northern Economics recommends Options 2 and 5 as potential alternative rate structures for Homer Harbor. Moving forward, Option 2, a progressive rate structure with smaller tiers and rate increases, will be referred to as Alternative A and Option 5, the continuous progressive rate structure, will be referred to as Alternative B.

Northern Economics developed rate tables for each alternative, shown in Table 5 and Table 6, using the 2016 flat rate of \$43.49 per foot as the starting point for each structure.

Table 5 contains the rate structure for Alternative A, a progressive graduated structure using consistent 5-foot tiers. The rate changes between tiers increases incrementally at a decreasing rate between 1.0 percent and 0.1 percent. Under Alternative A, annual moorage for a 30 foot vessel would be \$1,343.24, which is 53 percent more than the annual moorage for a 20 foot vessel. Compared to the 2016 flat rate structure, the annual moorage under alternative A for a 30 foot vessel would increase by just over 3 percent.

Table 5. Rate Table, Alternative A

Vessel Size	% Increase in Tier	Annual Rate (\$/foot)
0-15	-	43.49
16-20	1.00	43.92
21-25	0.98	44.35
26-30	0.95	44.77
31-35	0.93	45.19
36-40	0.90	45.60
41-45	0.88	45.99
46-50	0.85	46.39
51-55	0.83	46.77
56-60	0.80	47.14
61-65	0.78	47.51
66-70	0.75	47.86
71-75	0.73	48.21
76-80	0.70	48.55
81-85	0.68	48.88
86-90	0.65	49.19
91-95	0.63	49.50
96-100	0.60	49.80
101-105	0.58	50.08
106-110	0.55	50.36
111-115	0.53	50.62
116-120	0.50	50.88
121-125	0.48	51.12
126-130	0.45	51.35
131-135	0.42	51.57
136-140	0.40	51.77
141-145	0.37	51.97
146-150	0.35	52.15
151-155	0.32	52.32
156-160	0.30	52.48
161-165	0.27	52.62
166-170	0.25	52.75
171-175	0.22	52.87
176-180	0.20	52.98
181-185	0.17	53.07
186-190	0.15	53.15
191-195	0.12	53.22
196-200	0.10	53.27

Alternative B is a progressive continuous rate structure in which the annual moorage rate per foot increases consistently by \$0.05 per foot. The rate is calculated according to the formula:

$$\text{Permanent Moorage Rate} \left(\frac{\$}{\text{foot}} \right) = \frac{\$43.19 + \frac{\$0.05}{\text{foot}} \times \text{vessel length (feet)}}{\text{foot}}$$

Table 6 displays the calculated annual moorage rates under Alternative B. The rate increase per foot for this alternative was developed to mirror the rates presented in Alternative A.

Table 6. Rate Table, Alternative B

Vessel Length (ft)	Annual Rate (\$/ft)	Vessel Length (ft)	Annual Rate (\$/ft)	Vessel Length (ft)	Annual Rate (\$/ft)	Vessel Length (ft)	Annual Rate (\$/ft)	Vessel Length (ft)	Annual Rate (\$/ft)	Vessel Length (ft)	Annual Rate (\$/ft)
6	43.49	40	45.19	74	46.89	108	48.59	142	50.29	176	51.99
7	43.54	41	45.24	75	46.94	109	48.64	143	50.34	177	52.04
8	43.59	42	45.29	76	46.99	110	48.69	144	50.39	178	52.09
9	43.64	43	45.34	77	47.04	111	48.74	145	50.44	179	52.14
10	43.69	44	45.39	78	47.09	112	48.79	146	50.49	180	52.19
11	43.74	45	45.44	79	47.14	113	48.84	147	50.54	181	52.24
12	43.79	46	45.49	80	47.19	114	48.89	148	50.59	182	52.29
13	43.84	47	45.54	81	47.24	115	48.94	149	50.64	183	52.34
14	43.89	48	45.59	82	47.29	116	48.99	150	50.69	184	52.39
15	43.94	49	45.64	83	47.34	117	49.04	151	50.74	185	52.44
16	43.99	50	45.69	84	47.39	118	49.09	152	50.79	186	52.49
17	44.04	51	45.74	85	47.44	119	49.14	153	50.84	187	52.54
18	44.09	52	45.79	86	47.49	120	49.19	154	50.89	188	52.59
19	44.14	53	45.84	87	47.54	121	49.24	155	50.94	189	52.64
20	44.19	54	45.89	88	47.59	122	49.29	156	50.99	190	52.69
21	44.24	55	45.94	89	47.64	123	49.34	157	51.04	191	52.74
22	44.29	56	45.99	90	47.69	124	49.39	158	51.09	192	52.79
23	44.34	57	46.04	91	47.74	125	49.44	159	51.14	193	52.84
24	44.39	58	46.09	92	47.79	126	49.49	160	51.19	194	52.89
25	44.44	59	46.14	93	47.84	127	49.54	161	51.24	195	52.94
26	44.49	60	46.19	94	47.89	128	49.59	162	51.29	196	52.99
27	44.54	61	46.24	95	47.94	129	49.64	163	51.34	197	53.04
28	44.59	62	46.29	96	47.99	130	49.69	164	51.39	198	53.09
29	44.64	63	46.34	97	48.04	131	49.74	165	51.44	199	53.14
30	44.69	64	46.39	98	48.09	132	49.79	166	51.49	200	53.19
31	44.74	65	46.44	99	48.14	133	49.84	167	51.54		
32	44.79	66	46.49	100	48.19	134	49.89	168	51.59		
33	44.84	67	46.54	101	48.24	135	49.94	169	51.64		
34	44.89	68	46.59	102	48.29	136	49.99	170	51.69		
35	44.94	69	46.64	103	48.34	137	50.04	171	51.74		
36	44.99	70	46.69	104	48.39	138	50.09	172	51.79		
37	45.04	71	46.74	105	48.44	139	50.14	173	51.84		
38	45.09	72	46.79	106	48.49	140	50.19	174	51.89		
39	45.14	73	46.84	107	48.54	141	50.24	175	51.94		

Effect of Rate Structures on Moorage Fees Paid by Vessel Owners

To demonstrate the impact of the alternative rate structures on vessel owners, Table 7 shows the annual moorage payment (not including sales tax and the administrative fee) for vessels ranging from 18 to 80 feet in length under the alternative rate structures and the 2016 flat rate of \$43.49 per foot. The table also shows the percent change in moorage payments relative to the 2016 flat rate.

Table 7. Annual Moorage Revenue and Change by Alternative and Vessel Length

Rate Structure	Vessel Length (ft.)						
	18	24	32	42	54	68	80
Annual Moorage Payment (\$)							
Alternative A	790.65	1,064.48	1,446.04	1,931.76	2,525.47	3,254.74	3,883.86
Alternative B	793.62	1,065.36	1,433.28	1,902.18	2,478.06	3,168.12	3,775.20
2016 Flat Rate	782.82	1,043.76	1,391.68	1,826.58	2,348.46	2,957.32	3,479.20
Change From 2016 Flat Rate (%)							
Alternative A	1.0	2.0	3.9	5.8	7.5	10.1	11.6
Alternative B	1.4	2.1	3.0	4.1	5.5	7.1	8.5

Figure 2 compares the 2016 annual flat rate per foot with the two recommended alternative rate structures.

Figure 2. Comparison of Alternative Rate Structures by Vessel Length

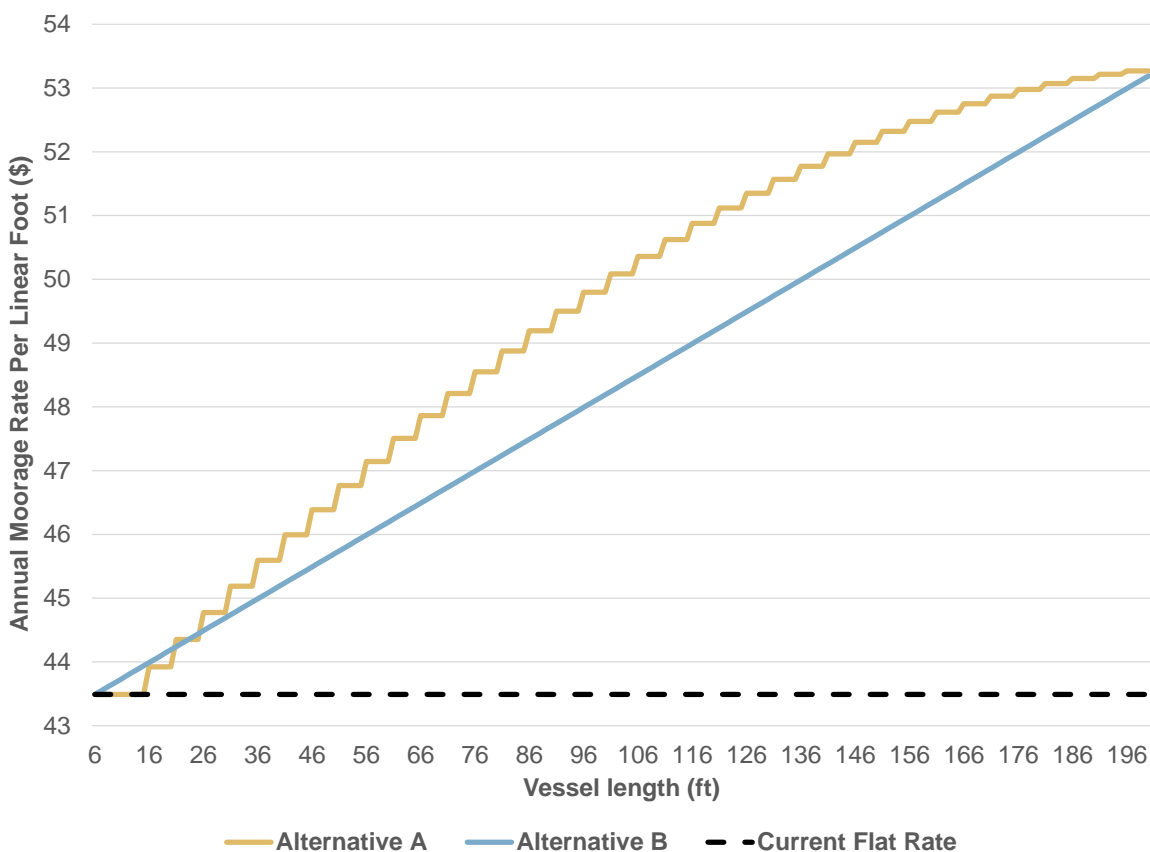
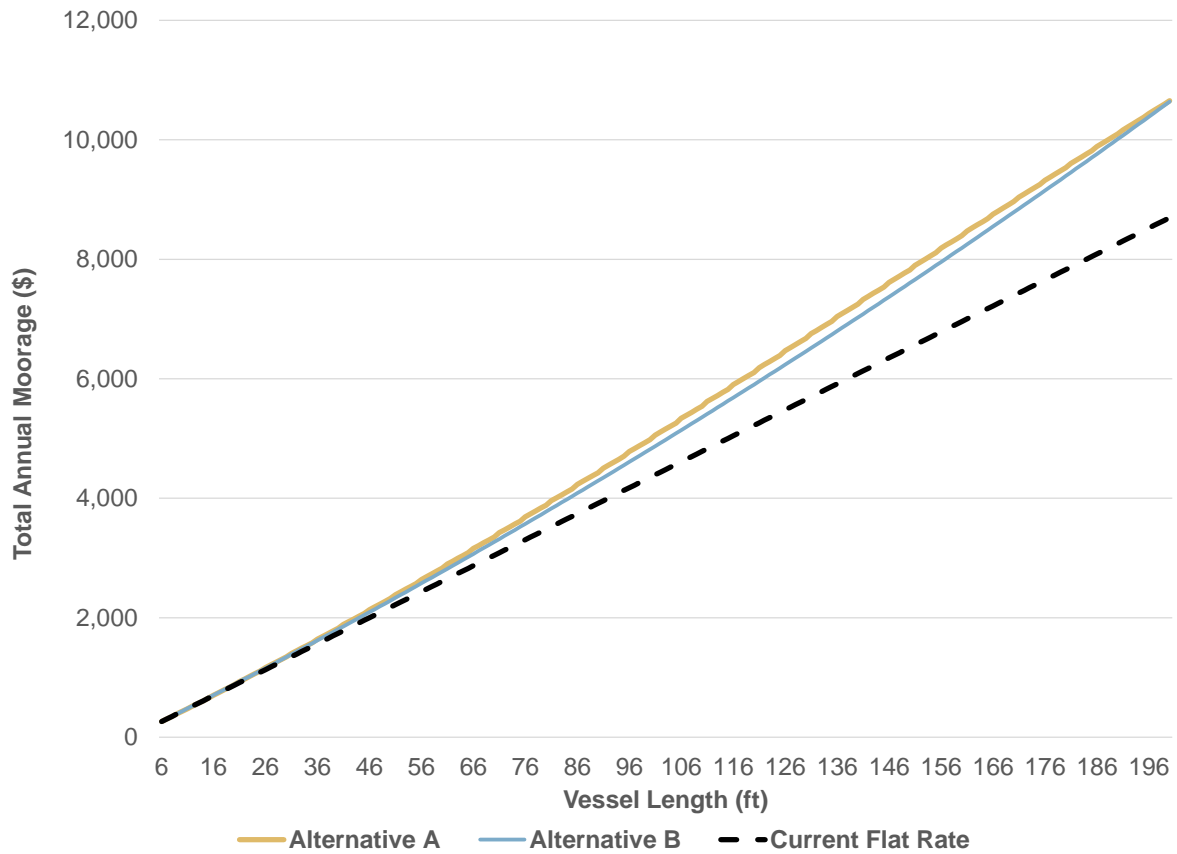


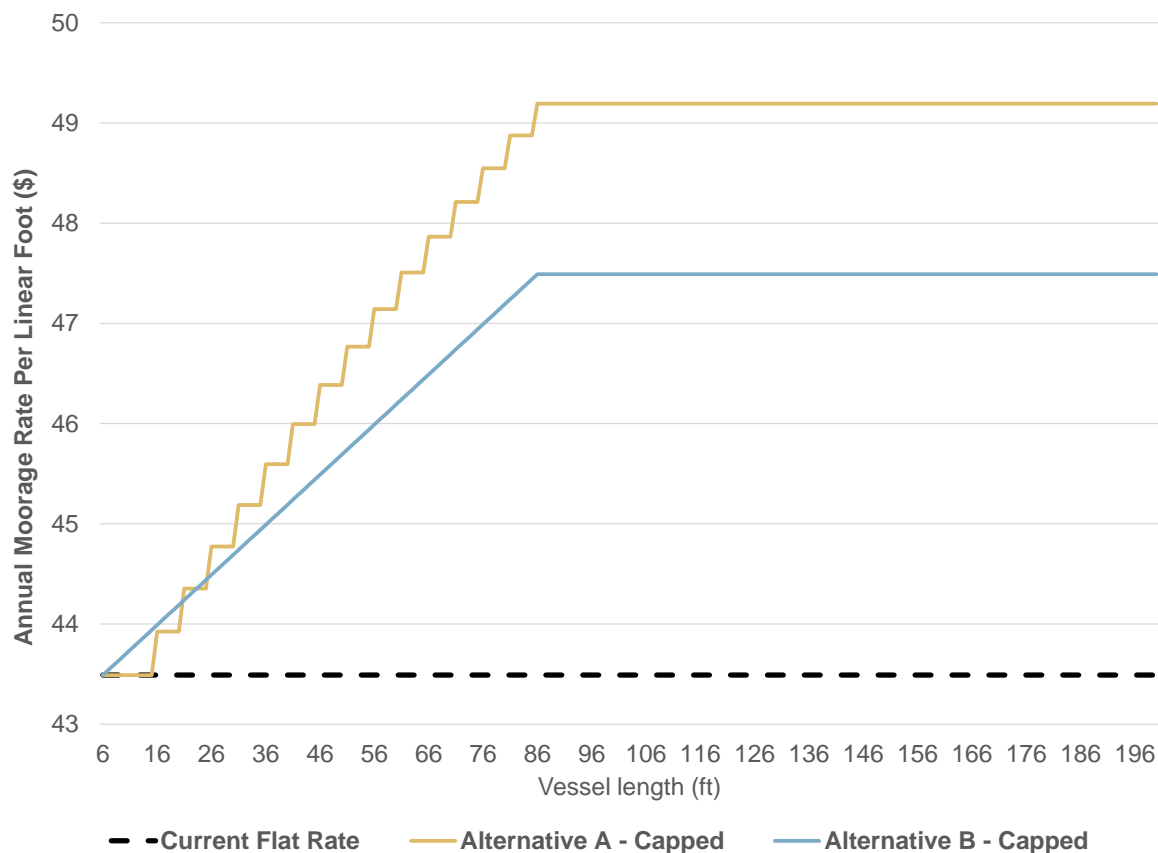
Figure 3 shows the total annual moorage by vessel length for the two recommended alternatives as well as the 2016 flat rate structure. Sales tax and administration fees are not included in the rates.

Figure 3. Comparison of Annual Moorage under Recommended Alternatives by Vessel Length



Homer Harbor has 883 stalls ranging from 18 feet to 75 feet and can accommodate vessels up to 86 feet in length. Vessels longer than 86 feet use the harbor by side tying to transit rafts. Due to the lower level of service offered to vessels at the transit rafts, one modification could be to add a cap on the annual rate for vessels over 86 feet in length. Figure 4 shows the two recommended alternatives with the rate cap.

Figure 4. Annual Moorage Rate under Recommended Alternatives with Cap



Differentiation by User Type

In addition to length-based rate structures, some harbors charge different rates based on the user type. Four harbors within the sample have class-based divisions, all of which are divided into recreational vessels and commercial vessels. Fishermen's Terminal in Seattle and Blaine Harbor in Bellingham each apply separate graduated rate structures for commercial and recreational vessels. In both cases, the monthly moorage rate per foot is significantly less, between 13 and 39 percent at Fishermen's Terminal and between 28 and 35 percent at Blaine Harbor for commercial vessels. The tiers used in the graduated rate structure for commercial vessels are also much larger than those used for recreational vessels. Commercial-specific rate structures are also set to accommodate larger vessels, with the first tiers ending at 80 feet under both rate structures.

The Port of Nanaimo and Comox Valley Harbor in British Columbia also charge separate moorage rates for commercial and recreational vessels. Both of these harbors use separate flat rate structures for each user type. Moorage for commercial vessels is 32 to 35 percent less than the moorage for recreational vessels at both of these harbors.

Table 8. Commercial Moorage Discounts by Harbor

Harbor	Rate Structure	Discount for Commercial Relative to Recreational (%)
Blaine	Graduated-Progressive	28-35
Comox	Flat Rate	34
Fishermen's Terminal	Graduated-Progressive	13-39
Nanaimo	Flat Rate	32-35

Source: Websites and rate sheets collected from harbors.

Both Fishermen's Terminal and Blaine Harbor require proof of active commercial fishing in order to qualify for the commercial rates. Fish tickets, landing permits, or fishing permits from the current or previous season are acceptable as proof of active commercial fishing. Both harbors emphasize that the vessel must be actively participating in commercial fishing activities and require that these documents be submitted every two years for long term tenants.

Blaine Harbor implemented a reduced rate structure for commercial vessels in 2011 in an effort to promote the local fishing and maritime trade community. Commercial users are subsidized through the Economic Development Fund. Blaine Harbor's goal in offering reduced commercial moorage is to attract vessels from other harbors, increase taxes paid to Whatcom County, and promote job creation within the community. After a review of its active commercial fishing rate structure in 2014, Blaine's Port Commission approved a two percent increase in commercial rates starting in 2017 in an attempt to reduce the amount of subsidy provided by the Economic Development Fund.

Fishermen's Terminal has a long history of supporting the commercial fishing industry, and for its first 88 years in operation this facility was exclusively for commercial fishing vessels. Fishermen's Terminal is part of the larger Port of Seattle system, which includes Sea-Tac Airport, cargo terminals, cruise ship terminals, Bell Harbor Marina, and Shilshole Bay Marina. The facilities within this port system are focused on specific user groups and Fishermen's Terminal, as the name suggests, caters primarily to commercial fishermen. The reduced rate structure for active commercial vessels, like Blaine Harbor, was implemented to encourage commercial fishing activities within the community. Fishermen's Terminal does not operate as an enterprise and is not expected to break even, but instead is used as an economic driver that results in increased revenues through other tax structures in King County. While this program is not directly subsidized, the Port of Seattle receives a portion of the revenues collected through King County property taxes and the Port Authority then distributes a portion of the transferred revenues to Fishermen's Terminal.

In the case of both Blaine Harbor and Fishermen's Terminal, user-specific rate structures are used as an economic stimulant with the goal of generating additional revenues through other local tax structures. Subsidies or transfers from local governments allow for the ports implementing these rate structures to be compensated for the increased economic activity they are encouraging.

Annual Moorage Rates Comparison								
								rev 3/12/2015
RESERVED MOORAGE Based on Homer Harbor Stall Sizes*								
Harbor	Rate Formula	20'	24'	32'	40'	50'	60'	75'
Homer	\$41.70 x length + fee	\$884.00	\$1,050.80	\$1,384.40	\$1,718.00	\$2,135.00	\$2,552.00	\$3,177.50
Kodiak	0-40 ft: \$30.00 x length	\$600.00	\$720.00	\$960.00	\$1,200.00	\$2,050.00	\$2,460.00	\$4,575.00
	40-60 ft: \$41.00 x length							
	61-80 ft: \$61.00 x length							
	81-100 ft: \$71.50 x length							
Seward	\$47.47 x length + fee	\$1,009.40	\$1,259.28	\$1,639.04	\$2,018.80	\$2,553.50	\$3,028.20	\$3,740.25
Valdez	\$34.46 x length	\$689.20	\$827.04	\$1,102.72	\$1,288.80	\$1,378.40	\$2,067.60	\$2,584.50
	Tour Boats: \$69.46 x length	-	-	-	-	-	\$4,167.60	\$5,209.50
Whittier	\$64.20 x length	\$1,284.00	\$1,540.80	\$2,054.40	\$2,568.00	\$3,210.00	\$3,852.00	\$4,815.00
TRANSIENT MOORAGE Based on Varied Boat Sizes								
Harbor	Rate Formula	18'	24'	32'	45'	58'	70'	85'
Homer	\$41.70 x length + admin fee	\$800.60	\$1,050.80	\$1,384.40	\$1,926.50	\$2,468.60	\$2,969.00	\$3,594.50
Kodiak	0-40 ft: \$30.00 x length	\$540.00	\$720.00	\$960.00	\$1,845.00	\$2,378.00	\$4,270.00	\$6,077.50
	40-60 ft: \$41.00 x length							
	61-80 ft: \$61.00 x length							
	81-100 ft: \$71.50 x length							
Seward	\$52.23 x length + fee	\$1,000.14	\$1,373.52	\$1,791.36	\$2,530.35	\$3,209.34	\$3,836.10	\$4,679.55
Valdez	\$39.63 x length	\$713.34	\$951.12	\$1,268.16	\$1,482.40	\$1,783.35	\$2,774.10	\$3,368.55
Whittier	\$64.20 x length***	\$1,155.60	\$1,540.80	\$2,054.40	\$2,889.00	\$3,723.60	\$4,494.00	\$5,457.00
* Not all harbor have stalls that are comparable. Because of this, costs are estimated on how much it would be if that size of vessel moored in a Homer slip at a different harbor's rate. This ensures accurate comparisons.								
**Kodiak's rates are based on a Graduated Linear Method								
***At this time, no annual transient passes are being given in Whittier								

Daily moorage rates by vessel length (dollars per foot)									
26'		36'		44'		56'		60'	
Skagway	\$0.35	Skagway	\$0.35	Skagway	\$0.35	Skagway	\$0.35	Skagway	\$0.35
Wrangell (Prepaid)	\$0.40	Wrangell (Prepaid)	\$0.40	Wrangell (Prepaid)	\$0.40	Wrangell (Prepaid)	\$0.40	Wrangell (Prepaid)	\$0.40
Hoonah	\$0.50	Hoonah	\$0.50	Hoonah	\$0.50	Hoonah	\$0.50	Hoonah	\$0.50
Kodiak	\$0.50	Kodiak	\$0.50	Craig	\$0.50	Craig	\$0.50	Craig	\$0.50
Craig	\$0.50	Craig	\$0.50	Haines	\$0.50	Haines	\$0.50	Haines	\$0.50
Haines	\$0.50	Haines	\$0.50	Petersburg	\$0.50	Petersburg	\$0.50	Petersburg	\$0.50
Petersburg	\$0.50	Petersburg	\$0.50	Bellingham (Nov-Mar)	\$0.50	Bellingham (Nov-Mar)	\$0.50	Bellingham (Nov-Mar)	\$0.50
Bellingham (Nov-Mar)	\$0.50	Bellingham (Nov-Mar)	\$0.50	Juneau	\$0.54	Juneau	\$0.54	Juneau	\$0.54
Juneau	\$0.54	Juneau	\$0.54	Juneau- Auke Bay	\$0.54	Juneau- Auke Bay	\$0.54	Juneau- Auke Bay	\$0.54
Juneau- Auke Bay	\$0.54	Juneau- Auke Bay	\$0.54	Seattle (Active C. Fishing)	\$0.62	Seattle (Active C. Fishing)	\$0.62	Seattle (Active C. Fishing)	\$0.62
Seattle (Active C. Fishing)	\$0.62	Seattle (Active C. Fishing)	\$0.62	Seward (Tenant)	\$0.64	Seward (Tenant)	\$0.64	Seward (Tenant)	\$0.64
Seward (Tenant)	\$0.64	Seward (Tenant)	\$0.64	Ketchikan	\$0.68	Ketchikan	\$0.68	Ketchikan	\$0.68
Ketchikan	\$0.68	Ketchikan	\$0.68	Kodiak	\$0.69	Kodiak	\$0.69	Kodiak	\$0.69
Seward (Transient)	\$0.70	Seward (Transient)	\$0.70	Seward (Transient)	\$0.70	Seward (Transient)	\$0.70	Seward (Transient)	\$0.70
Bellingham (Apr-Oct)	\$0.75	Bellingham (Apr-Oct)	\$0.75	Bellingham (Apr-Oct)	\$0.75	Bellingham (Apr-Oct)	\$0.75	Bellingham (Apr-Oct)	\$0.75
Wrangell (Invoiced)	\$0.80	Wrangell (Invoiced)	\$0.80	Wrangell (Invoiced)	\$0.80	Wrangell (Invoiced)	\$0.80	Wrangell (Invoiced)	\$0.80
Seattle (Recreational)	\$0.80	Seattle (Recreational)	\$0.80	Seattle (Recreational)	\$0.80	Seattle (Recreational)	\$0.80	Seattle (Recreational)	\$0.80
Sitka	\$0.87	Sitka	\$0.87	Sitka	\$0.87	Sitka	\$0.87	Sitka	\$0.87
Homer	\$1.22	Homer	\$1.22	Homer	\$1.22	Homer	\$1.22	Homer	\$1.22
NOTES:									
* Bold = multiple daily rate categories									
*Whittier not included due to lack of daily rate data available									

Monthly moorage rates by vessel length (dollars per foot)									
26'		36'		44'		56'		60'	
Wrangell Summer Floats	\$0.65	Wrangell Summer Floats	\$0.65	Wrangell Summer Floats	\$0.65	Wrangell Summer Floats	\$0.65	Wrangell Summer Floats	\$0.65
Hoonah	\$2.77	Hoonah	\$2.50	Hoonah	\$2.73	Hoonah	\$2.58	Hoonah	\$3.09
Wrangell	\$3.50	Wrangell	\$3.50	Wrangell	\$3.50	Wrangell	\$3.50	Wrangell	\$3.50
Skagway	\$3.50	Skagway	\$3.50	Skagway	\$3.50	Skagway	\$3.50	Skagway	\$3.50
Craig	\$4.00	Craig	\$4.00	Craig	\$4.00	Craig	\$4.00	Craig	\$4.00
Juneau	\$4.20	Juneau	\$4.20	Juneau	\$4.20	Juneau	\$4.20	Juneau	\$4.20
Haines	\$5.00	Haines	\$5.00	Haines	\$5.00	Haines	\$5.00	Haines	\$5.00
Bellingham (Active C. Fish)	\$5.90	Seattle (Active C. Fishing)	\$5.83	Seattle (Active C. Fishing)	\$5.83	Seattle (Active C. Fishing)	\$5.83	Seattle (Active C. Fishing)	\$5.83
Petersburg	\$6.00	Bellingham (Active C. Fish)	\$5.90	Bellingham (Active C. Fish)	\$5.90	Bellingham (Active C. Fish)	\$5.90	Bellingham (Active C. Fish)	\$5.90
Homer	\$6.39	Petersburg	\$6.00	Petersburg	\$6.00	Petersburg	\$6.00	Petersburg	\$6.00
Bellingham (Recreational)	\$6.92	Homer	\$6.39	Homer	\$6.39	Homer	\$6.39	Homer	\$6.39
Juneau- Auke Bay	\$7.05	Juneau- Auke Bay	\$7.05	Juneau- Auke Bay	\$7.05	Juneau- Auke Bay	\$7.05	Juneau- Auke Bay	\$7.05
Ketchikan	\$7.10	Ketchikan	\$7.10	Ketchikan	\$7.10	Ketchikan	\$7.10	Ketchikan	\$7.10
Seward (Reserved)	\$8.55	Bellingham (Recreational)	\$7.13	Bellingham (Recreational)	\$7.56	Seattle (Commercial)	\$7.82	Seattle (Commercial)	\$7.82
Seattle (Recreational)	\$8.81	Seattle (Commercial)	\$7.82	Seattle (Commercial)	\$7.82	Bellingham (Recreational)	\$7.86	Seward (Reserved)	\$8.55
Seward (Transient)	\$9.40	Seward (Reserved)	\$8.55	Seward (Reserved)	\$8.55	Seward (Reserved)	\$8.55	Bellingham (Recreational)	\$9.16
Sitka	\$14.94	Seattle (Recreational)	\$8.94	Seward (Transient)	\$9.40	Seward (Transient)	\$9.40	Seward (Transient)	\$9.40
Seattle (Active C. Fishing)	min. 30'	Seward (Transient)	\$9.40	Seattle (Recreational)	\$9.73	Seattle (Recreational)	\$9.76	Seattle (Recreational)	\$9.76
Seattle (Commercial)	min. 30'	Sitka	\$14.94	Sitka	\$14.94	Sitka	\$14.94	Sitka	\$14.94
NOTES:									
* Bold = multiple monthly rate categories									

*Whittier and Kodiak not included due to lack of **monthly** rate data available

*Hoonah **monthly** rates based on stall length. For this comparison, the most appropriate stall size for the vessels above was chosen, and that monthly rate was divided by the length of the vessel for \$ per foot.

Annual moorage rates by vessel length (dollars per foot)

26'		36'		44'		56'		60'	
Skagway	\$13.00	Skagway	\$13.00	Skagway	\$13.00	Skagway	\$13.00	Skagway	\$13.00
Craig	\$15.75	Craig	\$15.75	Craig	\$15.75	Craig	\$15.75	Craig	\$15.75
Haines	\$20.00	Haines	\$20.00	Hoonah	\$24.00	Hoonah	\$24.00	Hoonah	\$24.00
Hoonah	\$24.00	Hoonah	\$24.00	Wrangell	\$25.00	Wrangell	\$25.00	Wrangell	\$25.00
Wrangell	\$25.00	Wrangell	\$25.00	Haines	\$26.00	Haines	\$26.00	Haines	\$26.00
Ketchikan (Inside City)	\$26.30	Ketchikan (Inside City)	\$26.30	Ketchikan (Inside City)	\$26.30	Ketchikan (Inside City)	\$26.30	Ketchikan (Inside City)	\$26.30
Kodiak	\$30.00	Kodiak	\$30.00	Ketchikan (Outside City)	\$31.58	Ketchikan (Outside City)	\$31.58	Ketchikan (Outside City)	\$31.58
Ketchikan (Outside City)	\$31.58	Ketchikan (Outside City)	\$31.58	Sitka	\$33.60	Sitka	\$33.60	Sitka	\$33.60
Sitka	\$33.60	Sitka	\$33.60	Petersburg	\$38.00	Homer	\$40.50	Homer	\$40.50
Petersburg	\$34.00	Petersburg	\$34.00	Homer	\$40.50	Kodiak	\$41.00	Kodiak	\$41.00
Homer	\$40.50	Homer	\$40.50	Kodiak	\$41.00	Petersburg	\$44.00	Petersburg	\$44.00
Seward (Tenant)	\$47.47	Seward (Tenant)	\$47.47	Seward (Tenant)	\$47.47	Seward (Tenant)	\$47.47	Seward (Tenant)	\$47.47
Juneau	\$47.88	Juneau	\$47.88	Juneau	\$47.88	Juneau	\$47.88	Juneau	\$47.88
Seward (Transient)	\$52.23	Seward (Transient)	\$52.23	Seward (Transient)	\$52.23	Seward (Transient)	\$52.23	Seward (Transient)	\$52.23
Bellingham (Active C. Fish)	\$69.03	Bellingham (Active C. Fish)	\$69.03	Bellingham (Active C. Fish)	\$69.03	Bellingham (Active C. Fish)	\$69.03	Bellingham (Active C. Fish)	\$69.03
Juneau- Auke Bay	\$80.37	Seattle (Active C. Fishing)	\$69.96	Seattle (Active C. Fishing)	\$69.96	Seattle (Active C. Fishing)	\$69.96	Seattle (Active C. Fishing)	\$69.96
Bellingham (Recreational)	\$80.97	Juneau- Auke Bay	\$80.37	Juneau- Auke Bay	\$80.37	Juneau- Auke Bay	\$80.37	Juneau- Auke Bay	\$80.37
Seattle (Recreational)	\$105.72	Bellingham (Recreational)	\$83.43	Bellingham (Recreational)	\$88.46	Bellingham (Recreational)	\$91.97	Seattle (Commercial)	\$93.84
Seattle (Active C. Fishing)	<i>min. 30'</i>	Seattle (Commercial)	\$93.84	Seattle (Commercial)	\$93.84	Seattle (Commercial)	\$93.84	Bellingham (Recreational)	\$107.18
Seattle (Commercial)	<i>min. 30'</i>	Seattle (Recreational)	\$107.28	Seattle (Recreational)	\$116.76	Seattle (Recreational)	\$117.12	Seattle (Recreational)	\$117.12

NOTES:

***Bold** = multiple **annual** rate categories

*Whittier not included due to lack of **annual** rate data available

- Opportunities- Project based cargo, marine maintenance and repair hub, tug/support vessel base, small scale regional freight distribution, winter moorage services
 - Threats- Anchorage based distribution center cost savings, Kenai/Nikiski based project docks and services, community perspective-unfriendly to industry, competing with Seward for marine services
- Summary of interviews to date
 - Big carriers aren't interested (no benefit)
 - Retailers like it (could save money)
 - At least two smaller carriers may be interested
 - Besides container cargo there is a market for marine support (moorage maintenance, etc.)
- Infrastructure improvements
 - New trestle, new buoys, berth 2 fenders, uplands yard fencing and security, barge berth alternatives, dock extension and mobile crane alternatives
- Where do we go from here
 - Development options will be outlined in Phase 2
 - Economics point to the need for an anchor tenant

STAFF & COUNCIL REPORT/COMMITTEE REPORTS/ BOROUGH REPORTS

A. Port and Harbor Director's Report for March 2016

Harbormaster Hawkins reviewed his staff report.

PUBLIC HEARING

PENDING BUSINESS

A. Harbor Rates

- i. Memo to Port & Harbor Commission from Port Director Re: Northern Economics Rate Study & Presentation dated 1/20/2016, and Rate Comparison Attachments
- ii. 2016 Northern Economics Rate Study
- iii. 2016 Presentation of Northern Economics Rate Study

The Commission reviewed alternatives A and B in the January 2016 draft schedule from Northern Economics. They acknowledged that there isn't a lot of difference in the alternatives and noted on alternative B the difference between a 75 foot boat and a 20 foot boat is about \$400 per year. They also touched on ideas of the economic benefit of small boats versus large boats and that ultimately, all sizes bring an economic benefit to the harbor and the city.

STOCKBURGER/DONICH MOVED TO ADOPT ALTERNATIVE B AT FIVE CENTS PER FOOT INCREASE AND CAP THE VESSEL SIZE AT 86 FEET.

Commissioner Stockburger commented that the argument is over the idea of perception. He leans toward alternative B because it goes by the foot, similar to the straight rate with a slight increase as boats get longer. Capping it at 86 feet recognizes the big boats in the harbor that are paying big bucks and are rafted out, but have no chance of getting a berth.

Commissioner Hartley agrees and thinks this will allow for flexibility when we build the new harbor.

Commissioner Carroll still agrees with a straight linear rate, its one harbor and everyone should pay the same.

Commissioner Stockburger added that we have a small boat harbor with some big boats in it and it's been hard to find a number that will work with all the vessel sizes. When we have a new harbor this formula can be used, possibly with a different number, when considering moorage and costs for the new harbor.

Commissioner Zimmerman clarified that this will be going up five cents per foot yearly along with the 3.2% plus the CPI that has already been adopted.

VOTE: YES: DONICH, ZIMMERMAN, ULMER, CARROLL, HARTLEY, STOCKBURGER

Motion carried.

B. Head Tax for Passenger Vessels

Harbormaster Hawkins reviewed that the enterprise budget is currently based on moorage. Seeing trends that business is increasing because this is a great place to recreate results in some forward thinking to implement a way to collect something from other user groups to help offset operations costs and spread the burden among a wider community.

Commissioner Zimmerman commented that after listening to the comments last meeting about the additional paperwork that would be included with a head tax, he's now thinking it targets a user group more than it should. He thinks it might be better to find something that's already in place and work to modify it.

Commissioner Donich said at the Homer Charter Association meeting a suggestion was brought up to have the spit designated as a separate district and collect an additional half a percent or so of sales tax to go to the enterprise fund. That would really broaden the reach and everyone who uses the spit would put in to the fund.

Chair Ulmer said she would rather see a toll bridge. She recently heard Cruise Construction cut spending in Homer because of the 7.5%. People can get what they want in Anchorage and ship it down. The tax on this end of the peninsula is driving people away.

Commissioner Stockburger agrees that some kind of service area tax for the spit, not a property tax but a sales tax. He doesn't think 7.5% is keeping people from coming to Homer. If a company has a job here they will come, but comparing the cost of gas to drive to Anchorage is more than \$37.50, which is the sales tax cap.

STOCKBURGER/HARTLEY MOVED TO EXPLORE THE POSSIBILITY OF USING A SERVICE AREA SALES TAX AS A MEANS OF COLLECTING FUNDS AS A MEANS TO COLLECT FROM OTHER USERS IN THE SERVICE AREA.



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Memorandum 16-101

TO: MAYOR BETH WYTHE & HOMER CITY COUNCIL

FROM: BRYAN HAWKINS, PORT DIRECTOR/HARBORMASTER

DATE: JUNE 7, 2016

SUBJECT: HISTORY OF PORT & HARBOR MOORAGE RATE INCREASE & RATE STRUCTURE WORK

At their last regular meeting on May 23, 2016, City Council postponed Resolution 16-054, amending the Port and Harbor fee schedule to change the moorage rate structure to a graduated method, and 16-055, amending the Terminal Tariff, failed due to lack of a motion. The Port and Harbor Advisory Commission voiced their disappointment at their last meeting on May 25, 2016 and agreed that it was necessary for the group to meet with the Council at their next worksession to present their findings regarding the rate structure issue.

The original motion made by the Port and Harbor Advisory Commission was to adopt Alternative B (per Northern Economics' 2016 Rate Structure Study) at five cents per foot increase and cap the vessel size at 86 feet, and calculate the moorage using the following equation:

$$\text{Permanent Moorage Rate} \left(\frac{\$}{\text{foot}} \right) = \frac{\$43.49 + (\$0.05 \times \text{foot}) \times \text{vessel length per foot}}{\text{foot}}$$

To express to the Council the large amount of work that the Port and Harbor Advisory Commission and City staff has put into the moorage rate increase and structure issues, Port and Harbor staff has compiled a chronological history of all the commission's meetings, public hearings conducted, and resolutions passed by City Council that are directly related to rates since 2010 when this work began. The list includes PHC meetings where the topic was discussed, a summary of the commission's discussion at that meeting, the motions made, public comments taken, the worksessions conducted, and adopted resolutions by City Council.

Additionally, two rate studies have been conducted by Northern Economics. The 2013 study, titled Port and Harbor Rate Fee Structure and the Economic Impact of Mooring a MODU (Mobile Offshore Drilling Unit) at the Port of Homer's Deep Water Dock, totaled \$9,628.48 in costs. The 2016 study, focusing on a Graduated Linear Method with Linear Method Comparison to Incorporate a 32% Rate Increase over 10 Years to Fund Port and Harbor Reserves, cost \$15,300. Overall expenditures from Northern Economics have been \$24,928.48 for their assistance in helping the City create a fair and equitable rate structure and a plan on how to implement the increases over time.

Recommendation

Informational Purposes

Attached: Memo 16-084 to Homer City Council from Bryan Hawkins, Port Director/Harbormaster Re: History of New Moorage Rate Structure dated June 1, 2016

Chronological History of Staff & the Port & Harbor Advisory Commission's Work

PHC Regular Meeting, NOVEMBER 17, 2010 – Memorandum from Port & Harbor Advisory Commission to City Council Re: 2011 Preliminary Budget and Proposed 3% Rate Increase: Discussed concerns over credit cards fees and looking for options to find additional revenue.

PHC Regular Meeting, APRIL 27, 2011 – Memo to Port and Harbor Advisory Commission from Port Director Re: Proposed Port of Homer Projects for Bond Funding dated April 7, 2011: Proposed Port of Homer Projects for Bond Funding and expressing goals to reinvest funds into the harbor to keep it supporting itself; not enough money is going into the harbor reserves even with the 3% increase done in 2010.

RESOLUTION 11-060: Establishing a Committee to Develop a Port and Harbor Improvement Revenue Bonding Plan and Provide Committee Review and Oversight Throughout the Implementation and Completion of any Approved Plan; adopted June 13, 2011.

PHC Regular Meeting, OCTOBER 26, 2011 – Port and Harbor Improvement Committee Report: Overview of presentation that was given to City Council regarding chosen CIP projects, plus the new harbor office, and further discussion of establishing a bond. Additional discussion ensued regarding pro/cons of raising rates, services the harbor staff offers, and concerns on how fees are applied.

PHC Special Meeting, NOVEMBER 9, 2011 – Port and Harbor Improvement Committee Project Ranking and Bonding Process: Further discussion regarding the bonding process and the improvements that should be included.

RESOLUTION 11-099: Authorizing the City Manager to Draft and Submit a Revenue Bond Sale Application and Take Other Steps Necessary to Prepare for a Possible Bond Sale to Finance Construction of Six Top Priority Capital Projects Within the Homer Harbor; effective date October 24, 2011, adopted November 28, 2011.

PHC Regular Meeting, DECEMBER 14, 2011 – Capital Improvement Plan List Port and Harbor Projects: Bond sale recommendation from Improvement Committee and which projects are feasible.

PHC Regular Meeting, JANUARY 25, 2012 – Capital Improvement Plan List Port and Harbor Projects: Commissioners ranked their preferred harbor projects for funding. MOVED TO FORWARD THE RANKINGS OF THE SIX PROJECTS TO THE PORT AND HARBOR IMPROVEMENT COMMITTEE. Motion carried.

PHC Regular Meeting, FEBRUARY 22, 2012 – Harbor Improvement Cost Estimate Summary: Presentation by the Harbor Improvement Committee of their work to-date, engineer's estimated costs, and percentage of user fee increase to support bonding and options for implementation. MOVED THAT THE COMMISSION RECOMMEND TO THE COMMITTEE TO PROCEED WITH THE PREPARATION OF THE REVENUE BOND APPLICATION THAT INCLUDES ALL FIVE PROJECTS AND THAT THE APPLICATION IS PREPARED TO REQUEST \$6,000,000 FUNDING. Motion carried.

PHC Regular Meeting, MARCH 28, 2012 – Memo to Port and Harbor Advisory Commission from Community and Economic Development Coordinator Re: Harbor Improvement Projects: Need for the Projects & Consequences of Not Going Through with Proposed Projects dated March 16, 2012: Economic Development Coordinator reported what was needed for the Municipal Harbor Grant Program. MOVED THAT THE STATE GRANT REQUIREMENTS FOR THE FOUR PROJECTS BE PLACED ON THE NEXT AGENDA TO SET THE RECORD ON THE FINDINGS THAT THIS COMMISSION WOULD MAKE RELEVANT TO WHETHER OR NOT THEY ARE FEASIBLE PROJECTS OR TO BE DONE, OR SCRAPPED. Motion failed. Comments regarding the Load and Launch Ramp improvements included that there will be monies from Fish & Game. MOVED THAT WE NEED TO PROGRESS WITH THIS PROJECT BECAUSE OF SAFETY CONCERNS. IF WE

DON'T THERE WILL BE A BAD ACCIDENT OR THE RAMP WILL DETERIORATE. Motion carried. Discussed further each of the final chosen projects.

PHC Regular Meeting, APRIL 25, 2012 – Amendments to the Port and Harbor Terminal Tariff No. 600 for the purpose of Repaying a Revenue Bond in the Amount of \$6 Million: The Commission reviewed various revenue options to help pay for the bond. There was public testimony against the harbor head tax; MOVED THAT THE PORT AND HARBOR ADVISORY COMMISSION RECOMMEND TO THE CITY COUNCIL THAT THEY AMEND THE TERMINAL TARIFF NO. 600 TO STRIKE RULE 34.26 THE PASSENGER FEES FROM THE TARIFF. Motion carried. MOVED TO REMOVE THE ICE TARIFF INCREASE AS GENERATING FUNDS TO PAY FOR THE BOND. Motion carried. MOVED TO APPROVE THE RECOMMENDED DOCKAGE FEES THAT THE COMMITTEE PUT FORTH TO SUPPORT THE BOND PAYMENT. This would change the port dockage fees from a linear foot to a graduated rate schedule, same as Anchorage's port. Motion carried. ADJUST THE FUEL WHARFAGE FROM \$.0103 TO \$.025 PER GALLON IMPLEMENTED OVER A TWO YEAR PERIOD. Motion failed. MOVED TO ADJUST THE FUEL WHARFAGE RATE FROM EXISTING \$.0103 PER GALLON TO \$.02 PER GALLON. Motion carried. MOVED TO INCREASE MOORAGE FROM \$35.22 PER FOOT PER YEAR TO \$42.50 PER LINEAL FOOT PER YEAR TO BE APPLIED OVER THE NEXT TWO YEARS. The discussion began about the differences between smaller and larger vessels, the different impacts they have on the harbor, and how each one provides revenue to the harbor. Comparisons to other harbors were reviewed. Motion failed. MOVED TO INCREASE THE MOORAGE 15% FROM THE CURRENT RATE. Motion carried.

PHC Regular Meeting, APRIL 25, 2012 – Memo to Port and Harbor Advisory Commission from Bryan Hawkins, Port Director/Harbormaster Re: Harbor Improvement Committee Report of April 19, 2012 Meeting dated April 20, 2012: MOVED TO RECOMMEND TO COUNCIL TO HAVE THE HARBOR IMPROVEMENT COMMITTEE CHANGE THE CAPITAL IMPROVEMENT BOND INCLUDE ONLY SYSTEM 5 UPGRADE, RAMP 3 GANGWAY, AND PORTIONS OF THE FLOAT REPLACEMENT TO A MAXIMUM BOND OF \$4 MILLION. Motion carried.

RESOLUTION 12-043: Accepting and Approving Recommendations Submitted by the Port and Harbor Improvement Committee Regarding Capital Improvements in the Harbor and the Funding Thereof and Authorizing the City Manager to Prepare the Documents Necessary for Grant Funding, a Revenue Bond Sale, and the Fee Adjustments Necessary to Service the Bonds; effective May 14, 2012.

RESOLUTIONS 12-037(S) & 12-038(S): Amending the City of Homer Fee Schedule for Port and Harbor Fees and the Terminal Tariff No. 600 for the Purpose of Repaying a Revenue Bond and Contributing to the Port and Harbor Enterprise Reserves; effective June 11, 2012.

RESOLUTION 12-064: Expressing Support for a Municipal Harbor Facility Grant Application to the State of Alaska, Department of Transportation and Public Facilities (DOT&PF) in the Amount of \$4,206,000 for Ramp 3 Gangway and Approach, Harbor Floats Replacement and Upgrades to Electrical and Potable Water at System 5 and Authorizing the City Manager to Submit the Appropriate Documents; effective July 23, 2012.

RESOLUTION 12-065: Expanding the Scope of Work for the Port and Harbor Improvement Committee to Develop a Plan to Resource Funds from Various Sources for the Purpose of Upgrading the Port and Harbor Building; effective July 23, 2012.

RESOLUTION 12-093: Support of Full Funding for the State of Alaska Municipal Harbor Facility Grant Program in the FY2014 Capital Budget; effective October 22, 2012.

PHC Regular Meeting, DECEMBER 19, 2012 – Memo to Port and Harbor Advisory Commission from Port Director/Harbormaster Hawkins Re: Harbor Rate Study dated December 11, 2012: The commission began discussion

with history on how rates are configured and square foot vs. linear footage and the variety of vessel sizes and uses of the harbor. Harbormaster recommended hiring Northern Economics to conduct rate study.

RESOLUTION 13-046: Awarding the Contract to Conduct a Study on the Port and Harbor Rate Fee Structure and the Economic Impact of Mooring a MODU (Mobile Offshore Drilling Unit) at the Port of Homer's Deep Water Dock to the Firm of Northern Economics of Anchorage, Alaska, in the Amount of \$19,878.00 and Authorizing the City Manager to Execute the Appropriate Documents; effective May 13, 2013.

ORDINANCE 13-15: Authorizing Harbor Revenue Bonds of the City to be Issued in Series to Finance Harbor Improvements; Creating a Lien Upon Net Revenue of the Harbor for the Payment of the Bonds; and Establishing Covenants of the City Related to the Bonds; introduction April 22, 2013, effective May 14, 2013.

ORDINANCE 13-16: Authorizing the Issuance and Sale of a Series of Harbor Revenue Bonds by the City in the Principal Amount Not to Exceed \$4,200,000 for the Purpose of Financing the Design, Construction, and Acquisition of Harbor and Related Capital Improvements; Establishing the Terms of the Bonds; and Authorizing the Sale of the Bonds; introduction April 22, 2013, effective May 14, 2013.

Northern Economics Rate Study, SEPTEMBER 25, 2013 – The first draft of this study organized how the study is conducted and gave preliminary percentage increases for the commission and staff to review.

PHC Special Meeting, OCTOBER 9, 2013 – Memorandum from Port Director/Harbormaster Hawkins Re: Port of Homer Rate Study: Northern Economics Rate Study presentation to the commission; it details out each harbor facility's expense and an estimate of how much it would cost to replace that facility using a lifecycle approach. The end results covered how much rates needed to be increased to be sustainable, and to help with harbor reserves and facility depreciation costs.

Northern Economics Rate Study, NOVEMBER 7, 2013 – The focus of this final draft study was to use a life cycle approach to calculating rates and find overall percentage increases that would cover all operations, maintenance, and replacement costs for each facility in the Homer Port and Harbor. It was concluded from this study that the Small Boat Harbor would require a 31.85% (rounded to 32%) rate increase to become sustainable.

RESOLUTION 13-112: Confirming that the City will Provide Local Matching Funds in an Amount Up to \$800,000 for Repair, Replacement, and Rehabilitation of Infrastructure and Facilities at the Homer Small Boat Harbor Load and Launch Ramp; effective November 25, 2013.

ORDINANCE 14-05: Amending the FY 2014 Operating Budget by Appropriating \$500,000 from the Port and Harbor Enterprise Fund Depreciation Reserves for the Purpose of Providing the City's 25% Local Match for the New Port and Harbor Building; introduction January 27, 2014, effective date February 11, 2014.

ORDINANCE 14-06(A): Amending the FY 2014 Operating Budget by Appropriating Up to \$300,000 from the General Fund Balance for the Purpose of Providing a Loan to the Port and Harbor Enterprise Fund to Complete the Financing Package for the New Port and Harbor Building; introduction January 27, 2014, effective date February 11, 2014.

PHC Regular Meeting, FEBRUARY 26, 2014 – Worksession of Harbor Rate Study Review: Setting date for worksession to do thorough review.

PHC Worksession, APRIL 8, 2014 – Review and discuss the Northern Economics 2013 Rate Study

PHC Regular Meeting, APRIL 23, 2014 – Harbor Rate Increase Proposal: Point was made that if the port and harbor had a rate structure that was sustainable, we wouldn't have had to bond for the matching funds for the grant for the harbor improvements. A draft rate proposal prepared by staff was presented to the commission; the three methods suggested in the worksession for comparison was the existing linear method, a square foot method, and a graduated linear method. It included an EXTENSIVE comparison of the rate increases over a 5 or 10 year period including CPI increases. The suggested 32% increase comes from the Northern Economics' rate study. Discussed differences between transient moorage and reserved, costs related to vessel size and the stall size, what type of methods are being used in other harbors (including comparisons), and **the ultimate goal to find an equitable, sustainable rate for all harbor users** since there is a strong argument that large boats bring more money, jobs, and business to the harbor, with the counter argument from small vessel owners that smaller boats have to bear the costs for bigger boats when they have less damage, require less space, etc.) than bigger boats. It was determined that this discussion must continue for the next few meetings and include public input.

PHC Regular Meeting, MAY 28, 2014 – Harbor Rate Increase Proposal: There was talk of the gradual linear method and how it could be broken down into different size classes. They further discussed the reasoning behind a rate increase and where the money raised will be used. **MOVED TO ADOPT THE 10 YEAR PROGRAM FOR INCREASING COSTS.** Motion carried. The CPI increases will happen every year from here on out, while the 32% moorage rate increases will take place over the course of a 10 year period. It was suggested that the square foot method was the most fair and equitable way to distribute costs in the harbor than the current linear method. **MOVED TO APPLY THE SQUARE FOOT METHOD IN DEVELOPING THE RATE STRUCTURE.** Motion carried. It was suggested by staff that we may need to hire a consultant to help develop the final plan. Public comments were in agreement with the square foot method instead of the linear method.

PHC Regular Meeting, JUNE 25, 2014 – Harbor Rate Increase Proposal: Staff consolidated all the comparison worksheets down to the square foot rate model implemented over a 10 year schedule. Discussion on how this would be applied to transient vessels vs. reserved stall lessees and how the rates would be broken down at the transient daily, monthly, semi-annual, and annual rates. All commissioners agreed that getting word out to boat owners ASAP is important. **MOVED THAT THE COMMISSION PRESENT THIS RATE STUDY AS THE NEW FORMAT FOR CHARGING FOR MOORAGE IN THE HARBOR, WITH THE CAVEAT THAT WE WILL LOOK AT THE TRANSIENT ELEMENT, WHICH MAY CHANGE, BUT EVERYTHING ELSE STANDS AS PRESENTED.** Motion carried.

PHC Regular Meeting, JULY 23, 2014 – Harbor Rate Increase Proposal: Staff prepared a moorage rate comparison between 2004 through 2014 and a square foot rate schedule comparison for transient moorage. Commissioners discussed the varied increases depending on vessel sizes over periods of time. Per the square foot, the bigger boats would see the brunt of the change. They agreed that the CPI increases could begin for the 2015 year, but they need more time to set the new rates, get info out to vessel owners, and receive feedback. **MOVED THAT THIS COMMISSION RECOMMENDS TO THE CITY COUNCIL THAT WE ADJUST OUR HARBOR MOORAGE RATES AS A MINIMUM OF THE CPI EACH YEAR.** Motion carried.

PHC Regular Meeting, AUGUST 27, 2014 – Harbor Rate Increase Proposal: There was further discussion about the disparity/fairness of the 32 foot stall class. The commission agreed that staff could work with Northern Economics in preparing another rate study to compare different rate methods.

PHC Regular Meeting, SEPTEMBER 24, 2014 – Harbor Rate Increase Proposal: Public comments from several large vessel owners were unanimously against implementing the square foot method, stating that their large boats bring more jobs, business, and revenue to the harbor and the new method would unfairly increase their moorage fees. They cited that it's the smaller vessels that utilize more space in the harbor, and that if the harbor increases rates it's going to drive away the big boats that are generating the most revenue/jobs in Homer. The large vessel owners also pointed out the lack of stalls and amenities available yet they would still have to pay more. They feel the linear

method is fine the way it is and no changes should be made. One of the commissioners provided a presentation he prepared on the square foot model to help achieve equitable rates for all vessels including transient. MOVED TO CALCULATE SQUARE FOOT ASSESSMENTS BASED ON CLASS SIZE LENGTH AND WIDTH FOR RESERVE MOORAGE BERTHS WITH THAT SQUARE FOOT COST APPLIED TO OVERAGE ON A VESSEL THAT EXCEEDS THAT CLASS SIZE LENGTH AND/OR WIDTH, AND THAT ANNUAL TRANSIENT MOORAGE BE ASSESSED AT 75% OF THE RESERVED MOORAGE RATE, APPLIED TO THE LENGTH TIMES THE WIDTH OF THE TRANSIENT VESSEL. Revised: MOVED TO AMEND THE MOTION TO DIRECT STAFF TO PREPARE A NEW RATE SCHEDULE USING THE MOTION AS GUIDANCE FOR THE RATE SCHEDULE. Motion carried. Main motion as amended carried.

PHC Regular Meeting, OCTOBER 22, 2014 – Harbor Rate Increase Proposal: More public comments from large vessel owners reiterated their stance against the square foot method. They strongly believe it will cost them an excessive amount in moorage fees, drive business away, and is a direct attack to the commercial fleet. Ensued a lengthy commission discussion regarding what method to go with, even calling for a recess to think it over. MOVED TO REVERSE THE COMMISSION SUPPORT FOR CHANGING THE RATE STRUCTURE FROM LINEAR TO SQUARE FOOT AND STAY WITH THE CURRENT METHODS OF CALCULATING FEES. Motion carried. MOVED TO TAKE THE ORIGINAL RECOMMENDATION OF THE NORTHERN ECONOMICS STUDY AND SPREAD THE REQUIREMENTS TO BUILD THE RESERVE FUND THROUGHOUT ALL THE PORT AND HARBOR USERS AND REVENUE STREAMS. Motion failed. MOVED THAT 50% OF THE SALES TAX FROM BUSINESSES THAT ARE AROUND AND DEPEND ON THE HARBOR BE CREDITED TO THE PORT AND HARBOR RESERVE ACCOUNT. Motion carried. Further public comments from large vessel owners pertained to how the rate increases should be spread across the board for all users of the harbor, and how a square foot method, plus increase, was unfair to them, the commercial fishermen.

RESOLUTION 14-115: Amending the Port of Homer Terminal Tariff No. 600 (annual CPI Increase); public hearings held on October 27, 2014 and November 24, 2014, effective December 8, 2014.

PHC Regular Meeting, DECEMBER 17, 2014 – Harbor Rate Increase Proposal: Public comments agree with the CPI increase. The commission recognized the 3% CPI increase that was added to the 2015 budget and noted their action to move away from the square foot method. It will be brought up again at the next meeting and to schedule an open house to get more feedback from vessel owners.

PHC Regular Meeting & Worksession, JANUARY 28, 2015 – Harbor Rate Increase Proposal: **The commission has received good feedback and they recognize the linear rate schedule isn't the most equitable method, but the square foot method is not acceptable to other harbor users.** It was agreed to bring in an expert to evaluate the situation and propose a graduated linear rate schedule (which is used in other harbors in southeast and Kodiak), and to help the commission make a rational decision. Some commissioners questioned why we not just leave it as-is and increase it overall? It was reiterated that bigger boats, especially wider ones that are being built recently, are not equal in their need for space compared to smaller or narrower boats. The rates need to be applied to all harbor users in an EQUITABLE way. Big boat owners are saying make the smaller boats pay more, and the smaller boats are saying make the big boats pay more. Meanwhile, the harbor is in need of more revenue to support our infrastructure and build up the harbor reserves. Hiring a professional will help the group crunch all the numbers and the different scenarios. The commission was divided on whether it was worth the money or if we could do it ourselves. MOVED TO DIRECT STAFF TO ENGAGE NORTHERN ECONOMICS TO PREPARE A LINEAR GRADUATED RATE SCHEDULE FOR THE HARBOR. Motion failed.

PHC Regular Meeting, FEBRUARY 25, 2015 – Harbor Rate Increase Proposal: Public comments varied from being against increases all together, why hasn't there been opportunities for public input, and corrections from the commission and staff explained that there have been public hearings and that they didn't pass anything yet. Northern Economics provided a scope of work and quote to the commission for a rate study. The commission asked

staff to come back with further direction to the commission and what it would take for Northern Economics to conduct this study.

RESOLUTION 15-018; – Requesting the Kenai Peninsula Borough Transfer Their Portion of the Fisheries Business Tax Allocated by the State of Alaska to the Port and Harbor Enterprise Fund for the Purpose of Increasing and Maintaining the Port and Harbor Depreciation Reserves; effective March 23, 2015. (PHC's attempt to find additional revenues, which failed to be presented to the KPBA Assembly)

PHC Regular Meeting, MARCH 25, 2015 – Harbor Rate Increase Proposal: Staff prepared revenue goal calculations and stated that we have tried finding other revenue sources in the passenger head tax, which charter boaters didn't like; we talked about rate increases by the square foot, which boat owners directly affected didn't like; then we talked to the City about giving back some sales tax they collect from the Spit, which hasn't gone anywhere. Now talking to the borough about getting money back from the fish tax is in progress. **MOVED TO PROPOSE A 2% RATE INCREASE EFFECTIVE OCTOBER FOR DISCUSSION AT AN OPEN HOUSE AND PUBLIC HEARING.** Motion carried.

PHC Regular Meeting, APRIL 22, 2015 – Harbor Rate Increase Proposal: Public comments were in agreement with the flat rate increase in addition to the annual CPI increase. Although they dislike their rates going up, they understand the need. It was announced a public hearing will be held at the next meeting. One commissioner reviewed information he provided on how the linear rate isn't fair and equitable across all classes of vessels when looking at how much area is used by various classes.

PHC Regular Meeting, MAY 27, 2015 – Harbor Rate Increase Proposal: It was agreed that the public consensus agreed with the need of an increase to help with the harbor improvements. A draft resolution will be presented for a 4.5% increase.

PHC Regular Meeting, JUNE 24, 2015 – Public Hearing on Harbor Rate Increase Proposal: Public comments during the hearing conveyed an overall agreement with the moorage increases and a change to a graduated rate structure. Some were just hearing about the commission's work on rates for the first time. They didn't agree that smaller boats should be paying the same rate as larger vessel owners as their boats have less of an impact on the harbor. Others commented that they disagreed with the changes and increases, and how the small vessel owners are only talking during the summer while the big boats are out fishing and can't come to the meetings. **MOVED TO ADOPT DRAFT RESOLUTION 15-0XX & MOVED TO SUBSTITUTE DRAFT RESOLUTION 15-0XXS FOR THE DRAFT RESOLUTION 15-0XX.** Extensive discussion ensued on how rates should be applied, who is affected by what fees, how much the increases should be for, and the course of the increase implementations. Motion carried. **MOVED TO AMEND TO DROP THE SQUARE FOOT SLIDING METHOD AND LOWER IT DOWN TO 2.5% INCREASE INSTEAD OF 3.2%.** Motion failed.

PHC Regular Meeting, JULY 22, 2015 – Harbor Rate Increase Proposal: **MOVED TO HIRE NORTHERN ECONOMICS TO PREPARE A GRADUATED RATE STRUCTURE FOR THE HARBOR AT A COST NOT TO EXCEED \$20,000 AND THAT THE STUDY BE COMPLETED NO LATER THAN NOVEMBER 1, 2015 AND REQUEST HARBORMASTER HAWKINS PREPARE THE NECESSARY DOCUMENTS FOR THIS CONTRACT.** The commission further discussed alternative revenue sources besides rate increases and the overall need for additional monies for the harbor and its reserves. They outlined the guidelines for the study with the clear point that rates should not decrease for any class of vessel. Motion carried. **MOVED TO AMEND TO ALSO HAVE THEM LOOK AT A STRAIGHT ACROSS THE BOARD INCREASE TO COMPARE THE TWO RATES.** Motion carried.

RESOLUTION 15-072; Amending the Port of Homer Terminal Tariff No. 600 and the City of Homer Fee Schedule Annual Moorage Rates to include a 3.2% moorage fee increase per year in addition to the annual CPI increase effective January 1, 2016 and; be it further resolved **that a graduated linear foot rate structure be developed along with its**

implementation schedule in time for its use in assessing moorage rates effective January 1, 2017; adopted August 24, 2015.

RESOLUTION 15-073: Awarding a Contract in an Amount Not to Exceed \$20,000 to Northern Economics to Prepare a Graduated Rate Structure, and Also Linear Rate Structure for Comparison, Amending the Port of Homer Terminal Tariff Moorage Rates to Incorporate a 32% Rate Increase Over Ten Years to Fund the Port and Harbor Reserves as Recommended in the Northern Economics November 2013 Rate Study; and Authorizing the City Manager to Execute the Appropriate Documents; effective August 10, 2015.

PHC Regular Meeting, SEPTEMBER 22, 2015 – Harbor Rate Increase Proposal: Public comments from multiple large vessel owners were questioning why the commission was back to raising the rates and discussing changing from the linear method. There was extensive clarification from the commission and staff on the work that they had been doing, that they can't break up the sales tax from the Spit, and why they need to increase the rates. Some of the large vessel owners were saying it was going to drive the commercial business away from Homer that supports this harbor. The commission chair wanted to clarify that they have this item as a continuous agenda item to ensure we get public's input on the matter until they get the final rate study back from Northern Economics. One commissioner presented his rate calculations and it was discussed how to share this information with Northern Economics.

Northern Economics Rate Structure Study, OCTOBER 27, 2015 – The first draft of the rate structure study was presented to Port and Harbor staff and one commissioner, which included multiple options and did not fully adhere to the Port and Harbor Commission's goals for a rate structure change. A meeting with staff and Northern Economics worked out the issues through additional drafts until a final one was created.

RESOLUTION 16-007: Support of Full Funding for the State of Alaska Harbor Facility Grant Program in the FY 2017 State Capital Budget; effective January 11, 2016.

Northern Economics Rate Structure Study, JANUARY 12, 2016 – This FINAL study investigated a graduated rate structure in which the moorage rate charged per foot would increase the bigger the boat became, and to compare that with the harbor's current flat, per-foot linear rate. The findings and recommendations provided by Northern Economics was two alternative rate structures: **ALTERNATIVE A** – based on tiers set at a constant interval of 5 feet and a rate increase between tiers starting at 1.0 percent and decreasing to 0.1 percent with larger vessel sizes; **ALTERNATIVE B** – a continuous rate structure in which the annual moorage rate is calculated using the following equation:

$$\text{Permanent Moorage Rate} \left(\frac{\$}{\text{foot}} \right) = \frac{\$43.49 + (\$0.05 \times \text{foot}) \times \text{vessel length per foot}}{\text{foot}}$$

PHC Regular Meeting, JANUARY 27, 2016 – Mike Fischer, Northern Economics Rate Study Presentation: The Rate Structure Study dated January 12, 2016 was presented to the commission, including a comparison between the graduated linear method and the currently used linear method, and two alternative options the City could adopt if they chose to go with a graduated rate structure. It was reiterated that no vessel would see a reduction in their rates. There was extensive questions from the commissioners and discussion from staff and Northern Economics. Public comments were allowed during the agenda topic, one city resident stating that the graduated rate structure was a better alternative than the square foot method, even if he feels the flat rate method is fine. There was further discussion from the commission, the public, and staff regarding vessel sizes and who contributes what to the harbor. It was agreed to keep the item on the agenda so they could further discuss the study's findings.

PHC Regular Meeting, FEBRUARY 24, 2016 – Harbor Rates: The commission discussed the Council approving the 3.2% and annual CPI moorage increases. They then returned to the Rate Structure Study and hashed out all the points, details, and work that they have either accomplished or still need to do regarding the rate structure issue.

PHC Regular Meeting, MARCH 23, 2016 – Harbor Rates: Public comments from one city resident provided lay-down copies of the rate structure drafts and a letter to the commission explaining his opinion on which alternative method should be approved of, along with capping it at the largest vessel size that can fit in the largest berth, and how transient vessels should receive a reduction in their rate. The commission reviewed the alternatives A and B listed in the study from Northern Economics and discussed in details how each option would affect harbor users, how in the future it could be applied to the harbor expansion project, and how staff can effectively implement it. **MOVED TO ADOPT ALTERNATIVE B AT FIVE CENTS PER FOOT INCREASE AND CAP THE VESSEL SIZE AT 86 FEET. Motion carried.**

RESOLUTION 16-054: Amending the Port and Harbor fee schedule to implement a new graduated harbor moorage rate structure; **postponed** May 23, 2016.

RESOLUTION 16-055: Amending the Terminal Tariff to implement a new graduated harbor moorage rate structure; **failed** due to lack of a motion May 23, 2016.



City of Homer

www.cityofhomer-ak.gov

Office of the City Clerk

491 East Pioneer Avenue
Homer, Alaska 99603

clerk@cityofhomer-ak.gov

(p) 907-235-3130

(f) 907-235-3143

Memorandum 16-152

TO: MAYOR WYTHE AND CITY COUNCIL

FROM: JO JOHNSON, CITY CLERK

DATE: SEPTEMBER 21, 2016

SUBJECT: RESOLUTION 16-054 - NEW GRADUATED HARBOR MOORAGE RATE STRUCTURE

Resolution 16-054 first appeared before the Council on May 23, 2016. On that date it was postponed to June 13, 2016 for public testimony. Council scheduled a second public hearing for September 26, 2016 to allow the commercial fishing fleet to return and offer public comment on the proposed moorage rates.

Council then approved the scheduling of a Worksession on October 17, 2016 for a presentation by Northern Economics on the proposed graduated harbor moorage rate structure.

RECOMMENDATION:

Postpone Resolution 16-054 to October 24, 2016 after the presentation by Northern Economics.



North Pacific Fisheries Association
P.O. Box 796 · Homer, AK · 99603

October 17, 2016

Alternative B offers balanced and equitable choice for harbor rate increases.

The Homer harbor is the engine for our community. The harbor is used by commercial fishing boats harvesting seafood throughout Alaska, charter fishing boats, water taxis and tour boats taking eager tourists, research vessels and workboats transporting freight throughout the state and recreational vessels heading out enjoy the bay among others. Included in the benefits of all this activity are many costs, one of the main ones being maintaining the port and harbor's infrastructure. In order to cover the costs the City of Homer, through the Port Director and Port and Harbor Advisory Commission initiated the latest round of fee increases in 2011 with the goal of setting fees sufficient to fund the harbor reserve fund. (PHC Regular Meeting April 27, 2011)

The North Pacific Fisheries Association (NPFA) represents commercial fishermen and fishing families who harvest halibut, salmon, black cod, pacific cod, crab, rockfish and herring. Headquartered in Homer, our members work throughout the waters of Alaska and the sustainable seafood we harvest is enjoyed by consumers and patrons both locally on the Kenai Peninsula and globally. Our boats range from fifteen foot skiffs to 100+ foot crabber/ tenders, we are part of the working waterfront identity to our harbor that attracts thousands of people both locally and from around the world to utilize, view and enjoy.

Over the past few years, the Homer City Council and Port and Harbor Advisory Commission has faced the challenging task to develop a fair and equitable plan for targeted moorage rate increases. Our organization understands all stakeholders of the harbor must compromise, which is why NPFA now supports what is known as Alternative B, the progressive continuous rate structure. The progressive continuous rate structure is a balanced option that holistically and equitably recognizes all user-groups, whether it's 80-foot crabbers or 20-foot recreational boats. Alternative B takes into account vessel size, administrative costs and harbor amenities utilized and available. For example, when no stalls are available to larger vessels, Alternative B balances the limited access to power and water to these vessels.

As part of the process the Homer City Council awarded a contract in an amount not to exceed \$20,000 to Northern Economics, Inc. to evaluate alternative rate structures. (Resolution 15-073) Page 12 of this report identifies four harbors that charge a reduced rate for commercial vessels; "user-specific rate structures are used as an economic stimulant with the goal of generating additional revenues through other local tax structures". Many members of our group support a similar structure for Homer.

In working through the Port and Harbor Commission and recognizing the Homer Harbor is diverse and serves many user groups, NPFA realizes at this time Alternative B as recommended by Northern Economics is a sufficient compromise. At its March 23, 2016 meeting the Homer Port and Harbor Advisory Commission voted unanimously to adopt Alternative B at five cents per foot increase and cap the increase at the 86 foot vessel size. At the October 17 Homer City Council Worksession many stakeholders came together and the council members also expressed support for this option. We appreciate the extensive work of the Port and Harbor Commission and the Harbor staff who put an inordinate amount of time into this issue.

NPFA's membership is eager to continue to build Homer's harbor as a port that caters to a variety of users. Commercial, sport and recreational users must compromise to ensure necessary Port and City revenues increase alongside our businesses. Through this method, we also support Homer's growing marine trade sectors and other vital businesses to our community.

NPFA strongly urges the Homer City Council approve Resolution 16-054 to amend the City of Homer fee schedule to implement a new graduated harbor moorage rate structure.

Respectfully,

A handwritten signature in cursive script, reading "G Malcolm Milne".

G Malcolm Milne
President, North Pacific Fisheries Association

Date: October 19, 2016
To: Mayor Zak and City Council Members
From: Barbara Howard
Subject: Harbor Mooring Rates

A bit of history:

A few years ago, during the budget process, council determined it necessary to separate out the sewer and water rates and develop it into a stand alone process. With that decision council also formed a task force to develop a rate structure that fairly distributed the cost load according to usage. The council realized that for many decades the rates were "socialized" meaning everyone paid the same rate. The residential users were subsidizing the commercial users. The task force presented, as directed, a rate structure that ended the socializing method and put in place a structure that more fairly spread the cost of operations according to use of the utility. I was part of this process.

At that time a brief discussion occurred with the council aware that the port and harbor rates as a enterprise needed to be examined. In fact, that is part of the reason council directed in 2013 Northern Economics to do the research on a method that more evenly distributed the financial of the operations of the harbor according to users. I was part of this process.

In the meantime along came the natural gas line issue. Much council discussion determined that this utility cost needed to be "socialized" and told the community that all users would pay the same regardless of the usage. In other words, the residential user was subsidizing the hospital, Safeway, Landends, etc. The councils decision was an open and transparent decision. I was part of this process.

Now:

Now comes the port and harbor rate structure. If you so choose to adopt the resolution before you tonight, please have the courage to tell the seven hundred or so small vessel owners they are in fact subsidizing the larger commercial vessel owners. Be transparent and truthful about your decision.

I encourage you to be the independent thinking leaders you vowed to be by explaining your decision. It takes courage to do the right thing. It takes strong statesmanship to govern in some unpopular times.

Thank you.

Barbara Howard

From: peterhuycke@aol.com
To: [Jo Johnson](#)
Subject: small boat harbor slip rental rates
Date: Tuesday, May 24, 2016 3:16:32 PM

from june, 1978 until sept. 2016 i rented a slip (most recently v-9). had to give it up as i cannot physically handle my peterson bay cabin. i know the commercial (including charter) guys are working stiffs and gotta have some breaks. on the other hand, do not like puker boats to have to carry the load.
what about this? project your needed income for slip rental. determine from all the documentation the total length of all the boats, including the transients. then convert the needed income and total boat length to a rate per foot. add fudge factors for ups and downs of slip rentals and profit. then you have the same rate per foot for all boats.

To Homer City Council members,

I have been watching the issue of revising the slip fees that are being considered by the harbor commission and the city council.

As a private boat owner who pays slip fees, I am in favor of finding a fair and equitable way of parsing out the costs of maintaining our harbor in the form of slip fees. I believe that charging the users by the square footage is a fair method of attaining equity. In the past, slip fees were charged by the linear foot and in doing so, it gave those boats with a wide beam a discount when compared to the charge that might have been levied on a square footage basis. I further understand that if we were to change to a square footage method, that the large boat owners will face a sudden increase in fees. Many large boat owners have objected to these increases. I sympathize with them to some extent. However I also feel that it should be recognized that just because some have experienced a good deal in the past, it is not a sound argument today for avoiding fair charges going into the future. I do support spreading these changes out over a few years time to allow business to plan these expenses into their budgets.

Please consider carefully the actions that are taken today and recognize that planning for fair charges will sustain the harbor in the future.

Sincerely,

Holly Van Pelt
Homer City Resident
P.O. Box 3309
Homer, AK 99603
907-299-0695

From: [james mccreary](#)
To: [Jo Johnson](#)
Subject: comments on Homer Harbor boat slip fees
Date: Tuesday, June 07, 2016 5:26:12 PM

To Homer City Council:

I am a small boat (24ft) owner going on my 3rd year of slip rental in Homer's Harbor. This year is my 6th year to spend all summer in Homer, a city I love more each year and expect many more to come. Like many other small boat owners I store my boat in Homer when summer is over and therefore for 75% of the year I do not occupy the harbor traffic lanes or consume other resources or more space than my vacant slip. Consequently I have become interested in the moorage fees and how they are assessed.

Since my slip fee is based upon boat length it does not seem fair that a 100ft boat (4x my length) would pay only 4 times my fee as it obviously consumes much more than 4x the harbor real estate (area) that I do. I know from experience that such a boat nearly occupies the entire channel when transiting the harbor. Even if the argument is confined only to the moorage area and a coarse estimate is used, a 100ft boat would consume roughly 16 times my moorage space, yet is paying only 4 times my fee.

When renting real estate, one is expected to pay more for larger area. More specifically local governments assess property taxes based upon real estate area not upon real estate length. I think that slip fees should be based more upon area as well. I am familiar with the Consultant Analysis dated October 27, 2015 as a fair compromise and support its adoption by the council.

In my private affairs I recognize the importance of fairness and trust that the council will adopt the same for small boat owners like me.

Respectfully,

James Mccreary

Slip T29

From: [debbie mcreary](#)
To: [Jo Johnson](#)
Subject: proposed slip fee rate adjustments
Date: Tuesday, June 07, 2016 7:25:48 PM

To Homer City Council:

I own a small fishing boat. It's 24 feet in length, a nice size to take out and enjoy fishing in the bay. I'm thankful to have a slip to leave it every day I am here for the summer. I arrive generally on June 1 and depart mid-August and therefore it's moored for not quite 3 months even though I pay for one year.

Recently I discovered there was quite a difference in moorage fees for small boat owners compared to the larger boats. Currently I pay 1.61 per square foot and on March 23, 2016 the Harbor Commission adopted a new graduated rate of 1.64. I compared those numbers to the annual cost for a 75 foot boat and found it to be currently 0.72 with a new graduated rate of 0.78 per square foot. This doesn't seem fair to me for the small boat owners to be paying a much higher cost per square foot. I think it would be better if the cost structure was more fair and equitable for the small boat owners. I believe the proposed cost structure from Northern Economics is more fair and equitable and should be reviewed and adopted as the new graduated rate for moorage fees. I hope the Council members will review the discrepancy between the small and large boats's fees and make changes that are fair to all and more equitable for small boat owners.

Thank you for looking into this matter.

Sincerely,
Deborah McCreary
mcreary10@gmail.com

From: [Terry Thompson](#)
To: [Department Clerk](#)
Subject: City Council - comment on Homer harbor rate structure
Date: Tuesday, June 07, 2016 9:50:13 PM

Good evening Ms. Johnson, please include my comments in the packet for members of the Homer City Council in relation to the proposed rate structure for the Homer harbor.

To the honorable Homer City Council members,

My name is Terry Thompson and I'm a resident of the City of Homer, my address is 4555 Emerald Rd. P.O. Box 2282. I am writing to you in reference to the proposed rate structure for the Homer harbor. I am a current Homer harbor user, and currently occupy a slip for my 24 ft. personal boat. I have always had a very good relationship with the Harbor Master and his staff at the Homer harbor. I find them professional and very helpful, and appreciate the work they do to maintain a first class harbor.

I have been following the ongoing debate about the proposed rate structure for slip rental in the harbor and wanted to provide you with my comments. I support the proposed rate structure as proposed by the consultant, Northern Economics. In my mind all users of the harbor should pay appropriate and equitable rates for access to harbor facilities. The rate structure proposed by the Harbor Commission are not equitable across the board to all boat owners. While I realize that it would be impossible to be absolutely equal, I personally believe that the rates as proposed by your consultant to be the best alternative to a fair and equitable rate.

Thank you for your service to Homer, and I look forward to a decision that is fair to all boat owners.

Regards,

Terry Thompson

From: [Rachel Barton](#)
To: [Department Clerk](#)
Subject: Port and Harbor Fees
Date: Tuesday, June 07, 2016 10:59:17 PM

To the City Clerk, City Council, Mayor Wythe et. al,

We are writing to formally lodge our objections to the proposed fee schedules for the Port & Harbor. As it stands, the schedule disproportionately and unjustly charges the average user of the Homer Harbor, while granting favored status to larger boat owners. If the goal is to create a sustainable and equitable rate for Homer Harbor, then we fear the Port & Harbor Advisory Commission has failed on both counts.

Please take a moment and consider the role of the Harbor in this community and in this state. If we wish to see the City of Homer thrive, its Harbor must thrive. Unreasonably arbitrary fee structures will not improve the Harbor or the local economy.

Furthermore, we are disturbed by the city's disregard for the expert opinion it both asked and paid for. Why this waste of both city funds and time? If they aren't expert enough that we listen to their advice, why waste their time by asking in the first place?

The City Council should reject this proposal and consider a truly fair and equitable fee schedule that reflects the diversity among harbor users and the community as a whole.

Sincerely,

Brian "Luke" Barton and Rachel Barton

Anchor Point, AK

From: [Capt. Ron Hurley](#)
To: [Department Clerk](#)
Subject: Harbor rate structure.
Date: Wednesday, June 08, 2016 4:41:41 AM

Harbor Commission Members,

Ron Hurley here of In-2-Fishin Charters. Until last year I was totally unaware of the difference in rates that one size boat owner versus another would pay for space in the Homer Harbor. I guess I just assumed that everyone would pay by the foot as I do. After some thought it became very clear that the larger the boat the more square footage it consumes. So, it is my belief that square footage should be the basis and not length in determining the rate we are charged. My charter boat, the Sweet "T", is 36.6 feet overall and 11 feet wide and I expect to pay more than someone with a 22 foot runabout. Taking this to the next level, I expect to pay more than someone with a boat the same length but a narrower beam (I occupy more square footage). Not being a civil engineer or mathematician, I have no idea how to figure the appropriate breakdown of usable space in the harbor, but there has to be a way. Please consider my thoughts and act responsibly.

Thank you for your time.

Ron Hurley
In-2-Fishin Charters
P. O. Box 1604
Homer, AK 99603

May 23, 2016

Good Evening Madam Mayor and Council Members

I am Sharon Minsch Homer resident and small boat owner.

I am speaking this evening in favor of Resolution 15-054 setting a public hearing for the new rate structure. I am opposed to the rate structure proposed by the P&H Commission.

It is my understanding that the Council directed the Commission to develop a rate structure that is fair and equitable to all users of the harbor. I know how long this has been worked on and how contentious the issue has been at the P&H

I do not agree with the proposed rates.

I believe the larger boats use more space, use more public right of way and require more expensive and oversized infrastructure. I believe we need a rate that reflects the much larger space in the harbor used by larger boats.

Below is a cost comparison using the existing rates of \$43.49 per lineal foot and costing it out on a square foot basis:

My 30 foot boat pays \$1334.40 annually (plus KPB tax) or \$111.17 a month. 10 wide by 30 length is 300 sqf of harbor space. Using a sqf method my rate is .37 per sf.

A 75 foot boat pays \$3261.75 annually (plus KPB tax) or \$271.81 per month. Estimate a 25 foot width x 75 feet and you get 1875 sqf of harbor space. Using a sqf method that rate is .14 per sqf.

The new Moorage Rate proposed schedule is \$43.49 per lineal foot with a .05 increase per foot up to an 86 foot vessel.

My 30 foot boat at $43.49 + 1.50$ (.05 per foot) for a rate of \$44.99 per lineal foot. That rate would be \$1349.70 annually. Based on 300 sqf of harbor space that is .37 per square foot.

A 75 foot boat at $43.49 + 3.75$ (.05 per foot) for a rate of 47.24 per lineal foot. That rate would be \$3543.75 annually. Based on 1875 sqf of harbor space that rate is .16 per sqf.

I am not proposing a straight sqf method. I am asking for a fair and equitable rate that recognizes how much more space and infrastructure the large boats use. Using this method you can easily see we are renting moorage space to the larger boats for less than half of what we are charging the smaller boats'.

I would encourage all smaller boat owners to take the time to understand the rates and weigh in on the disparity of what we pay. As you can see in memorandum 16-084, the large boat owners already weighed in against much change to the harbor rates.

Thank you.

A comparison of harbor rates for two size boats.

CURRENT RATES

30 foot boat pays 43.49 per foot or 1304.40 ANNUALLY, 108.17 monthly.

30 x 10 boat uses 300 sqf of harbor.

1304.40 annual rate divided by 300 sqf = 4.35 per sqf annually

108.17 monthly rate divided by 300 = .36 cents per sqf monthly

75 foot boat pays 43.49 per foot or \$3261.75 ANNUALLY, 271.75 monthly

75 x 25 uses 1875 sqf of harbor

3261.75 annual rate divided by 1875 sqf = 1.74 per sqf annually

271.25 monthly rate divided by 1875 sqf = .14 cents per sqf monthly

PROPOSED RATES

30 foot boat at 43.49 + .05 per lineal foot is 44.99 per foot

1349.70 annual rate divided by 300 foot = 4.50 annually

112.48 monthly rate divided by 300 = .37 per sqf monthly

75 foot boat at 43.49 + .05 per lineal foot is 47.24 per lineal foot

3543.00 annual rate divided by 1875 sqf = 1.89 per sqf annually

295.25 monthly rate divided by 1875 sqf = .16 per sqf monthly

What is a fair and equitable rate for all users of the Homer Harbor?

Sharon Minsch

JUN - 8 2016

June 7, 2016

I have attached the following from the unapproved minutes of May 25, 2016 Port and Harbor Commission meeting for discussion..

"COMMENTS OF THE CITY STAFF -Harbormaster Hawkins gave a brief overview of Councils action on the proposed rate structure. They moved Resolution 16-054 for the change to implement the rate structure in the fee schedule to public hearing and Resolution 16-055 to implement the rate structure in the tariff failed because no one made a motion and there was no discussion. He explained there were five small boat owners who testified this change was not fair to small boat owners, large vessels should pay more than what was in the proposal, that it not be adopted, and that it be postponed to a public hearing. The Commission discussed they need to be at the meeting on the 13th to defend their position. Commissioner Hartley commented he's heard comments that Council may develop a task force to do this. It's not going to stay like it is presently and it won't be what they established and unless they take part the result may be something we don't want at all. **The harbor is working well and they have reached a decent compromise. We heard all the comments and sat through all the back and forth. We support the large vessels because they provide a lot of income into the community and drive a lot of the economy.** He expects the Council will select the group of people to be on the task force.

Harbormaster Hawkins responded it appears all the work the Commission has done was not appreciated. Commissioner Hartley said he thinks they weren't aware of a lot of it. The Commission talked briefly about meeting with the Council to let them know more about the time and effort that went in to hearing the public testimony and weighing different options for the rates. Chair Ulmer agreed to talk to the Mayor about scheduling time at the June 13th meeting to have a worksession with the Council to discuss the recommended rate structure and the work that went into it. "

Setting rates for the Harbor is not about supporting the large vessel owners as the P&H Commission continues to do. It is about setting fair and equitable rates for all users of the Port and Harbor as the City Council directed them to do. It is about supporting the Port and Harbor- not any specific interest group.

We have read P& H minutes and waited patiently for over two years while the P&H struggled with how to do as they were directed. We know how hard they worked and we know how contentious it was to try to come up with rates there were fair and equitable. We know Federal and State subsidies to our Port are not going to be what they have been in the past. We need to act now and decide how to prepare for these changes.

The system has been broken for a long time and it is past time to correct it. As with the Water and Sewer Enterprise Fund, rate setting should never be done as part of the budget process.

We need to make every dollar that we can for the harbor from every user by charging fair and equitable rates to all users for all services. The large boats are no more important to the Harbor than the small boats in terms of what they cost to rent moorage space in the harbor.

We are not asking for a sqf method which the large vessels feel is excessive. That said, I think .37 per sqf is excessive for our 30 foot boat when we charge .16 per sqf for the 80 foot boat. We are asking for a graduated rate that is fair and equitable to all users of the harbor regardless of size, income, length of time lived in Homer or any reason other criteria the cost to provide moorage.

SHARON MINSKI-
399.4266

Sharon Minski
353

June 6, 2016

Memorandum

To: Homer City Council

From: Bob Howard

Subject: Setting Harbor Moorage Rates



SETTING FAIR AND EQUITABLE MOORAGE RATES FOR ALL USERS OF THE HARBOR IS PROBABLY THE MOST IMPORTANT AND FAR REACHING PUBLIC POLICY DECISION THAT THIS OR ANY OTHER COUNCIL WILL EVER MAKE ON BEHALF OF THE HARBOR.

This memo and its attachments have been prepared to lay out a possible approach to setting fair moorage rates for all users in the harbor.

The program includes three elements:

- Introducing our consultant's proposed rate structure the small vessel owners feel is fair.
- Introducing an Implementation Plan for the new rate structure
- Recommending this be handled at the Council level, and not the Harbor Commission level

Introducing Our Consultant's Proposal

Recall the City Council authorized retaining Northern Economics to prepare a fair and equitable graduated linear rate structure as envisioned by action taken in Resolutions 15-072 and 15-73 last year.

The Consultant's first draft details a structure shown on page 5 of its October 27, 2015, that appears the most fair of all proposals shown (**Attachment 1**). It is identified as **Table 3. Rate Table, Alternative 2**

The small vessel owners feel that the proposed schedule is fair, and needs to stand as the measure by which all other proposals need to be evaluated to determine if they are more fair than the one presented.

Why do we feel this proposal is fair?

It is consistent with Kodiak's rate structure, with Kodiak being lower at the small vessel end of the spectrum, while Kodiak is more on the upper end of the structure (**see Attachment 2**).

The Consultant's structure fits within a square foot analysis of our harbor as shown in **Attachment 3, "Developing a Basis for a Graduated Rate Structure"**. The Consultant's proposal is higher at the small vessel end of the spectrum, and lower at large vessel end of the spectrum.

These comparisons demonstrate that our Consultant was not hallucinating when he prepared the schedule for Homer. It is very well thought out and should stand as the “Gold Standard” for fairness.

The Implementation Plan

Resolution 15-072 carried the direction to develop a graduated linear foot rate schedule, and, in addition to develop its “implementation plan”. When I drafted the substitute resolution that became 15-072, I envisioned a graduated rate structure similar to the Consultant’s. I believed that due to the nature of the increase for the larger vessels, it would be appropriate to achieve its full implementation over several years. **Attachment 4** details the implementation program.

In summary, small vessels will be frozen at the current uniform rate of \$43.49 per year per foot of length until its respective proposed graduated rate structure escalates (estimated to be 5.5% per year) year after year until it becomes larger than \$43.49. This takes about 6 years for a 20’ long vessel.

At the same time, the vessels that need to go up, will do so by escalating the current \$43.49 by the same factor used for the small vessels, plus \$3 additional each year. Concurrently, we track what the value is of the Consultant’s respective graduated rate for each of the larger vessels.

When the escalating \$43.49+\$3 reaches the value of the escalating graduated rate, the \$3 addition is dropped from the calculation. For the largest vessels, this takes about 6 years.

The reason that we need to freeze the small vessels, and not reduce any of their rates is that we need to assure adequate revenue is collected to meet our annual operating demands. Rates cannot go down unless there is an equivalent increase to maintain the same revenue.

The Commission Involvement

I recommend the Council directly take on the responsibility of resolving this public policy issue in a fair manner to all users of the harbor.

Other attached documents

- Rate Comparison of Kodiak to Homer(**Attachment 5**)
Why this? Because large boat owners opine they will leave the harbor if they are expected to pay their fair cost for the service area they require. The largest difference for our reserved slip moorage is just over \$800 per year. The cheapest round trip air fare is \$510

Memorandum

Date: October 27, 2015
To: Bryan Hawkins, Port Director, City of Homer
From: Northern Economics, Inc.
Re: Homer Harbor Rate Structure

This memo evaluates alternative rate structures for the Homer Harbor. Homer's current moorage rate structure is a flat fee charged per linear foot of vessel length or stall length, whichever is greater. The City of Homer is interested in investigating graduated rate structures in which the rate charged per foot would vary by vessel size. The purpose of this study is to provide an objective analysis of alternative rate structures and options for Homer Harbor.

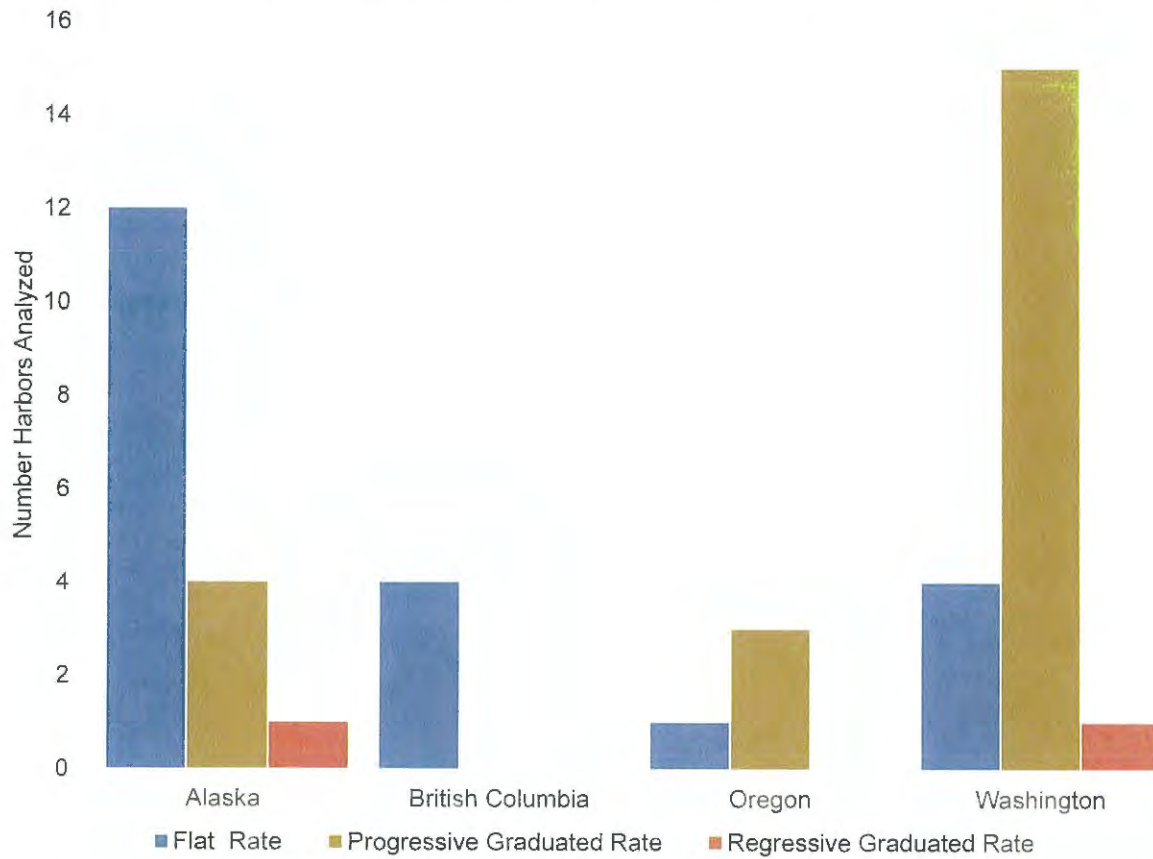
Rate Structure Review

Northern Economics analyzed the permanent moorage rate structures of 45 harbors across Alaska, British Columbia, Washington, and Oregon. Three distinct rate structures were identified within these harbors:

- **Flat Rate:** moorage rate per foot is constant, regardless of vessel or slip size.
- **Progressive Graduated Rates:** moorage rate per foot increases with the vessel or slip size.
- **Regressive Graduated Rates:** moorage rate per foot decreases with the vessel or slip size.

Of the 45 rate structures analyzed, 22 had flat rates and 23 had graduated rates. Of those with graduated rates, 21 were progressive and 2 were regressive. Figure 1 illustrates the distribution of the harbors analyzed by location and rate structure type. While flat rate structures are most common among Alaska harbors, both progressive and regressive rate structures are also being used in the state. Graduated rate structures are prevalent in Oregon and Washington.

Figure 1. Frequency of Rate Structure Types by Location



Source: websites and rate sheets collected from harbors

Table 1 lists the harbors analyzed in this study with the details about their graduated rate structures. These data were used as the basis for the five alternative rate structures presented in this report.

Table 1. Graduated Rate Structures by Port

Port ^a	State	Graduation	Tier Size (ft)	Rate Change per Tier (%)	Transient Structure
Astoria	OR	Progressive	9	3-10	Graduated
Bainbridge	WA	Progressive	8	6-9	Graduated
Ballard Mill	WA	Progressive	2-8	6-9	Only offer Monthly
Bandon	OR	Progressive	various	\$0.01 ^b	Graduated
Bellingham	WA	Progressive	3-11	2-17	Graduated
Blaine	WA	Progressive	3-14	1-16	Flat Rate
Bremerton	WA	Progressive	4	2-9	Flat Rate
Dana Point	OR	Progressive	5	2-22	Flat Rate
Elliot Bay	WA	Progressive	2-10	2-9	Flat Rate
Everett	WA	Progressive	2-5	5-22	Permanent + Flat Fee
Fishermen's Terminal	WA	Progressive	10	1-9	Graduated
Friday Harbor	WA	Progressive	2-10	1-2	Graduated
Haines	AK	Progressive	40	\$6 ^c	Flat Rate
Kennewick	WA	Regressive	5-20	1-25	Flat Rate
Kodiak	AK	Progressive	20	7-20	1/60 of Annual
Olympia	WA	Progressive	8	4-13	Flat Rate
Petersburg	AK	Progressive	8-12	11-15	Flat Rate
Port Angeles	WA	Progressive	10	6-9	Graduated
Port Townsend	WA	Progressive	2-5	1-8	Flat Rate
Shilshole Bay	WA	Progressive	2-10	1-16	Graduated
Tacoma	WA	Progressive	2	various	Only offer Monthly
Thorne Bay	AK	Regressive	5-13	1-2	Graduated
Unalaska	AK	Progressive	10	7-23	Graduated

Notes:

^a Harbors with flat rate structures are not included in the table. These harbors included Brentwood Bay, Chenega Bay, Comox, Cordova, Dillingham, Grays Harbor, Juneau, Kalama, Ketchikan, Kingston, Nanaimo, Nome, Poulsbo, Seward, Sitka, Skagway, Toledo, Valdez, Whittier, and Wrangell.

^b Rate structure uses a \$0.01 increase between tiers instead of a consistent percent change between tiers

^c Rate structure uses a \$6 increase between tiers instead of a consistent percent change between tiers

Source: Websites and rate sheets collected from harbors.

Separate rate structures for transient and permanent moorage were common throughout the rate structures sampled, but the structure of transient moorage and premium over the permanent rate varied significantly between ports. In all cases, daily transient moorage rates were higher than the permanent moorage rates. Some harbors apply a separate graduated rate structure for transient moorage, but there were also a number of harbors that charge a flat rate.

Alternative Rate Structures for Homer

Within graduated rate structures there are two main variables that can be manipulated to produce a customized rate structure. The first is the size and number of tiers within the graduated scale. These tiers can be set to a single uniform size or vary based on vessel size, slip size, or demand. Often tiers are matched with fleet or infrastructure characteristics, such as slip sizes, popular recreational vessels, or species-specific commercial fishing vessel lengths. The second variable is the extent of change

between tiers. The degree of change between tiers may be constant or vary across tiers. Often the rate change is proportional to the size of the tiers.

Based on the rate structure review, Northern Economics developed five alternative rate structures for the City of Homer to consider. These structures illustrate how the graduated rate structures found in other harbors could be applied to Homer. Following the structures are tables illustrating the effect each would have on vessels of different size.

Alternative 1: A progressive graduated rate structure in which the tiers correspond to the slip sizes available in Homer Harbor. The rate increase for each tier ranges from 2 to 5 percent and increases at a decreasing rate.

Alternative 2: A progressive graduated rate structure with smaller tiers set at a constant interval of 4 feet. The rate increase for each tier ranges from 2 to 8.5 percent and increases at a decreasing rate.

Alternative 3: A progressive graduated rate structure with fewer tiers set at a constant interval of 20 feet. The rate increase for each tier ranges from 4 to 10 percent and increases at an increasing rate.

Alternative 4: A regressive graduated rate structure with tiers set at a constant interval of 9 feet. The rate decrease for each tier ranges from 1 to 4 percent and decreases at an increasing rate.

Alternative 5: A progressive continuous rate structure in which the annual moorage rate is calculated using the following equation:

$$\text{Permanent Moorage Rate} \left(\frac{\$}{\text{foot}} \right) = \frac{\$39.95 + \frac{\$0.05}{\text{foot}} \times \text{vessel length (feet)}}{\text{foot}}$$

Northern Economics developed rate tables for each of the alternatives outlined above, as shown in Table 2 through Table 6, calculating the rate required to maintain existing revenues (i.e., rate neutral). Note, however, that the analysis does not consider the elasticity of demand to changes in price.

Alternative 1, shown in Table 2 below, employs a progressive graduated rate structure that increases at a decreasing rate between tiers. The annual rate per foot under this alternative ranges from \$36.72 for vessels under 18 feet to \$46.70 for vessels over 76 feet. Under this rate structure, annual moorage for a 30 foot vessel would be \$486, or approximately 63 percent more than annual moorage for a 20 foot vessel.

Table 2. Rate Table, Alternative 1

Vessel Length (feet)	Change in Rate from Previous Tier (%)	Calculated Annual Rate (\$/foot)
0-18	-	36.72
19-20	5.00	38.55
21-24	4.50	40.29
25-32	4.00	41.90
33-40	3.50	43.37
41-50	3.00	44.67
51-75	2.50	45.78
76+	2.00	46.70

Table 3 contains the second alternative rate structure, a progressive graduated structure using consistent 4-foot tiers. Like the first alternative, the rate changes between tiers increases incrementally at a decreasing rate. Under alternative 2, annual moorage for a 30 foot vessel would be \$499 or 74 percent more than the annual moorage for a 20 foot vessel. Compared to the other alternatives presented in this study, alternative 2 has the widest range in rates across different vessel sizes.

Table 3. Rate Table, Alternative 2

Vessel Length (feet)	Change in Rate from Previous Tier (%)	Calculated Annual Rate (\$/foot)
0-15	-	31.02
16-20	8.50	33.66
21-25	8.00	36.35
26-30	7.50	39.08
31-35	7.00	41.81
36-40	6.50	44.53
41-45	6.00	47.20
46-50	5.50	49.80
51-55	5.00	52.29
56-60	4.50	54.64
61-65	4.00	56.82
66-70	3.50	58.81
71-75	3.00	60.58
76-80	2.50	62.09
81+	2.00	63.33

Alternative 3, shown in Table 4, is a progressive graduated rate structure that uses consistent 20 foot tiers. Unlike the first two progressive structures presented, the third alternative increases incrementally at an increasing rate. Larger tier sizes and increasing incremental rate changes between tiers results in steep increases between tiers. For example the annual moorage for a 45 foot vessel is \$317.90 or 19 percent more than the annual moorage for a 40 foot vessel.

Table 4. Rate Table, Alternative 3

Vessel Length (feet)	Change in Rate from Previous Tier (%)	Calculated Annual Rate (\$/foot)
0-20	-	39.68
21-40	4.00	41.26
41-60	6.00	43.74
61-80	8.00	47.24
81+	10.00	51.96

Table 5 shows Alternative 4, a regressive graduated rate structure using 15-foot tiers. This regressive rate structure decreases incrementally at an increasing rate. Under this rate structure, annual moorage for a 30 foot vessel is \$406.80 or 48 percent more than the annual moorage for a 20 foot vessel. Under a regressive rate structure, the difference in annual moorage between vessels of diverse sizes will be less than a progressive rate structure.

Table 5. Rate Table, Alternative 4

Vessel Length (feet)	Change in Rate from Previous Tier (%)	Calculated Annual Rate (\$/foot)
0-15	-	43.03
16-25	1.00	42.60
26-35	1.50	41.96
36-45	2.00	41.12
46-55	2.50	40.09
56-65	3.00	38.89
66-75	3.50	37.53
76-85	4.00	36.03

Alternative 5 is a progressive continuous rate structure in which the annual moorage rate per foot increases consistently by \$0.05 for every foot. As noted above, the rate is calculated according to the formula:

$$\text{Permanent Moorage Rate} \left(\frac{\$}{\text{foot}} \right) = \frac{\$39.95 + \frac{\$0.05}{\text{foot}} \times \text{vessel length (feet)}}{\text{foot}}$$

Table 6 displays the calculated annual rate under alternative 5 for various vessel length. The rate increase per foot for this alternative was developed to maintain existing revenues and produce the same average weighted annual cost per foot that is currently charged in Homer Harbor.

Table 6. Rate Table, Alternative 5

Vessel Length (feet)	Calculated Annual Rate (\$/foot)
10	40.48
20	41.02
30	41.55
40	42.09
50	42.62
60	43.15
70	43.69
80	44.22
90	44.76

Effect of Rate Structures on Moorage Fees Paid by Vessel Owners

To demonstrate the impact of the alternative rate structures on vessel owners, Table 7 shows the annual moorage payment (not including sales tax and the administrative fee) for vessels ranging from 18 to 68 feet under the alternative rate structures and the current rate of \$41.70 per foot. The table also shows the percent change in moorage payments relative to the current flat rate.

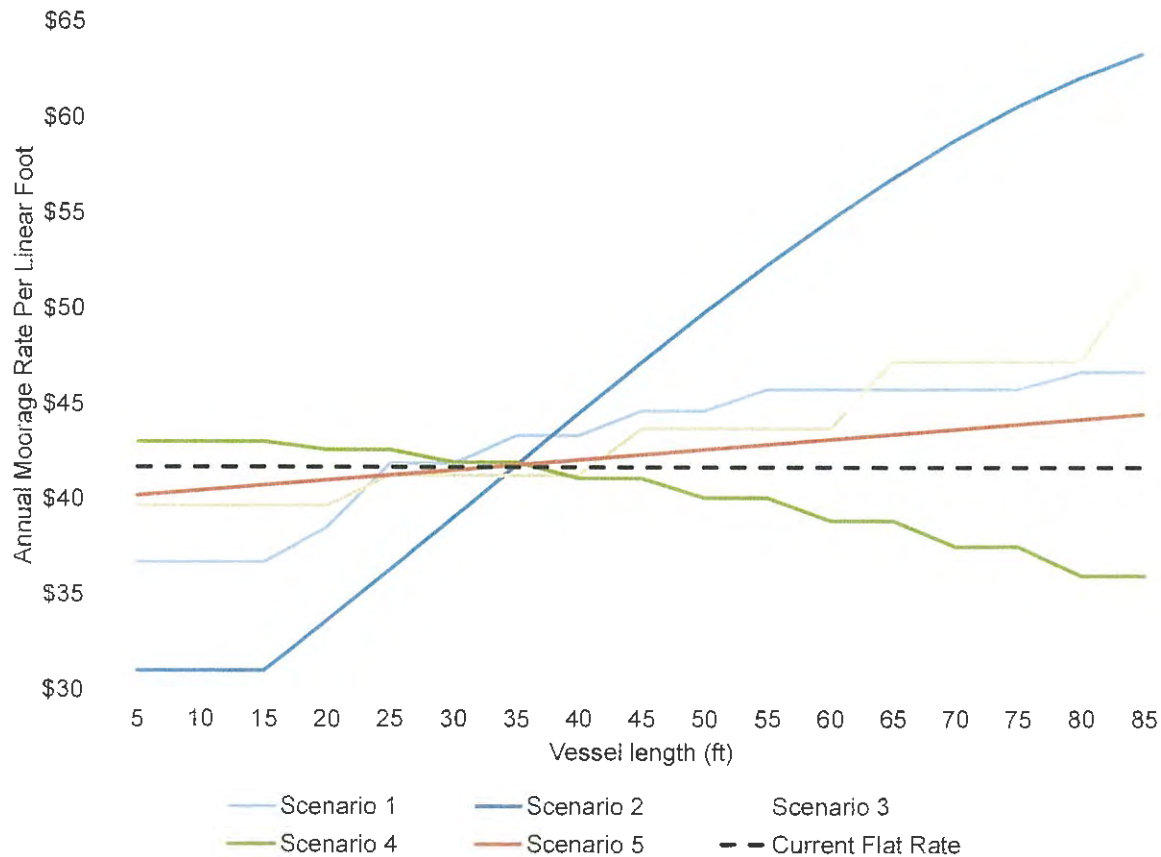
Table 7. Annual Moorage Revenue and Change by Alternative and Vessel Length

Rate Structure	Vessel Length (ft.)					
	18	24	32	42	54	68
Annual Moorage Payment (\$)						
Alternative 1	660.90	966.90	1,340.77	1,876.00	2,472.30	3,113.26
Alternative 2	605.82	872.38	1,337.94	1,982.40	2,823.43	3,999.28
Alternative 3	714.16	990.30	1,320.40	1,837.01	2,361.87	3,212.14
Alternative 4	766.75	1,022.33	1,342.67	1,727.00	2,164.92	2,551.86
Alternative 5	736.36	989.51	1,333.04	1,772.07	2,313.02	2,963.60
Current Rates	750.60	1,000.80	1,334.40	1,751.40	2,251.80	2,835.60
Change From Current Rate (%)						
Alternative 1	-11.9	-3.4	0.5	7.1	9.8	9.8
Alternative 2	-19.3	-12.8	0.3	13.2	25.4	41.0
Alternative 3	-4.9	-1.0	-1.0	4.9	4.9	13.3
Alternative 4	2.2	2.2	0.6	-1.4	-3.9	-10.0
Alternative 5	-1.9	-1.1	-0.1	1.2	2.7	4.5

All of the alternative rate structures increase moorage payments for some vessels and decrease rates for other vessels. Under progressive rate structures (alternatives 1, 2, 3, and 5), moorage payments would be reduced for smaller vessels and increased for larger vessels. Under the regressive rate structure (alternative 4), the moorage payment would be reduced for larger vessels and increased for smaller vessels.

Figure 2 compares the current annual rate per foot with the five alternative rate structures. The intersection of each alternative with the current rate indicates the vessel length at which the alternative rate changes from being higher than the current rate to lower. With progressive rate structures, this is the length at which rates become higher than the current rate, and vice versa for regressive structures.

Figure 2. Comparison of Alternative Rate Structures by Vessel Length



Differentiation by User Type

In addition to length-based rate structures, some harbors charge different rates based on the user type. Four harbors within the sample have class-based divisions, all of which are divided into recreational vessels and commercial vessels. Fishermen's Terminal in Seattle and Blaine Harbor in Bellingham each apply separate graduated rate structures for commercial and recreational vessels. In both cases, the monthly moorage rate per foot is significantly less, between 13 and 39 percent at Fishermen's Terminal and between 28 and 35 percent at Blaine Harbor for commercial vessels. The tiers used in the graduated rate structure for commercial vessels are also much larger than those used for recreational vessels. Commercial-specific rate structures are also set to accommodate larger vessels, with the first tiers ending at 80 feet under both rate structures.

Table 8. Commercial Moorage Discounts by Harbor

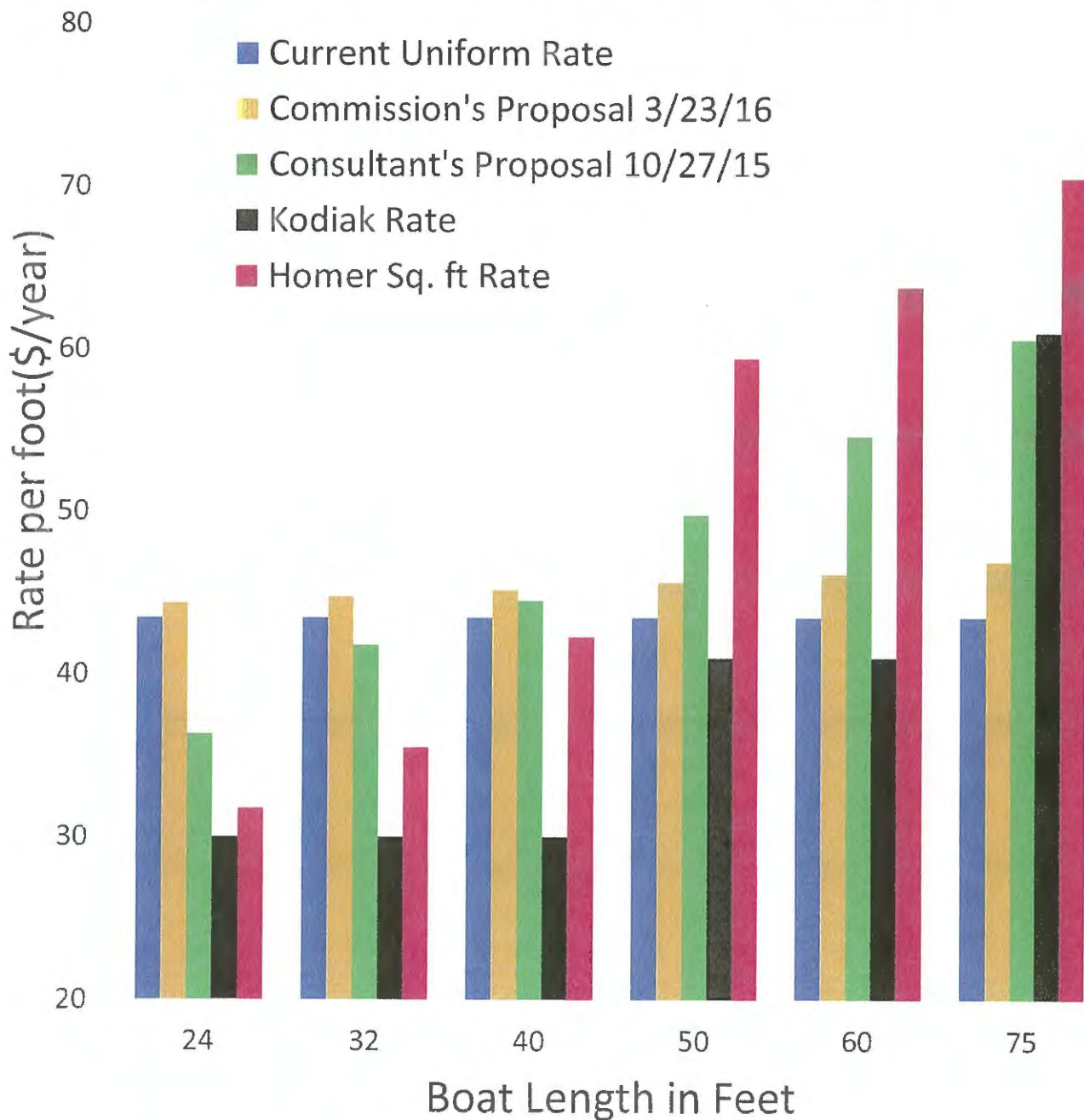
Harbor	Rate Structure	Discount for Commercial Relative to Recreational (%)
Blaine	Graduated-Progressive	28-35
Comox	Flat Rate	34
Fishermen's Terminal	Graduated-Progressive	13-39
Nanaimo	Flat Rate	32-35

Source: Websites and rate sheets collected from harbors.

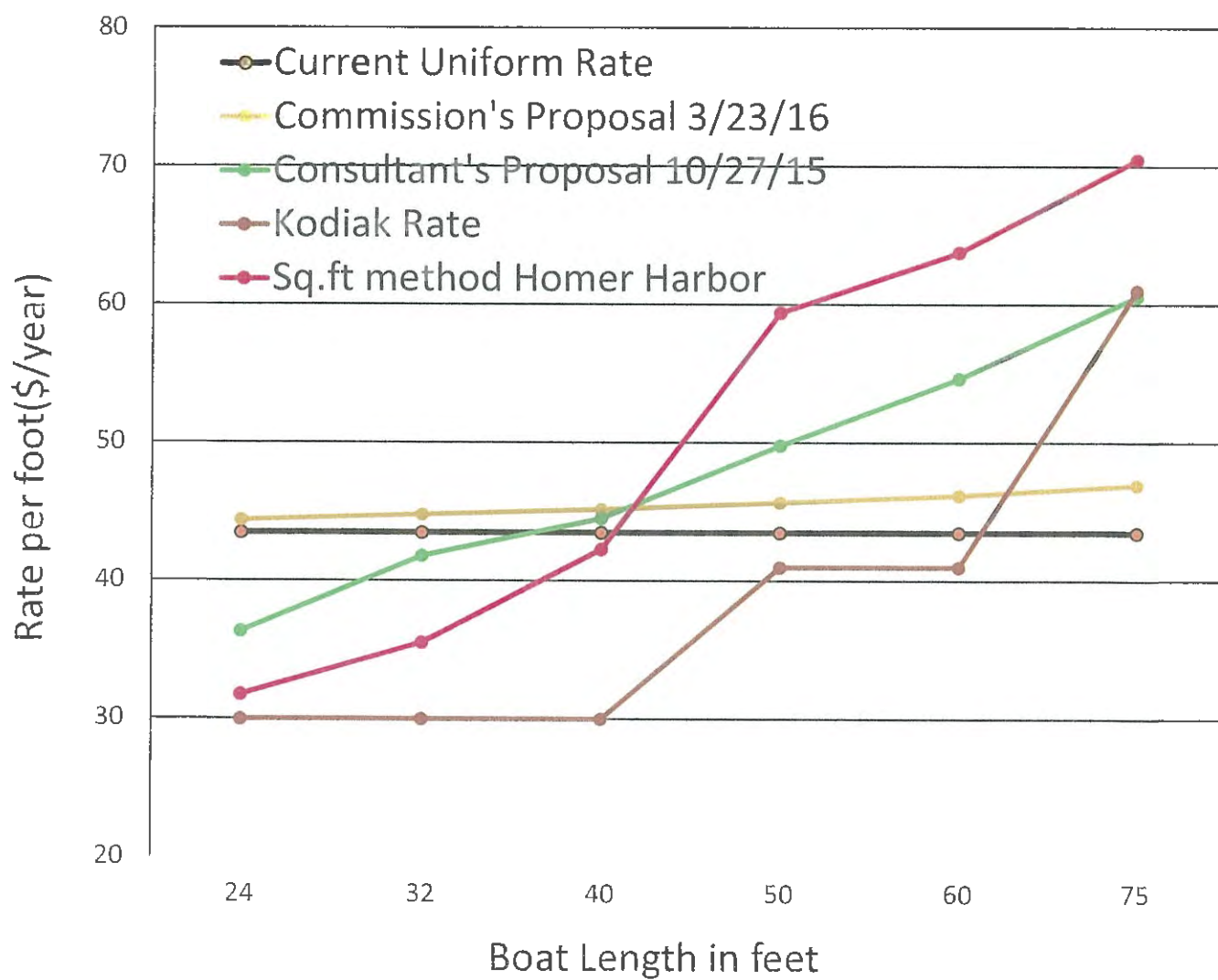
The Port of Nanaimo and Comox Valley Harbor in British Columbia also charge separate moorage rates for commercial and recreational vessels. Both of these harbors use separate flat rate structures for each user type. Moorage for commercial vessels is 32 to 35 percent less than the moorage for recreational vessels at both of these harbors.

ATTACHMENT 2

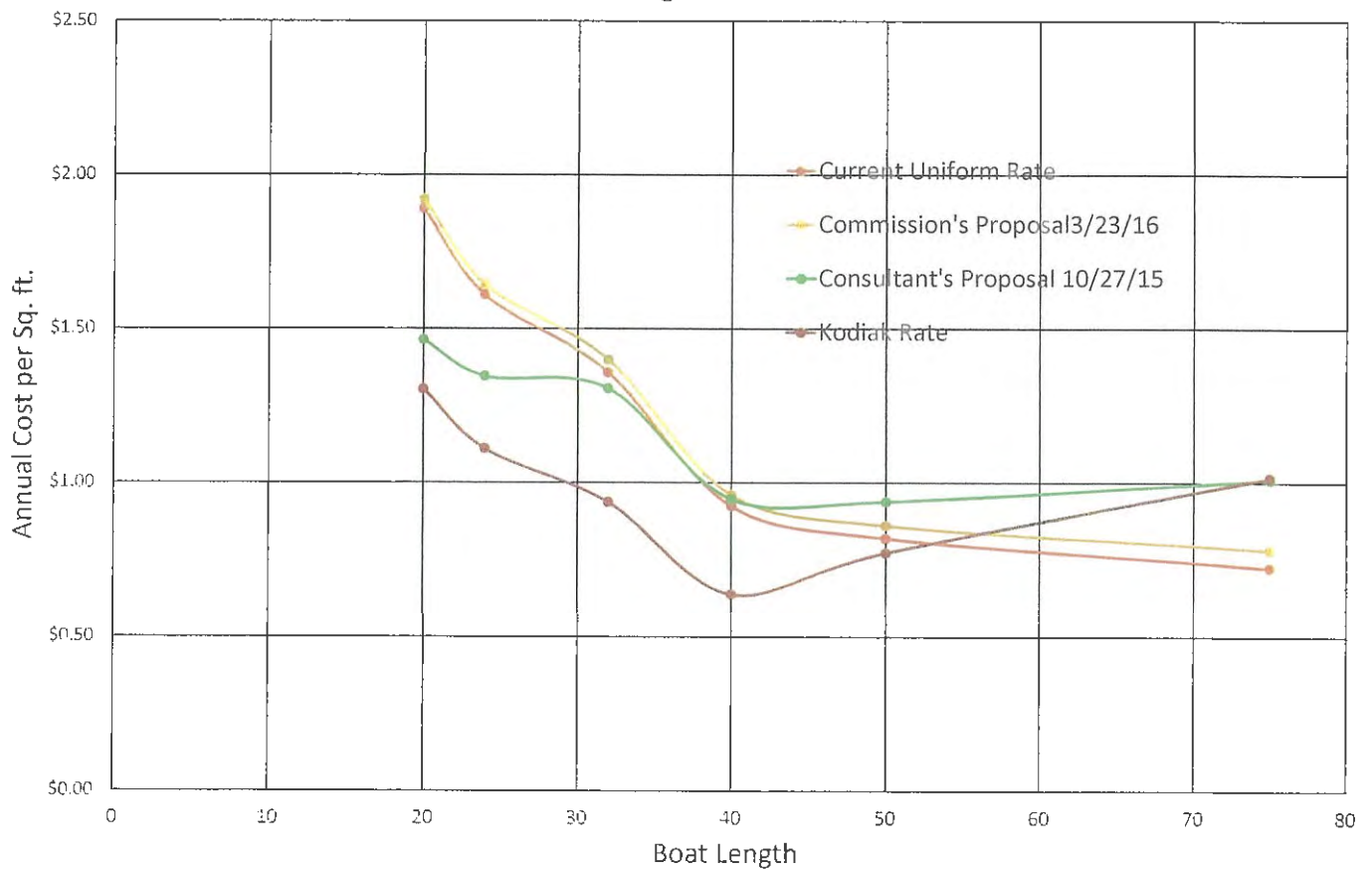
Developing a Basis for a Graduated Rate Structure



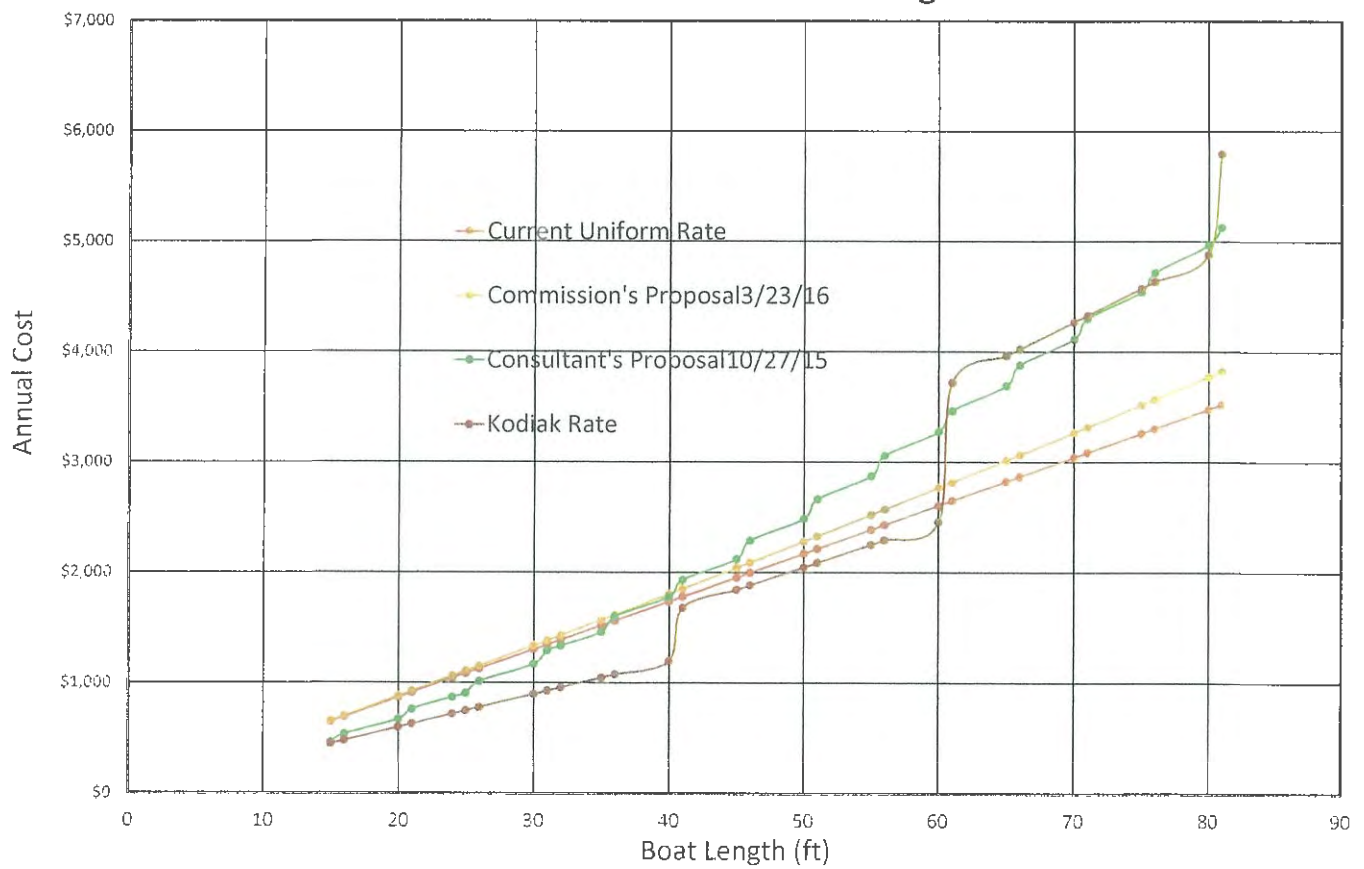
Developing a Basis for a Graduated Rate Structure Structure Comparisons



Homer Port & Harbor Annual Cost per Square Foot Area Vs. Vessel Length



Homer Port & Harbor Annual Boat Cost Per Foot Length



Attachment 3

Developing a Basis for a Graduated Rate Structure

(Square Foot Method- Homer Harbor)

by Bob Howard, June 2015

Steps:

1. Develop aerial understanding of the harbor, i.e., understand how much area is required per vessel in each vessel class.
2. Determine the revenue required to operate that harbor area
3. Determine the total linear feet of each vessel class that will fit in the harbor area.
4. Since the same size vessel occupies the entire area, determine the cost per foot of vessel that is required to produce the revenue goal. Do this for each class length that is desired.
5. With the number of vessels known in each class, the relative operations and maintenance cost can be estimated up or down to adjust the rate for each class. This is a professional judgement evaluation made by experienced harbor staff, with defensible justification for adjustments made.

Getting Going:

I have developed the areal relationships for the existing reserved moorage area on the southwest side of the harbor. I have determined the existing total linear feet of moorage in the reserved area to be 19,112 feet. The current rate is \$41.70 per foot per year.

The annual revenue produced is \$796,970.

Analysis of the dimensional relationships shows that the general basin width is about 3.75 times the vessel class length. Using this relationship, I can determine the following for the greater than 32' vessels. I am limiting my analysis to this because this area is very broken up with mixed classes, while the 24-32' classes are very well defined.

Vessel Length	Basin Width	Basin Width/Vessel Length
---------------	-------------	---------------------------

Attachment 3

24	Ave. 95' for 4 basins	3.96
Vessel Length	Basin Width	Basin Width/Vessel Length
32	Ave 121' for 8 basins	3.78
40	150' calculated	3.75
50	188' calculated	3.75
60	225' calculated*	3.75
75	281' calculated	3.75

*Note that Basin B-C =225' for 75' + 50'

Using the number of vessels on each float and the length of the float, I can determine the the square footage that is required for each foot of vessel in that basin.

Vessel Class	Sq. Ft./Linear foot of vessel
24	28.4
32	31.75
40	37.8 (using float D as my data source, 23 Vessels on 290')
50	53.1 (Using Float C as my data source 23 vessels on 325' of float)
60	57 (Using calculated ratios of the 50 & 75' to Develop this ratio)
75	63 (developed using the Basin BC number of 58, and the 53.1 for the 50' above)

I know the total area of the reserved moorage to be 712,138 square feet.

I can now calculate the linear feet of each class of vessel in the total

Attachment 3

area, if the total area is populated with that class only. The linear feet is determined by dividing 712,138 by the Sq. Ft./ linear ft of vessel above. Dividing the revenue (\$796,970) by the linear feet yields the annual cost per foot for that class.

Vessel Class	Linear Feet	Annual Cost per Foot
24	25075	31.78
32	22430	35.53
40	18840	42.30
50	13411	59.43
60	12494	63.79
75	11304	70.50

At this point, an evaluation (professional judgement) needs to be made on operations and maintenance costs adjustment for each harbor configuration such as would staff be reduced if only 75' vessels occupied the area?

Would there be an increase in staff if there were only small boats in the area?

How does the amount of seasonal transient affect staffing?

Other identifiable and measureable impacts?

Attachment 4

Rate Structure Implementation

The purpose of this document is to implement the the new rate structure over a period of years, so that our users do not experience a large single year increase. By the same token, doing this means the small vessel owners will see no reduction in rate, but over the implementation period their rates will remain fixed until the annual increases in the starting base rate equals or exceeds the fixed rate. There can not be a reduction because we will not receive the necessary revenue to operate.

As an example, I will work with the 16-20' vessel to show how the above is applied. Assume the graduated base rate is 33.66/foot as shown in the Consultant's report

The current rate for 2016 is 43.49/foot

We are escalating moorage costs at 3.2% annually per Council action, and we are increasing moorage rates annually by the Consumer Price Index (CPI). We assume the CPI is going up at 2.3% per year, so our total escalation factor is 5.5%

Escalate the \$33.66 by the escalation factor year over year and compare it to the fixed rate.

When it becomes equal to or greater than the fixed rate, the annual cost for the vessel starts escalating.

In this scenario, you pay the greater of the two values shown in the row

Year	Fixed Rate	Escalating Base Rate
2016	43.49	0
2017	43.49	33.66
2018	43.49	35.51
2019	43.49	37.46
2020	43.49	39.52
2021	43.49	41.70
2022	43.49	43.99
2023		46.41

As seen above, the last year for the fixed rate payment is 2021, with the graduated rate payment becoming greater and applicable in 2022

Turning to the vessels that we have set the largest graduated rate for-

The largest graduated rate is \$63.33 for vessels 81' or larger, this is a \$19.84 increase over the current rate.

Let's assume that we tackle this increase over a 6 year period at \$ 3.00 per year.

We will start applying the increase in 2017, so in 2017 the the rate will be $43.49 + 43.49 \times 0.055 + 3 = 48.88$

We will escalate this by 5.5% plus \$3. year over year

We will escalate the base rate of 63.33 by the 5.5% year over year as well, and find where the two meet

In this scenario, you pay the lessor of the two values shown in the row

Year	Current Rate	Graduated Base
	Escalated	Rate Escalated
2016	43.49	0.00
2017	48.88	63.33
2018	54.57	66.81
2019	60.57	70.49
2020	66.90	74.36
2021	73.58	78.45
2022	80.63	82.77
2023	88.06	87.32
2024	95.91	92.12

In January of 2023, we will end the \$3 escalation and continue with the 5.5% escalation

Analyze the other classes to determine the length of time to achieve normal rate escalation

Vessel Length-15'and less	Base Rate	31.02	
Escalating Base Rate Factor-	5.50%	Fixed Payment-	43.49

Year	Fixed Payment	Escalating Base Rate
2016	43.49	0
2017	43.49	31.02
2018	43.49	32.73
2019	43.49	34.53
2020	43.49	36.42
2021	43.49	38.43
2022	43.49	40.54
2023	43.49	42.77
2024	43.49	45.12

Vessel Length-21-25'	Base Rate	36.35	
Escalating Base Rate Factor-	5.50%	Fixed Payment-	43.49

Year	Fixed Payment	Escalating Base Rate
2016	43.49	0
2017	43.49	36.35
2018	43.49	38.35
2019	43.49	40.46
2020	43.49	42.68
2021	43.49	45.03
2022		
2023		

Vessel Length-26-30'	Base Rate	39.08	
Escalating Base Rate Factor-	5.50%	Fixed Payment-	43.49

Year	Fixed Payment	Escalating Base Rate
2016	43.49	0
2017	43.49	39.08
2018	43.49	41.23
2019	43.49	43.50

Vessel Length-31-35'	Base Rate	41.81	
Escalating Base Rate Factor-	5.50%	Fixed Payment-	43.49

Year	Fixed Payment	Escalating Base Rate
2016	43.49	0
2017	43.49	41.81
2018	43.49	44.11

Vessel Length-36-40'	Base Rate	44.53	
Escalating Base Rate Factor-	5.50%	Fixed Payment-	43.49

Year	Fixed Payment	Escalating Base Rate
2016	43.49	0
2017	48.88	44.53
2018		
2019		
2020		
2021		
2022		

Vessel Length-41-45'	Base Rate	47.2
Escalating Base Rate Factor-	5.50%	Fixed Payment-43.49

Year	Fixed Payment	Escalating Base Rate
2016	43.49	0
2017	48.88195	47.2

Vessel Length-46-50'	Base Rate	49.8
Escalating Base Rate Factor-	5.50%	Fixed Payment-43.49
Current Rate Escalator	Prior year X1.055 plus \$3	

Year	Current Rate Escalated	Escalating Base Rate
2016	43.49	0
2017	48.88195	49.8
2018	54.57046	52.539

Vessel Length-51-55'		Base Rate	52.29
Escalating Base Rate Factor-		5.50%	Fixed Payment-43.49
Current Rate Escalator- Prior year X1.055 plus \$3			
Year	Current Rate	Escalating Base Rate	
	Escalated		
2016	43.49	0.00	
2017	48.88	52.29	
2018	54.57	55.17	
2019	60.57	58.20	
2020			
2021			
2022			
2023			

Vessel Length-56-60'		Base Rate	54.64
Escalating Base Rate Factor-		5.50%	Fixed Payment-43.49
Current Rate Escalator- Prior year X1.055 plus \$3			
Year	Fixed Payment	Escalating Base Rate	
	Escalated		
2016	43.49	0	
2017	48.88	54.64	
2018	54.57	57.65	
2019	60.57	60.82	
2020	66.90	64.16	
2021			
2022			
2023			

Vessel Length-61-65'		Base Rate	56.82
Escalating Base Rate Factor-		5.50%	Fixed Payment-43.49
Current Rate Escalator- Prior year X1.055 plus \$3			
Year	Fixed Payment	Escalating Base Rate	
2016	43.49	0	
2017	48.88	56.82	
2018	54.57	59.95	
2019	60.57	63.24	
2020	66.90	66.72	

el Length-66-70'		Base Rate	58.81
ig Base Rate Factor-		5.50%	Fixed Payment-43.49
nt Rate Escalator-		Prior year X1.055 plus \$3	
Year	Current Rate	Escalating Base Rate	
	Escalated		
2016	43.49	0	
2017	48.88	58.81	
2018	54.57	62.04	
2019	60.57	65.46	
2020	66.90	69.06	
2021	73.58	72.86	
2022			
2023		0	

el Length-71-75'		Base Rate	60.58
ig Base Rate Factor-		5.50%	Fixed Payment-43.49
nt Rate Escalator-		Prior year X1.055 plus \$3	
Year	Current Rate	Escalating Base Rate	
	Escalated		
2016	43.49	0.00	
2017	48.88	60.58	
2018	54.57	63.91	
2019	60.57	67.43	
2020	66.90	71.14	
2021	73.58	75.05	
2022	80.63	79.18	
2023			

el Length-76-80'		Base Rate	62.09
ig Base Rate Factor-		5.50%	Fixed Payment-43.49
nt Rate Escalator-		Prior year X1.055 plus \$3	
Year	Current Rate	Escalating Base Rate	
	Escalated		
2016	43.49	0.00	
2017	48.88	62.09	
2018	54.57	65.50	
2019	60.57	69.11	
2020	66.90	72.91	
2021	73.58	76.92	
2022	80.63	81.15	
2023	88.06	85.61	

Summary Sheet of Implementation Schedule

Shown below is the year at which each vessel size will be compliant with the progressive graduated linear foot structure that has been proposed by Northern Economics

	2016	2017	2018	2019	2020	2021	2022	2023	2024
Vessel Size (in feet)	Costs are in dollars per foot per year								
15 or less	43.49	43.49	43.49	43.49	43.49	43.49	43.49	43.49	45.12
16-20	43.49	43.49	43.49	43.49	43.49	43.49	43.99		
21-25	43.49	43.49	43.49	43.49	43.49	45.03			
26-30	43.49	43.49	43.49	43.49					
31-35	43.49	43.49	44.11						
36-40	43.49	44.53							
41-45	43.49	47.20							
46-50	43.49	48.88	52.54						
51-55	43.49	48.88	54.57	58.20					
56-60	43.49	48.88	54.57	60.57	64.16				
61-65	43.49	48.88	54.57	60.57	66.72				
66-70	43.49	48.88	54.57	60.57	66.90	72.85			
71-75	43.49	48.88	54.57	60.57	66.90	73.58	79.18		
76-80	43.49	48.88	54.57	60.57	66.90	73.58	80.63	85.61	
81 & greater	43.49	48.88	54.57	60.57	66.90	73.58	80.63	87.32	

Attachment 5

Analysis 3

The rate structure shown in the Consultant draft report dated Oct. 27, 2015, represents a fair and equitable progressive graduated rate distribution is shown below

KODIAK RATES

HOMER RATES

Length Feet	Annual Cost per foot	Annual Cost per Boat	Annual Cost per foot	Annual Cost per Boat	Homer Costs More	Homer Costs Less by
15	31.02	465.30	30	450	15.30	
16	33.66	538.56	30	480	58.56	
20	33.66	673.20	30	600	73.20	
21	36.35	763.35	30	630	133.35	
24	36.35	872.40	30	720	152.40	
25	36.35	908.75	30	750	158.75	
26	39.08	1016.08	30	780	236.08	
30	39.08	1172.40	30	900	272.40	
31	41.81	1296.11	30	930	366.11	
32	41.81	1337.92	30	960	377.92	
35	41.81	1463.35	30	1050	413.35	
36	44.53	1603.08	30	1080	523.08	
40	44.53	1781.2	30	1200	581.20	
41	47.20	1935.2	41	1681	254.20	
45	47.20	2124	41	1845	279.00	
46	49.8	2290.8	41	1886	404.80	
50	49.80	2490.00	41	2050	440.00	
51	52.29	2666.79	41	2091	575.79	
55	52.29	2875.95	41	2255	620.95	
56	54.64	3059.84	41	2296	763.84	
60	54.64	3278.4	41	2460	818.40	
61	56.82	3466.02	61	3721		254.98
65	56.82	3693.3	61	3965		271.7
66	58.81	3881.46	61	4026		144.54
70	58.81	4116.7	61	4270		153.3
71	60.58	4301.18	61	4331		29.82
75	60.58	4543.50	61	4575		31.5
76	62.09	4718.84	61	4636	82.84	
80	62.09	4967.2	61	4880	87.20	
81	63.33	5129.73	71.5	5791.5		661.77
101	63.33	6396.33	82	8282		1885.67
121	63.33	7662.93	89	10769		3106.07
151	63.33	9562.83	100	15100		5537.17

NEW BUSINESS



City of Homer

www.cityofhomer-ak.gov

Office of the City Clerk

491 East Pioneer Avenue
Homer, Alaska 99603

clerk@cityofhomer-ak.gov

(p) 907-235-3130

(f) 907-235-3143

Memorandum 16-172

TO: MAYOR ZAK AND HOMER CITY COUNCIL

FROM: JO JOHNSON, CITY CLERK

DATE: OCTOBER 17, 2016

SUBJECT: SELECTION/APPOINTMENT OF MAYOR PRO TEMPORE FOR 2016/2017

Per Homer City Code Section 2.08.080, Mayor's absence: At the first meeting of the Council following certification of the municipal election each year, there shall be appointed a Mayor Pro Tempore, by majority vote of Council, to act as Mayor during the Mayor's temporary absence or disability.

Pursuant to Council's Operating Manual: A Mayor Pro Tem shall be elected by the majority of the Homer City Council. The term of the Mayor Pro Tem shall be until the call for election by the Homer City Council of a New Mayor Pro Tem. The Mayor Pro Tem shall, in the absence of the Mayor, act as Mayor of the City of Homer as though they themselves had taken the Oath of Office of Mayor with all duties, responsibilities and powers of the Office of the Mayor of the City of Homer. The Mayor Pro Tem, when acting in that capacity, does not lose the privilege or duty to vote as a Councilmember.

Pursuant to Council's Operating Manual: Council Seat - Customarily the selection is by seniority. Senior members may choose a different seat prior to the junior members being seated. The Mayor Pro Tempore shall have first seating choice and then the Senior Councilmembers and so on and so forth. (Resolution 04-89.)

Secret Ballots are provided for your convenience and to be used as you deem necessary.

RECOMMENDATION:

_____ is selected/appointed as Mayor Pro Tempore for the City of Homer for 2016/17.

After Council selects the Mayor Pro Tempore he/she may have first seat choice, including remaining where he/she is currently seated.

RESOLUTIONS

**CITY OF HOMER
HOMER, ALASKA**

City Manager

RESOLUTION 16-106

A RESOLUTION OF THE HOMER CITY COUNCIL DESIGNATING
SIGNATORIES OF CITY ACCOUNTS AND SUPERSEDING ANY
PREVIOUS RESOLUTION SO DESIGNATING.

WHEREAS, Bryan Zak was elected as Mayor at the October 4, 2016 municipal election
and sworn into office on October 10, 2016; and

WHEREAS, Councilmember _____ was appointed as Mayor Pro Tempore
for 2016/2017, effective October 24, 2016.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Homer, Alaska, that the
designated signatories, effective October 24, 2016 are as follows with the number of
signatories defined:

On the regular Wells Fargo Bank Alaska checking account #016030109 that the following are
the designated signatories for this account, with dual signatures required for checks over
\$5,000; on the investment accounts with Alaska Municipal League, First National Bank,
Raymond James Investment, Wells Fargo Bank Alaska, and other institutions, and for
Department of Administration Grants and other grants, one of the following authorized
signatories or the dual electronic authorization system is required for all transactions:

BRYAN ZAK, MAYOR
MARY K. KOESTER, CITY MANAGER
_____, **MAYOR PRO TEMPORE**
JO JOHNSON, ACTING CITY MANAGER/CITY CLERK
ZHIYONG LI, FINANCE DIRECTOR/TREASURER

PASSED AND ADOPTED by the City Council of Homer, Alaska, this 24th day of October,
2016.

CITY OF HOMER

BRYAN ZAK, MAYOR

44 ATTEST:

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47

48 _____
JO JOHNSON, MMC, CITY CLERK

49

50 Fiscal Note: N/A

51

**CITY OF HOMER
HOMER, ALASKA**

Mayor

RESOLUTION 16-111

A RESOLUTION OF THE HOMER CITY COUNCIL GIVING DIRECTION
TO THE CITY MANAGER TO REJECT/ACCEPT THE PROPOSAL TO
CONSOLIDATE 911 DISPATCH SERVICES WITH THE KENAI
PENINSULA BOROUGH.

WHEREAS, The Kenai Peninsula Borough operates a 911 dispatch facility out of
Soldotna, Alaska; and

WHEREAS, The Borough has approached the communities of Seward, Kenai, and
Homer about consolidated dispatch services; and

WHEREAS, City administration has engaged in conversations with the Borough since
March of 2016 analyzing the pros, cons, and challenges of consolidation; and

WHEREAS, in October of 2016 the Homer City Council held two worksessions on the
proposal from the Borough.

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

Option 1: After careful review has decided that consolidating 911 dispatch is not in the best
interest of the City of Homer and rejects the Kenai Peninsula Borough's request to
consolidate 911 dispatch services.

Option 2: After careful review has decided that consolidation of dispatch services is in the
best interest of the City of Homer and directs the City Manager to proceed with negotiations.

PASSED AND ADOPTED by the Homer City Council this 24th day of October, 2016.

CITY OF HOMER

BRYAN ZAK, MAYOR

39 ATTEST:

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43 _____
JO JOHNSON, MMC, CITY CLERK

44

45 Fiscal Note: To be determined.

**CITY OF HOMER
HOMER, ALASKA**

Port and Harbor Director/
Port and Harbor Advisory Commission

RESOLUTION 16-112

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
AMENDING THE PORT OF HOMER TERMINAL TARIFF NO. 600 TO
IMPLEMENT A NEW GRADUATED HARBOR MOORAGE RATE
STRUCTURE.

WHEREAS, The Port Director/Harbormaster established how harbor moorage fees are structured and implemented, and are to be included in the Port of Homer Terminal Tariff No. 600; and

WHEREAS, The Port and Harbor Advisory Commission discussed and unanimously supported the recommendation by the Port Director/Harbormaster to implement a new graduated harbor moorage rate structure of \$0.05 increase per linear foot, based on the following equation,

Permanent Moorage Rate	$\left(\frac{\$}{\text{foot}} \right)$	$\frac{\$43.49 + (\$0.05/\text{foot}) \times \text{vessel length (feet)}}{\text{foot}}$
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and cap the increases at the 86 foot vessel size.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby amends the Port of Homer Terminal Tariff No. 600 to include the graduated harbor moorage rate structure effective January 1, 2017 as follows:

RULE: 34.18 - HARBOR MOORAGE RATES (A)

EFF: 01JAN2016

SUBSECTION 200

(a) CALCULATION OF MOORAGE RATES:

Mooring charges shall commence when a vessel is made fast to a wharf, pier, harbor float or other facility, or when a vessel is moored to another vessel so berthed (rafting). Charges shall continue until such vessel is completely free from and has vacated the port and harbor facilities.

A vessel moored at any time between 12:01 A.M. and 10:00 A.M. shall be charged a full day's moorage. The Harbormaster may, in his discretion and with proper and appropriate advance notice, waive a daily rate for a vessel that will occupy mooring space for a minimum time and, provided that the Harbormaster determines the use of the public facilities by others will not be congested or adversely affected.

Mooring charges shall be calculated on the length of the vessel, or in the case of a reserved stall, the length of the float stall assigned, whichever is greater.

Length shall be construed to mean the distance expressed in feet from the most forward point at the stem to the aftermost part of the stern of the vessel, measured parallel to the base line of the vessel. The length shall include all hull attachments such as bowsprits, dinghies, davits, etc.

For billing purposes, when the actual length of the vessel is not immediately available, length of the vessel as published in "Lloyd's Register of Shipping" may be used. The City of Homer reserves the right to: (1) obtained the length from the vessel's register, or (2) measure the vessel.

All vessels in the harbor are subject to these rates, except properly registered seine skiffs or work skiffs attached to the mother vessel. Work skiff is defined as a boat that is usually carried on the deck or super structure of the mother vessel and is regularly used in the commercial enterprise of the mother vessel.

(b) ANNUAL MOORAGE FEE:

The annual moorage fee for reserved moorage and transient moorage privileges shall be **calculated based on a graduated harbor moorage rate structure of \$43.49 per linear foot with an increase of \$0.05 per foot based on the following equation**, plus a fifty dollar (\$50.00) administration charge **for transient moorage**; or for a reserved stall, the length of the finger float stall assigned, or the overall length of the vessel, whichever is greater plus a fifty dollar (\$50.00) administration charge:

Permanent Moorage Rate	$\left(\frac{\$}{\text{foot}} \right)$	$\frac{\$43.49 + (\$0.05/\text{foot}) \times \text{vessel length (feet)}}{\text{foot}}$
------------------------	---	---

The graduated increases shall cap at the 86 foot vessel size. The per-lineal foot is ~~forty three dollars and forty nine cents (\$43.49)~~ ^{per linear foot} based on the overall length of the vessel (including all hull attachments such as bowsprits, davits, dinghies, swimsteps etc.)

Any reproduction in the moorage fee due to a substituted or amended moorage agreement is not applied retroactively and the owner or operator is not entitled to a refund or a pro-rata adjustment of the moorage fees already due or paid. Any moorage agreement that expires will, after five days, automatically be charged a monthly rate retroactive to the expiration date. Unregistered vessels will also, after 5 days, automatically be charged a monthly rate retroactively to the date the vessel entered the harbor.

- (1) All reserved stall assignments are on an annual basis beginning October 1 and ending September 30 of the following year. Prepayment of a full year's moorage is due on or before October 1 of each year. Payment for reserved moorage will only be accepted from the individual assigned the reserved stall. The reserved stall payment shall be paid in full at the time the reserved stall/moorage agreement is executed to the satisfaction of the Harbormaster.

Any other arrangements are at the discretion of the Harbormaster and must be made in advance.

- (2) A reserved stall assignment granted after October 1 will be charged a fee based on the number of months (including the month which it is granted regardless of the day of the month) left in the fiscal year ending September 30.

(c) A semiannual transient rate is available on a prepaid basis only for transient vessels mooring in the Small Boat Harbor for a period of six consecutive months. The transient semiannual rate is 67% of the annual rate. Vessels that do not renew will automatically be charged the monthly rate.

(d) The monthly transient rate will be 17% of the annual rate. Vessels that are properly registered and pay all moorage fees in advance may deduct fifty cents (\$.50) per foot per month.

(e) The daily transient rates are: 3% of the annual rate.

Vessels that properly register and pay all moorage fees in advance may deduct five dollars per day from the daily rate.

(f) FLOAT PLANE FEES:

With proper registration and specific permission from the Harbormaster, float planes may arrange for short-term moorage in the Small Boat Harbor. This is only allowed when ice and weather conditions prevent float planes from landing on Beluga Lake.

A fee in the amount equal to the daily rate for moorage of two (2) 24' vessels shall be assessed on a daily basis for float planes mooring within the confines of the Small Boat Harbor. A monthly rate in the amount equal to the monthly rate for two 24' vessels shall be assessed for float plane moorage for longer periods, and the moorage charge computed for a float plane's stay in the harbor shall be the lowest total charge resulting from the application of either the daily or the monthly rate indicated.

PASSED AND ADOPTED by the Homer City Council this ____ day of November, 2016.

CITY OF HOMER

BRYAN ZAK, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

128 Fiscal Impact: To be determined.

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

