



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

Agenda Changes/Supplemental Packet

TO: MAYOR WYTHE AND HOMER CITY COUNCIL

FROM: JO JOHNSON, MMC, CITY CLERK

DATE: OCTOBER 10, 2016

SUBJECT: AGENDA CHANGES AND SUPPLEMENTAL PACKET

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.

Page 3

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.

Page 27

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. Page 33

Certificate of Incumbency Page 37

RECOMMENDATION:

Voice consensus to changes under Agenda Approval.

Fiscal Note: N/A



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Planning

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(p) 907-235-3106

(f) 907-235-3118

Memorandum 16-169

TO: MAYOR WYTHE AND HOMER CITY COUNCIL
THROUGH: KATIE KOESTER, CITY MANAGER
FROM: RICK ABBOUD, 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-

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FROM: RICK ABBOUD, CITY PLANNER
DATE: October 10, 2016
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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.]

45 within 15 days of receipt of application, recommend to the State of Alaska
46 denying an application that does not comply with this code or he or she may
47 recommend approving the application with conditions that, if adopted, will
48 result in compliance with this code.

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

51
52 Section 3. This ordinance shall be of a permanent and general character and shall be included
53 in the City code.

54
55
56 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this _____ day of
57 _____, 2016.

58
59 CITY OF HOMER

60
61 _____
62 MARY E. WYTHE, MAYOR

63
64 ATTEST:

65 _____
66
67 JO JOHNSON, MMC, CITY CLERK

68
69 YES:
70 NO:
71 ABSTAIN:
72 ABSENT:

73
74 First Reading:
75 Public Hearing:
76 Second Reading:
77 Effective Date:

78
79 Reviewed and approved as to form.

80
81 _____
82 Mary K. Koester, City Manager

83
84 Date: _____

Date: _____

85
86 Fiscal Note: NA

87
88 **[Bold and underlined added. Deleted language stricken through.]**



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.

1. Review and discuss the
2. Review and discuss the
3. Review and discuss the

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2. Review and discuss the
3. Review and discuss the

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

1 CITY OF HOMER
2 HOMER, ALASKA

City Manager

3
4 ORDINANCE 16-XX

5
6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
7 AMENDING HOMER CITY CODE 21.62.040 CURRENTLY
8 ENTITLED "PRE-APPLICATION CONFERENCE," TO AUTHORIZE
9 THE CITY PLANNER TO RECOMMEND TO THE STATE OF
10 ALASKA THAT IT DENY AN APPLICATION FOR A MARIJUANA
11 ESTABLISHMENT THAT DOES NOT COMPLY WITH HOMER
12 CITY CODE AND AUTHORIZE THE CITY PLANNER TO
13 RECOMMEND THAT THE STATE IMPOSE CONDITIONS TO
14 APPROVAL WHEN NECESSARY TO ENSURE COMPLIANCE
15 WITH THE HOMER CITY CODE.
16

17 WHEREAS, THE State of Alaska marijuana establishment registration application
18 process required under Alaska Statute 17.38 subjects approval of all applications to the non-
19 opposition of the city in which the applicant's establishment is located; and
20

21 WHEREAS, it is in the City's best interest to authorize the City of Homer Planner ("City
22 Planner"), or his or her designee, to review the State of Alaska applications for registration of
23 marijuana establishments within the City and ensure that all establishments operating within
24 the City comply with Homer City Code;
25

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

28 Section 1. Homer City Code 21.62.040, "Pre-application conference," is amended to read as
29 follows:
30

31 Homer City Code 21.62.040 Pre-application conference **and State of Alaska**
32 **application review process.**
33

34 **a.** When this title requires a conditional use permit for a marijuana facility, the
35 applicant must meet with the City Planner to discuss the conditional use permit
36 process and any issues that may affect the proposed conditional use. This meeting
37 is to provide for an exchange of general and preliminary information only and no
38 statement made in such meeting by either the applicant or the City Planner shall be
39 regarded as binding or authoritative for the purposes of this title.
40

41 **b.** **The City Planner shall be responsible for reviewing all applications filed with the**
42 **State of Alaska under AS 17.38 for the operation of marijuana establishments in**
43 **the City of Homer once those applications have been submitted to the city for**
44 **its review by the State of Alaska. The City Planner, or his or her designee, shall**

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

506742\222\00538976

45 recommend to the State of Alaska denying an application that does not comply
46 with this code or he or she may recommend approving the application with
47 conditions that, if adopted, will result in compliance with this code.
48

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

50
51 Section 3. This ordinance shall be of a permanent and general character and shall be included
52 in the City code.
53
54
55
56

57 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this _____ day of
58 _____, 2016.
59

60 CITY OF HOMER
61
62

63 _____
64 MARY E. WYTHE, MAYOR
65
66

67 ATTEST:
68
69

70 _____
71 JO JOHNSON, MMC, CITY CLERK
72

73 YES:

74 NO:

75 ABSTAIN:

76 ABSENT:
77
78

79 First Reading:

80 Public Hearing:

81 Second Reading:

82 Effective Date:
83

84 Reviewed and approved as to form.
85

86 _____
87 Mary K. Koester, City Manager
88

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 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.



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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?

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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.

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.]

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

171 **q. No City official may violate HCC 2.04.030.**

172
173 Section 3. This ordinance shall be of a permanent and general character and shall be
174 included in the City code.

175
176 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this _____ day of
177 _____, 2016.

178
179 CITY OF HOMER
180
181
182
183 _____
184 MARY E. WYTHE, MAYOR

185
186 _____
187 JO JOHNSON, MMC, CITY CLERK
188

189
190
191 YES:
192 NO:
193 ABSTAIN:
194 ABSENT:

195
196
197
198 First Reading:
199 Public Hearing:
200 Second Reading:
201 Effective Date:

202
203 Reviewed and approved as to form.

204
205 _____
206 Mary K. Koester, City Manager
207 _____
208 Holly C. Wells, City Attorney

209 Date: _____
210 Date: _____

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

211 Fiscal Note: NA

Bold and underlined added. Deleted language stricken through.]

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

3 City Clerk/
4 Canvass Board

5 **RESOLUTION 16-103(S)**
6

7 A RESOLUTION OF THE CITY COUNCIL CERTIFYING THE RESULTS
8 OF THE CITY OF HOMER REGULAR ELECTION HELD OCTOBER 4,
9 2016 TO DECIDE BALLOT PROPOSITION #1 “SHALL THE CITY OF
10 HOMER INCUR DEBT AND ISSUE GENERAL OBLIGATION BONDS
11 IN AN AMOUNT NOT TO EXCEED TWELVE MILLION DOLLARS
12 (\$12,000,000) TO FINANCE THE PLANNING, DESIGN AND
13 CONSTRUCTION OF A POLICE STATION AND RELATED CAPITAL
14 IMPROVEMENTS; AND SHALL THE RATE OF CITY SALES TAX BE
15 INCREASED BY SIXTY-FIVE HUNDREDTHS OF ONE PERCENT
16 (0.65%) TO FIVE AND FIFTEEN HUNDREDTHS PERCENT (5.15%)
17 FROM APRIL 1 THROUGH SEPTEMBER 30, FOR THE PURPOSE OF
18 PAYING DEBT SERVICE ON THE GENERAL OBLIGATION BONDS,
19 UNTIL SEPTEMBER 30 IN THE YEAR WHEN THE CITY HAS
20 RECEIVED FUNDS FROM THE TAX THAT ARE SUFFICIENT TO PAY
21 ALL DEBT SERVICE ON THE BONDS?” AND TO ELECT THE MAYOR
22 AND TWO COUNCIL MEMBERS.
23

24 WHEREAS, In compliance with the Homer City Code 4.35, the Canvass Board of the City
25 of Homer has opened, counted and tallied the votes on absentee ballots, including special
26 needs ballots, found to be valid and made determination on questioned ballots, and has
27 opened, counted and tallied those questioned ballots found to be valid, cast in the City of
28 Homer Regular Election held on October 4, 2016; and
29

30 WHEREAS, The total number of voters voting in the City Regular Election was 1,490
31 and reflects the number of voters, not the number of votes cast or ballots counted; and
32

33 WHEREAS, In accordance with Homer City Code 4.35, the Canvass Board of the City of
34 Homer has opened and inspected the precinct reports, Election Central Logs and entered the
35 results of the absent and questioned ballots on the Certification of Election along with the
36 results of the precinct counts; and
37

38 WHEREAS, The results of the Regular City Election held October 4, 2016, attached as
39 Exhibit A, is presented in the Canvass Board’s Certificate of Election in accordance with the
40 Homer City Code.
41

42 NOW, THEREFORE, BE IT RESOLVED that the City Council hereby certifies the results of
43 the Regular City Election held October 4, 2016, as presented in the Canvass Board’s Certificate
44 of Election, attached as Exhibit A, in accordance with the Homer City Code.

45
46 BE IT FURTHER RESOLVED that the results of Proposition 1: “Shall the City of Homer
47 Incur Debt and Issue General Obligation Bonds in an Amount Not to Exceed Twelve Million
48 Dollars (\$12,000,000) to Finance the Planning, Design and Construction of a Police Station
49 and Related Capital Improvements; and Shall the Rate of City Sales Tax be Increased by Sixty-
50 Five Hundredths of One Percent (0.65%) to Five and Fifteen Hundredths Percent (5.15%) From
51 April 1 Through September 30, for the Purpose of Paying Debt Service on the General
52 Obligation Bonds, Until September 30 in the Year When the City Has Received Funds From the
53 Tax That are Sufficient to Pay All Debt Service on the Bonds?” are:

54
55 YES 678 NO 749

56
57 BE IT FURTHER RESOLVED the following candidate is declared elected to Office of
58 Mayor having received at least 40% of the votes cast for a two-year term of office:

59
60 MAYOR (TWO-YEAR TERM)
61 Bryan Zak

62
63 BE IT FURTHER RESOLVED that the following candidates are declared elected to Office
64 of Councilmember, having received at least 40% of the votes cast for a three-year term of
65 office:

66
67 COUNCILMEMBERS (TWO THREE-YEAR TERMS)
68 Tom Stroozas
69 Shelly Erickson

70
71 BE IT FURTHER RESOLVED that the Canvass Board’s Certificate of Election (Exhibit A)
72 be attached permanently as part of this Resolution.

73
74 PASSED AND ADOPTED by the Homer City Council this 10th day of October, 2016.

75
76 CITY OF HOMER

77
78
79 _____
80 MARY E. WYTHE, MAYOR
81
82
83

84 ATTEST:

85

86

87

88 _____
JO JOHNSON, MMC, CITY CLERK

89

90

91 Fiscal Note: N/A

CITY OF HOMER

CERTIFICATE OF INCUMBENCY

I, Jo Johnson, duly appointed, qualified and sworn to be City Clerk for the City of Homer, hereby certify that on the date of this certificate of incumbency, the following described persons have held and now hold the following described offices since the following described dates and that their terms of office are as follows:

MAYOR

Bryan Zak 10/2016 – 10/2018

COUNCILMEMBERS

David G. Lewis 10/2008 – 10/2017

Catriona Reynolds 10/2014 – 10/2017

Donna Aderhold 10/2015 – 10/2018

Heath Smith 10/2015 – 10/2018

Tom Stroozas 10/2016 - 10/2019

Shelly Erickson 10/2016 – 10/2019

CITY CLERK

Jo Johnson 02/2007 – Indefinite

CITY MANAGER

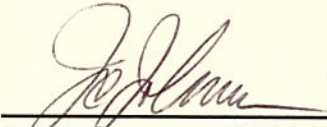
Katie Koester 04/2015 – Indefinite

FINANCE DIRECTOR

Zhiyong Li 05/2013 – Indefinite

Dated at Homer, Alaska, this 10th day of October, 2016.




Jo Johnson, MMC, City Clerk