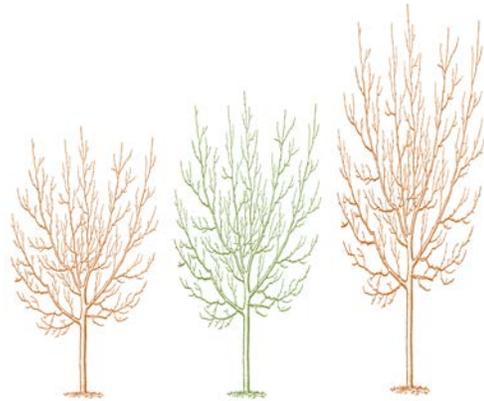




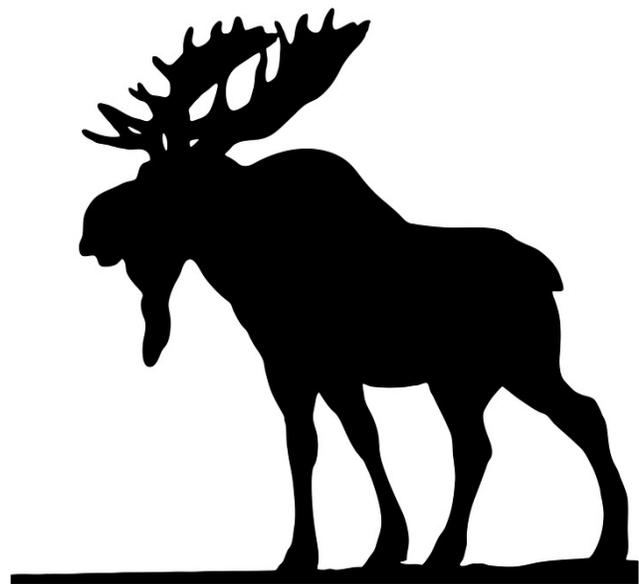
City Council  
September 12, 2016  
Monday



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

Produced and   
Distributed by the City Clerk's Office -9/7/2016-jj





# September

- Monday 12<sup>th</sup>:** **CITY COUNCIL**  
Worksession 4:00 p.m., Committee of the Whole 5:00 p.m., and Regular Meeting 6:00 p.m.
- Tuesday 13<sup>th</sup>:** **ECONOMIC DEVELOPMENT ADVISORY COMMISSION**  
Regular Meeting 6:00 p.m.
- Wednesday 14<sup>th</sup>:** **PLANNING COMMISSION**  
Special Meeting 5:30 p.m.
- PUBLIC SAFETY BUILDING REVIEW COMMITTEE**  
Meeting 5:30 p.m.
- Thursday 15<sup>th</sup>:** **PARKS ART RECREATION AND CULTURE ADVISORY COMMISSION**  
Regular Meeting 5:30 p.m.
- Tuesday 20<sup>th</sup>:** **CITY COUNCIL/KPB ASSEMBLY**  
Dinner at Fat Olives 5:00 p.m.
- Wednesday 21<sup>st</sup>:** **PLANNING COMMISSION**  
Worksession 5:30 p.m. and Regular Meeting 6:30 p.m.
- Thursday 22<sup>nd</sup>:** **CANNABIS ADVISORY COMMISSION**  
Regular Meeting 5:30 p.m.
- Monday 26<sup>th</sup>:** **CITY COUNCIL**  
Committee of the Whole 5:00 p.m. and Regular Meeting 6:00 p.m.

## Regular Meeting Schedule

- Library Advisory Board 1<sup>st</sup> Tuesday with the exception of January, April, August and November 5:30 p.m.**
- Economic Development Advisory Commission 2<sup>nd</sup> Tuesday 6:00 p.m.**
- Parks Art Recreation and Culture Advisory Commission 3<sup>rd</sup> Thursday with the exception of July, December and January 5:30 p.m.**
- Planning Commission 1<sup>st</sup> and 3<sup>rd</sup> Wednesday 6:30 p.m.**
- Port and Harbor Advisory Commission 4<sup>th</sup> Wednesday 5:00 p.m. (May-August 6:00 p.m.)**
- Cannabis Advisory Commission 4<sup>th</sup> Thursday 5:30 p.m.**

## MAYOR AND CITY COUNCILMEMBERS AND TERMS

- BETH WYTHE, MAYOR - 16**
- BRYAN ZAK, COUNCILMEMBER - 16**
- DAVID LEWIS, COUNCILMEMBER - 17**
- GUS VAN DYKE, COUNCILMEMBER - 16**
- CATRIONA REYNOLDS, COUNCILMEMBER - 17**
- DONNA ADERHOLD, COUNCILMEMBER - 18**
- HEATH SMITH, COUNCILMEMBER - 18**

**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](mailto:clerk@ci.homer.ak.us)

Clerk's office phone number: direct line 235-3130



HOMER CITY COUNCIL  
491 E. PIONEER AVENUE  
HOMER, ALASKA  
[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)



**WORKSESSION**  
**4:00 P.M. MONDAY**  
**SEPTEMBER 12, 2016**  
**COWLES COUNCIL CHAMBERS**

MAYOR BETH WYTHE  
COUNCIL MEMBER DAVID LEWIS  
COUNCIL MEMBER BRYAN ZAK  
COUNCIL MEMBER GUS VAN DYKE  
COUNCIL MEMBER CATRIONA REYNOLDS  
COUNCIL MEMBER DONNA ADERHOLD  
COUNCIL MEMBER HEATH SMITH  
CITY ATTORNEY HOLLY WELLS  
CITY MANAGER KATIE KOESTER  
CITY CLERK JO JOHNSON

### **WORKSESSION AGENDA**

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

Councilmembers Lewis and Reynolds have requested excusal.

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

**3. 2017-2022 CAPITAL IMPROVEMENT PLAN AND LEGISLATIVE PRIORITIES FOR STATE FISCAL YEAR 2018** Page 11

Memorandum 16-145 from Special Projects & Communications Coordinator.

Page 7

**4. COMMENTS OF THE AUDIENCE**

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

Next Regular Meeting is Monday, September 26, 2016 at 6:00 p.m. and Committee of the Whole 5:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.





# City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

Administration

491 East Pioneer Avenue  
Homer, Alaska 99603

(p) 907-235-8121 x2222

(f) 907-235-3148

## Memorandum 16-145

TO: Mayor and City Council  
FROM: Jenny Carroll, Special Projects & Communications Coordinator  
THROUGH: Katie Koester, City Manager  
DATE: September 7, 2016  
SUBJECT: 2017-2022 Capital Improvement Plan; FY 2018 Legislative Request

---

The City of Homer Capital Improvement Plan for 2012-2017 is ready in draft form for your review. A few notes:

- **Many project descriptions have been updated with new narratives, information regarding estimated cost, scope and progress.** For your convenience, all relatively significant project updates are described in red text boxes in the draft CIP. For example, the Public Safety Building description has been updated to indicate a Phase 1 (new Police Station) and a Phase 2 (new Fire Station).
- **Seven new projects have been proposed for inclusion in the CIP.** These projects will not be included in the CIP without first being approved by Council.
  - Three new City of Homer projects have been proposed:
    - City of Homer Radio System Upgrades (recommended by Police Chief).
    - Fire Department Rescue 1 Remount (recommended by Fire Chief).
    - Large Vessel Haul Out Repair Facility (recommended by Port & Harbor Director).
  - Three new projects have been proposed by other organizations:
    - Kachemak Ski Club: Rope Tow Motor House Relocation
    - South Peninsula Hospital: Homer Medical Clinic Expansion
    - South Peninsula Hospital: Operating Room HVAC Replacement
- **Ten projects that were in the 2016-2021 CIP have been removed or are recommended for removal from this draft :**
  - Two of the ten projects have been funded and are complete:
    - Alaska State DOT: Sterling Highway Erosion Response MP 150-157.

- Homer Senior Citizens, Inc.: Natural Gas Conversion.
- Eight projects are recommended for removal by Department Directors. The reasons for the recommended removals are included in red note boxes on each project page. These projects will be removed unless Council directs otherwise.
  - Harbor Sheet Pile Loading Dock (recommended by Port & Harbor and Public Works) on Page 5.
  - Mariner Park Restrooms (recommended by Planning and Public Works) on Page 18.
  - Homer Spit Dredged Material Beneficial Use Project (recommended by Port & Harbor and Public Works) on Page 25.
  - South Peninsula Fire Arms Training Facility (by Police Department) on Page 33.
  - Alaska Maritime Academy (recommended by Port & Harbor, Planning and Public Works) on Page 41.
  - South Peninsula Hospital Site Evaluation and Planning for Hillside Reinforcement (recommended by South Peninsula Hospital) on Page 49.
  - Homer Greenhouse (recommended by Planning and Police Department) on Page 52.
  - Public Market Design and Financing Plan (recommended by Planning) on Page 53.
- **Recommendations from City Advisory Commissions, Committees and Boards (in priority order).** Advisory bodies were asked to limit their recommendations to Council to their top two projects.
  - Advisory Planning Commission
    1. Ice Plant Upgrade
    2. Barge Mooring Facility Phase 1
  - Cannabis Advisory Board
    1. Radio Communications System Upgrade
    2. Large Vessel Haul Out Facility
  - Economic Development Commission
    1. Ice Plant Upgrade
    2. Multi Use Community Center
  - Library Advisory Board – LAB did not discuss the CIP due to cancellation of their meeting during the comment period.
  - Parks, Art, Recreation And Culture
    1. Karen Hornaday Park Improvements, Phase 2
    2. Jack Gist Park Improvements, Phase 2

- Port & Harbor Advisory Commission
  1. Barge Mooring Facility Phase 1
  2. Homer Large Vessel Harbor
  
- ADA Compliance Committee chose to recommend changes to two projects already in the CIP. ADA components have been added to those projects' descriptions.
  1. Include ADA accessibility accommodations to the intersections specified in the Homer Intersection Improvements project.
  2. Amend Karen Hornaday Park Improvements Phase 2 to address handicap accessibility including ADA improvements for accessibility to and within the playground and to the pavilion, providing handicap parking near the pavilion and insuring the restrooms are handicap accessible.

- **Council Selection of Legislative Priority Projects.**

- Last year, the top five priorities were:
  1. Public Safety Building
  2. Homer Large Vessel Harbor (formerly titled East Boat Harbor)
  3. Harbor Sheet Pile Loading Dock
  4. Fire Department Equipment Upgrades
  5. Storm Water Master Plan

The Harbor Sheet Pile Loading Dock project is recommended for removal from the CIP, leaving one spot open for promoting another project.

- **Remaining Steps in 2017-2022 Capital Improvement Planning Process.**

- Please recommend the addition or withholding of new proposed projects.
- Select your top five Legislative Priority Projects, in order of priority #1-5. Bear in mind that Council has chosen recently to keep the Legislative Priority project list consistent from year to year. Since only one spot remains open on the list, you may submit to me your one project recommendation for filling out the top five and the order of priority.
- Please submit your priority list to me either at the end of the City Council Meeting or by email ([jcarroll@ci.homer.ak.us](mailto:jcarroll@ci.homer.ak.us)) on or before Friday, September 4<sup>th</sup>. This will allow me time to tally Council recommendations and draft a resolution in advance of the Public Hearing.
- The public hearing for the CIP is scheduled for the September 26 City Council meeting.
- Adoption of the CIP and the FY 2018 Legislative Priority List is scheduled for the October 10 City Council Meeting.

- **Assigning priority levels.** Each City of Homer project is labeled as either Level 1 Priority (highest), Level 2 or Level 3 Priority. (State transportation projects and projects submitted by non-profits have not been given priority labels.) You will, in consultation with the City Manager, want to review if the priority level assigned to each project is accurate before finalizing the CIP.

I look forward to hearing back from you and incorporating your recommendations.



**FY17 CIP DRAFT**

# **City of Homer Capital Improvement Plan 2017-2022**



F/V Time Bandit hauled out for maintenance on the Homer Spit next to Pier One Theatre. A haulout repair facility for large vessel maintenance and repair is one of the projects on the City of Homer 2017-2022 CIP.

City of Homer  
491 E. Pioneer Avenue, Homer, Alaska 99603  
907-235-8121

draft v.9\_7\_2016



# City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

## Office of the City Manager

491 East Pioneer Avenue  
Homer, Alaska 99603

[citymanager@cityofhomer-ak.gov](mailto:citymanager@cityofhomer-ak.gov)

(p) 907-235-8121 x2222

(f) 907-235-3148

**To be updated**

September 14, 2014

To The Honorable Mayor and Homer City Council:

This document presents the City of Homer 2016 through 2021 Capital Improvement Plan. The CIP provides information on capital projects identified as priorities for the Homer community. Descriptions of City projects include cost and schedule information and a designation of Priority Level 1 (highest), 2, or 3. Projects to be undertaken by the State of Alaska and other non-City organizations are included in the CIP in separate sections. An overview of the financial assumptions can be found in the Appendix.

The projects included in the City of Homer's 2016-2021 CIP were compiled with input from the public, area-wide agencies, and City staff, as well as various advisory commissions serving the City of Homer.

It is the City of Homer's intent to update the CIP annually to ensure the long-range capital improvement planning stays current, as well as to determine annual legislative priorities and assist with budget development. Your assistance in the effort is much appreciated.

Sincerely,

Katie Koester  
City Manager

7 CIP INTRODUCTION PAGES - DRAFT



# Table of Contents

To be updated

**Letter from City Manager** . . . . .iii

**Table of Contents** . . . . . v

**Funded Projects from 2016-2021 CIP List** . . . . .viii

**Introduction: The Capital Improvement Program** . . . . . ix

**PART 1 LEGISLATIVE REQUEST FY2017** . . . . . 2

    Public Safety Building, Phase I . . . . . 3

    Homer Large Vessel East Boat Harbor . . . . . 4

    Harbor Sheet Pile Loading Dock . . . . . 5

    Fire Department Fleet Management Plan . . . . . 6

    Storm Water Master Plan . . . . . 7

**PART 2 MID-RANGE PROJECTS** . . . . . 8

**Local Roads** . . . . .9

    East to West Transportation Corridor . . . . .10

    Heath Street - Pioneer to Anderson . . . . .11

    Land Acquisition for New Roads . . . . .12

**Parks and Recreation** . . . . . 13

    Multi-Use Community Center . . . . .14

    Ben Walters Park Improvements, Phase 2 . . . . .15

    Jack Gist Park Improvements, Phase 2 . . . . .16

    Karen Hornaday Park Improvements, Phase 2 . . . . .17

    Mariner Park Restroom . . . . .18

    Baycrest Overlook Gateway Project . . . . .19

    Bayview Park Restoration . . . . .20

    Homer Spit Trailhead Restroom . . . . .21

**Port and Harbor** . . . . . 22

    Deep Water/Cruise Ship Dock Expansion, Phase 1 . . . . .23

    Barge Mooring Facility, Phase i . . . . .24

    Homer Spit Dredged Material Beneficial Use Project . . . . .25

    Ice Plant Upgrade . . . . .26

INTRODUCTION PAGES - DRAFT



## Table of Contents

---

INTRODUCTION PAGES - DRAFT

System 4 Vessel Mooring Float System . . . . .	27
Truck Loading Facility Upgrades at Fish Dock . . . . .	28
Ramp 8 Restroom . . . . .	29
Seafarers Memorial Parking Expansion . . . . .	30
Boat House Pavilion on the Homer Spit . . . . .	31
<b>Public Safety . . . . .</b>	<b>32</b>
South Peninsula Fire Arms Training Facility . . . . .	33
<b>Public Projects . . . . .</b>	<b>34</b>
Water Storage Distribution Improvements . . . . .	35
<b>State Projects . . . . .</b>	<b>36</b>
Homer Intersection Improvements . . . . .	37
Kachemak Drive Rehabilitation/Pathway . . . . .	38
Main Street Reconstruction . . . . .	39
Sterling Highway Reconstruction - Anchor Point to Baycrest Hill . . . . .	40
Alaska Maritime Academy . . . . .	41
<b>PROJECTS SUBMITTED BY OTHER ORGANIZATIONS . . . . .</b>	<b>42</b>
Haven House: Safety/Security Improvements . . . . .	43
Homer Council on the Arts: Re-configuration and Facility Upgrade . . . . .	44
Homer Hockey Association: Kevin Bell Ice Arena Acquisition . . . . .	45
Homer Senior Citizens: Alzheimer’s Unit . . . . .	46
Kachemak Shellfish Growers Association: Kachemak Shellfish Hatchery . . . . .	47
Pratt Museum: New Facility and Site Redesign . . . . .	48
South Peninsula Hospital: Site Evaluation and Planning for Hillside Reinforcement . . . . .	49
<b>PART 3 LONG-RANGE PROJECTS . . . . .</b>	<b>50</b>
Local Roads . . . . .	50
Parks and Recreation . . . . .	50
Public Projects . . . . .	52
Utilities . . . . .	53
State Projects . . . . .	54
<b>Appendices . . . . .</b>	<b>55</b>
CIP Development Schedule . . . . .	56



# Table of Contents

---

Resolution 13-087(A) .....	57
City of Homer Financing Assumptions.....	59

**INTRODUCTION PAGES - DRAFT**



## **Funded Projects from 2016-2021 CIP List**

**Updated with funded project information.**

**INTRODUCTION PAGES - DRAFT**

The City of Homer is pleased to note that full funding for the following projects have been identified or procured:

- East to West Transportation Corridor- Waddell Way corridor construction is complete.
- Water Storage/Distribution Improvements - Phase 1 is complete.
- Homer Intersection Improvements - Pioneer Avenue and Main Street is complete.
- Sterling Highway Erosion Response MP 150-157 is complete.
- Homer Senior Citizens, Inc. - Natural Gas Conversion
- Bridge Creek Watershed Acquisition - purchased 40-acre tax foreclosure parcel in the Bridge Creek Watershed Protection District.



## Introduction: The Capital Improvement Program

---

A capital improvement plan (CIP) is a long-term guide for capital project expenditures. The CIP includes a list of capital projects a community envisions for the future, and a plan that integrates timing of expenditures with the City's annual budget. The program identifies ways a project will benefit the community, indicates the priorities assigned to different projects, and presents a target construction schedule.

A carefully prepared capital improvement plan has many uses. It can assist a community to:

- Anticipate community needs in advance, before needs become critical.
- Rank capital improvement needs in order to ensure the most important projects are given consideration for funding before less critical projects.
- Plan for maintenance and operating costs so expenses are budgeted in advance to help avoid projects that the community cannot afford.
- Provide a written description and justification for projects submitted for state funding so the legislature, governor and appropriate agencies have the information necessary to make decisions about funding capital projects.
- Provide the basis for capital projects as part of the annual budget.

A capital improvement project is one that warrants special attention in the municipal budget. Normally, public funds are not expended if the project is not listed in the CIP. A capital expenditure should be a major, nonrecurring budget item that results in a fixed asset with an anticipated life of at least two years. Projects eligible for inclusion in the City of Homer CIP have a lower cost limit of \$50,000 for City projects and \$25,000 for those proposed by non-profit organizations. Projects proposed by non-profit organizations and other non-City groups may be included in the CIP with City Council approval, but such inclusion does not indicate that the City intends to provide funding for the project.

The municipality's capital improvement plan is prepared in accordance with a planning schedule, usually adopted by City Council at the onset of the CIP process. A copy of the City of Homer CIP schedule appears in the appendix of this document.

The number of years over which capital projects are scheduled is called the capital programming period. The City of Homer's capital programming period coincides with the State's, which is a six year period. The CIP is updated annually, due to some of the projects being funded and completed within the year.

A capital improvement plan is not complete without public input. The public should be involved throughout the CIP process, including the nomination and adoption stages of the process. The City of Homer solicits input from City advisory bodies, advertises for public input during the CIP public hearing, and invites the public to participate throughout the entire process.

The City's capital improvement program integrates the City's annual budget with planning for larger projects that meet community goals. Though the CIP is a product of the City Council, the administration provides important technical support and ideas with suggestions from the public incorporated through the entire process.

**Determining project priorities:** City of Homer CIP projects are assigned a priority level of 1, 2, or 3, with 1 being the highest priority. To determine priority, the Council considers such questions as:

- Will the project correct a problem that poses a clear danger to human health and safety?
- Will the project significantly enhance City revenues or prevent significant financial loss?
- Is the project widely supported within the community?
- Has the project already been partially funded?
- Is it likely that the project will be funded only if it is identified as being of highest priority?
- Has the project been in the CIP for a long time?
- Is the project specifically recommended in other City of Homer long-range plans?
- Is the project strongly supported by one or more City advisory bodies?

Once the overall CIP list is finalized, the City Council names a subset of projects that will be the focus of efforts to obtain state and/or federal funding in the coming year. The overall CIP and the legislative priority list are approved by resolution.

# Integration of the CIP with Comprehensive Plan Goals

Each project listed in the CIP document has been evaluated for consistency with the City's goals as outlined in the Comprehensive Plan. The following goals were taken into account in project evaluation:

**Land Use:** Guide the amount and location of Homer's growth to increase the supply and diversity of housing, protect important environmental resources and community character, reduce sprawl by encouraging infill, make efficient use of infrastructure, support a healthy local economy, and help reduce global impacts including limiting greenhouse gas emissions.

**Transportation:** Address future transportation needs while considering land use, economics and aesthetics, while increasing community connectivity for vehicles, pedestrians and cyclists.

**Public Service & Facilities:** Provide public services and facilities that meet current needs while planning for the future. Develop strategies to work with community partners that provide beneficial community services outside of the scope of City government.

**Parks, Recreation & Culture:** Encourage a wide range of health-promoting recreation services and facilities, provide ready access to open space, parks, and recreation, and take pride in supporting the arts.

**Economic Vitality:** Promote strength and continued growth of Homer's economic industries including marine trades, commercial fishing, tourism, education, arts, and culture. Preserve quality of life while supporting the creation of more year-round living wage jobs.

**Energy:** Promote energy conservation, wise use of environmental resources, and development of renewable energy through the actions of local government as well as the private sector.

**Homer Spit:** Manage the land and other resources of the Spit to accommodate its natural processes, while allowing fishing, tourism, other marine-related development, and open space/recreational uses.

**Town Center:** Create a community focal point to provide for business development, instill a greater sense of pride in the downtown area, enhance mobility for all forms of transportation, and contribute to a higher quality of life.

# **City of Homer State Legislative Request FY2018 Capital Budget**



Homer's Port and Harbor is a major economic power for the City of Homer. The Port is a critical asset to attract new industry, create jobs and develop a healthy local economy. The addition of a barge mooring facility (and, eventually, an adjacent large vessel repair facility) will improve Homer's capacity to cost-effectively serve a variety of large vessel needs.

**To be updated after review process**

**City of Homer  
491 E. Pioneer Avenue  
Homer, Alaska 99603  
907-235-8121**



## Legislative Request FY2018

---

**City of Homer FY2018 State Legislative Priorities list  
approved by the Homer City Council  
via Resolution 16-XX**

1. Public Safety Building - \$1,267,000
2. East Boat Harbor - \$9,232,200
3. Harbor Sheet Pile Loading Dock- \$955,000
4. Fire Department Equipment Upgrades -\$1,012,500
5. Storm Water Master Plan - \$306,000

To be updated after review process

FY17 CIP DRAFT



## 1. Public Safety Building, Phase 1

**Updated. New Police Station Phase 1; new Fire Station Phase 2.**

FY17 CIP DRAFT

**Project Description & Benefit:** Homer's Police and Fire Department services are vital to the safety and health of our community. Adequate and safe working environments show respect for the public servants who provide these services, and at the same time, reduce vulnerability to emergencies and risk. A new public safety facility is needed to address safety and operational deficiencies in Homer's aging public safety facilities. Phase I of this facility will construct a new Police Station at the corner of the Sterling Highway and Pioneer Avenue (the site of the former Homer Junior High and current HERC building) and will address the following high risk design inadequacies and operational deficiencies in the current Police Station:

- no separation or protection between staff work areas and prisoner through traffic - prisoners have to pass by dispatch staff coming and going; the public service counter window is not secure either;
- a common air handling system which exposes personnel to airborne pathogen risks;
- lack of crisis cell for special needs prisoners, or a proper juvenile holding area;
- escape attempt issues due to building layout;
- lack of storage area for police evidence, equipment, and vehicles;
- lack of space for expanding and poor conditions for supporting modern electronic and communication systems causing premature equipment failure;
- flooding and water damage during heavy rains.
- Fully renovating the current Police Station so it complies with modern, energy efficient standards is cost-prohibitive compared with new construction. Moreover, site limits at its present location would not allow the Police Station facility to expand to accommodate current police duties and storage needs, much less allowing for growth as the community grows.

**Plans & Progress:** A Public Safety Building Review Committee formed in 2013 to oversee design and construction of a joint Public Safety Building which would have served both the Homer Police Department and the Fire Department. The City Council hired a design firm and general contractor/construction management team to see the project through construction. However, cost projections for the co-located Public Safety building led City Council to propose phasing the project in, starting first with construction of a new Homer Police Station and later proceeding with the addition of a new Fire Station. (It was determined that renovations to the current Fire Station should allow it to operate another ten years; \$80,000 of 2016's Public Safety Building design funds were re-directed toward designing Fire Station upgrades). The Public Safety Building site and architectural design ensures ability to eventually incorporate a new, co-located Fire Station and realize operational cost efficiencies.

City Council passed Ordinance 16-30(S-2)A authorizing the City to issue general obligation bonds of \$12,000,000 to finance the acquisition and construction of Phase I, the new Police Station. The bond question (and a 0.65% seasonal increase in sales tax to pay the debt service) will go before voters for a decision at the 2016 regular city election in October.

**Total Project Cost:** \$12,000,000

**2014-2016 (Planning/Concept Design/Public Involvement):** \$575,000 (completed)

**2017 Design:** \$687,362

**2018 (Site Preparation):** \$1,097,250

**2018-2019 (Construction Building Only):** \$8,342,515

**2018-2019 (Contingency/Inspection/Admin/Art):**  
\$1,724,668

**FY2017 State Request for Design:** \$446,785

**(City of Homer 35% Match:** \$240,577)



Architect's conceptual drawing of a new Police Station, Phase 1 of a new Public Safety facility proposed for Homer located at the intersection of the Sterling Highway and Pioneer Avenue..



## 2. Homer Large Vessel Harbor

Updated according to new concept design. Name changed from East Boat Harbor to be more descriptive. Schedule detail is eliminated due to size of project.

FY17 CIP DRAFT

**Project Description & Benefit:** This project will construct a new harbor ranging in size from 11 to 15 acres. It would enhance harbor capabilities by:

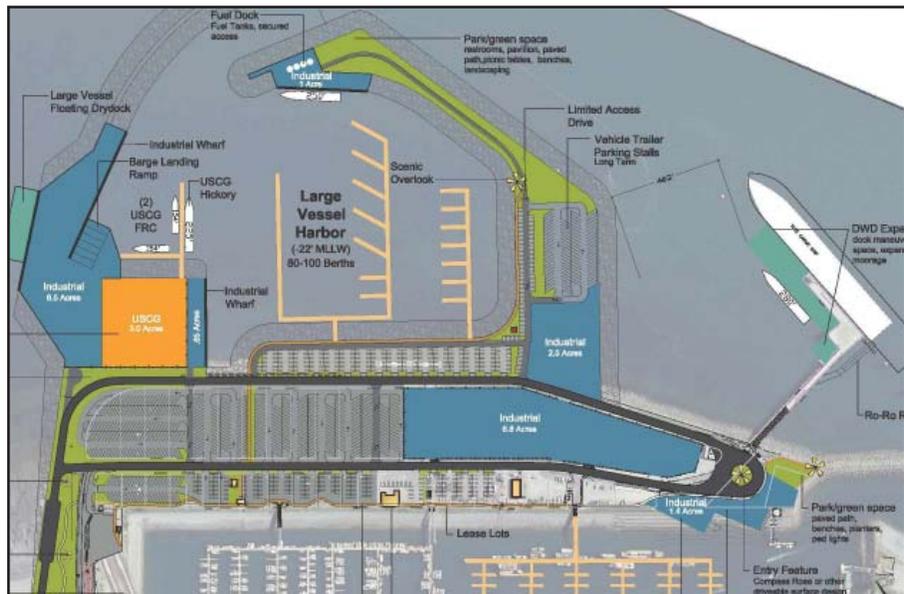
- Accommodating large commercial vessels (fishing vessels, workboats, landing craft, tugs, barges, etc.) outside the small boat harbor. Currently, large vessels are moored at System 4 and System 5 transient floats. Due to shortage of moorage space at the floats, large vessels are rafted two and three abreast constricting passage lanes, creating traffic congestion and overstressing the floats;
- Enabling Homer to accommodate and moor an additional 40 to 60 large commercial vessels that potentially would use Homer Harbor as a home port, but which have in the past been turned away due to lack of space;
- Providing moorage that meets the US Coast Guard’s long-term mooring needs. Currently, the USCGC *Hickory* moors at the Pioneer Dock which provides inadequate protection from northeasterly storm surges and an inadequate security zone. The large vessel harbor will be built to provide protected and secure moorage suitable to accommodate the USCG’s new line of 154-foot Sentinal-class fast response cutters which will be replacing the 1980’s era Island-class 110-foot patrol boats.

Homer’s Port and Harbor is centrally located in the Gulf of Alaska and is the gateway port to Cook Inlet, and the port of refuge for large vessels transiting Cook Inlet. The large vessel harbor will provide a regional facility to serve and support marine industry needs, and provide a place of refuge for Gulf of Alaska, Cook Inlet, and Kennedy Entrance marine traffic in event of severe weather or machinery malfunctions.

The proposed new harbor basin will be dredged to minus 22 feet Mean Lower Low Water (MLLW) to meet USCGC *Hickory*’s draft requirements and accommodate large commercial vessels so they will not touch bottom on the lowest tides of the year (minus 5.6 feet). The new basin will provide the security zone and private moorings for the U.S. Coast Guard vessels at one side and will accommodate the large, deep draft commercial vessels on the other side.

**Plans & Progress:** The Army Corps of Engineers completed a reconnaissance study in 2004 that indicated Federal interest in having a new harbor in Homer; at that time, though, subsequent analysis found that the cost/benefit ratio was too low for the Corps to recommend the project. Since initiating conceptual design work for the Port & Harbor’s Deep Water Dock/Cruise Ship Expansion project, however, customer interviews indicate that the need for industrial moorage has only increased since the reconnaissance study was conducted. The City of Homer has requested a technical report from the Corps and established a study team to complete a concept design for the purpose of building support for the large vessel harbor and seeking funding sources.

**Total Project Cost:** \$115,725,000  
**Design and Permitting:** \$10,258,000  
**Breakwater Construction and Dredging:** \$90,275,000  
**Inner Harbor Improvements:** \$23,700,000  
**FY2017 State Request:** \$9,232,200  
 (City of Homer 10% Match: \$1,025,800)



This large vessel harbor design adds a new basin with its own entrance adjacent to the existing Small Boat Harbor. It provides secure, larger-sized moorage compatible with the USCG’s new line of fast response cutters .



### 3. Harbor Sheet Pile Loading Dock

**Staff recommendation: per Bryan and Carey, wrap project up at 35%, redirect remaining project funds & remove from CIP.**

FY17 CIP DRAFT

**Project Description & Benefit:** This project will construct a sheet pile loading pier between the existing barge ramp and the fuel dock on the east side of the Small Boat Harbor. It is estimated that the dock will be 225 feet long and dredged to -17 feet. This dock would be used to transfer heavy loads by crane onto barges and landing crafts. During peak fishing time it can be used for delivering fish when the Fish Dock is at capacity. It would also serve as mooring for large shallow-draft vessels that are now mooring on the System 5 float. The project will stimulate the shipping and freight sectors of the local economy, creating jobs and providing revenues for Port & Harbor operations. A sheet pile loading dock is a cost effective way to increase docking facilities available at the Homer Port and Harbor.

**Plans and Progress:** This project was first identified as a need when the State of Alaska transferred ownership of the harbor to the City of Homer in 1999. Material from dredging of the harbor will be used to back fill the dock, saving the project the cost of fill. The Alaska State Legislature awarded \$350,000 in FY2015 which funds 100% of design and just shy of 20% of construction. Design for the sheet pile loading dock is currently underway.

**Total Project Cost:** \$1,450,000

2015 (Design Funding Secured): \$145,000

2016 (Construction): \$1,100,000

Funding Secured: \$205,000

**FY2017 State Request: \$955,000**

(City of Homer 15% Match: \$145,000)

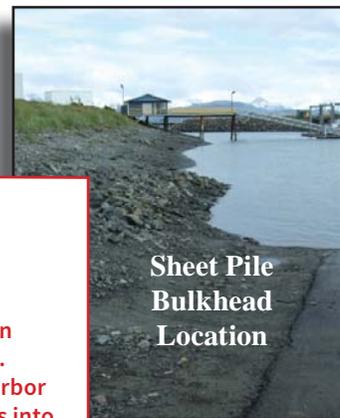
Was P&H Commission # 1 priority last year.  
Received \$350,00 in FY15 State Capital Budget.  
Completed 35% engineering design work at a cost of \$109,009.

The engineer's 35% construction cost estimate came in at \$5 million, significantly above initial projection. Cost to construct is one of the main reasons staff recommends stopping work on this project in this location. Another reason has to do with our continued work on the large vessel harbor project and our long term goals of moving all the coastal freight business into the new facility and out of the small boat harbor. The Large Vessel Harbor's concept design includes a commercial grade cargo loading ramp and dock; design work completed thus far for the sheet pile dock will be employed in that aspect of the Large Vessel Harbor project.

Given the Sheet Pile Loading Dock's high cost relative to the small coastal freight business the Sheet Pile Dock would serve and the dock's comparatively small moorage capacity, it is more strategic to invest capital in the Barge Mooring Facility which will pay off more quickly through increased harbor mooring revenues. The Barge Mooring Facility will allow 150' class landing craft that currently overwinter on System 5 to move to the Barge Mooring Facility, freeing up System 5 for other vessels (tenders, etc.) that are turned away due to lack of space--potentially doubling harbor moorage revenues. Additional demand for barge mooring is reported for barges from Western Alaska. Historically, in Homer, when harbor space is added or freed up, it fills up with new customers.

The barge mooring facility would also support (as well as serve as a draw to) the large vessel repair facility proposed as an upland improvement to the area directly above the Barge Mooring Facility.

P&H asks to wrap the Sheet Pile Loading Dock project up at the 35% design phase and redirect remaining project money to finish Phase 1 of the Barge Mooring Facility at the Pier One Theatre beach.



Sheet Pile Bulkhead Location





## 4. Fire Department Fleet Management

FY17 CIP DRAFT

**Project Description & Benefit:** The Homer Volunteer Fire Department is in need of a number of vehicle upgrades to be able to safely and efficiently protect the lives and property of Homer residents.

**Quint (Ladder Truck):** Adding an aerial truck to HVFD's fleet will greatly enhance the City of Homer's firefighting capability. Over time, as Homer's population has grown, so has the size and complexity of its buildings. West Homer Elementary School, the Islands and Ocean Visitor Center, Kevin Bell Ice Arena, and South Peninsula Hospital Expansion are examples of large footprint, two story plus buildings where fighting fire from the ground or from ground ladders (the tallest of HVFD's is only 35') is no longer safe or practical. These locations require the use of elevated hose streams to fight fire effectively. Currently, HVFD is only able to provide elevated hose streams from ground ladders, which severely limits the application of water and endangers the lives of firefighters. Aerial apparatus allow for application of water to the interior of a building without placing firefighters in immediate danger. They also allow for the rescue of people trapped in upper stories or on rooftops by fire or other incidents that impede the use of interior stairways. In addition to increasing firefighting capability to protect large public buildings, an aerial truck will potentially lower insurance rates for the community.

**Brush/Wildland Firefighting Truck:** The Department's existing brush truck is a Ford F-350 that was converted to a brush unit in-house in 1990 by adding a manufactured tank, portable pump and a home-built tool storage compartment. The existing truck is severely deficient due to age-related wear and lack of capacity to handle the weight of fire fighting equipment. A new Ford F-450/550 4x4 with wildland pump unit, tank, and tool compartments will provide critical and reliable service. In addition to fighting wildfires, the truck provides fire protection to areas inaccessible with traditional large fire apparatus due to poor road conditions during winter and break-up.

**Harbor Fire Cart Replacement:** Fire Cart Replacement: The Homer Port & Harbor is outfitted with seven motorized fire carts uniquely capable of responding to vessel fires located on the harbor's float system. These full-response fire apparatus are custom-made mini mobile fire engines capable of delivering AFFF foam to two attack lines at the same time. Because of Alaska's special conditions (harsh weather, extreme tides and the size of vessels) there are no pre-made, off-the-shelf fire apparatus that fully meets Homer's Port & Harbor response needs. On multiple occasions they have saved vessels and prevented the costly spread of fire in the small boat harbor. Unfortunately, the fire carts are over 20 years old. Many are failing due to the harsh marine environment and age, despite regular monthly and annual maintenance. This project would purchase the components necessary to refurbish and upgrade the seven fire carts, extending their functional life another twenty years.

**Plans and Progress:** Port & Harbor maintenance personnel constructed a prototype for a refurbished model two years ago. It passed operational tests conducted by the Homer Volunteer Fire Department and is currently in use at the Port & Harbor. Port and Harbor maintenance personnel will refurbish seven motorized fire cart apparatus utilizing both newly acquired components and old components that can be salvaged from the existing fire carts.

**Total Project Cost:** \$1,355,000

Quint Ladder Truck: \$1,000,000

Brush/Wildland Firefighting Truck: \$150,000

Harbor Fire Cart Replacement: \$205,000

**State Request FY2017: \$1,219,500**

(City of Homer 10% Match: \$135,500)



A ladder truck like the one shown here will increase firefighting capability, firefighter safety and potentially reduce insurance rates for homeowners.



## 5. Storm Water Master Plan

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FY17 CIP DRAFT

**Project Description & Benefit:** The City of Homer has an outdated storm water master plan. The current plan was prepared in the 1980's, projecting only basin runoff flows. The existing storm drainage system is expanding and a comprehensive storm water plan is needed to more effectively plan and construct storm water infrastructure, including sedimentation/detention facilities, snow storage and water quality improvements.

A new master plan will outline how the City can:

- Identify current and future storm runoff flows from individual drainage basins within the community.
- Identify infrastructure needed to effectively collect, transmit, treat, and discharge surface water runoff to Kachemak Bay.
- Provide a staged approach to constructing needed infrastructure to serve an expanding/developing community
- Establish pipe sizing, detention basin volumes, and cost estimates.
- Mitigate storm water runoff through the use of a wide variety of gray and green infrastructure practices and technologies that improve the quality and reduce the quantity of runoff discharging directly to receiving waters.
- Develop public education programs targeting specific stream degradation from storm water runoff.
- Provide storm water management systems and practices including collection, storage, conveyance and treatment structures that are components of a comprehensive plan to preserve or restore natural/stable in-stream hydrology.
- Identify projects that incorporate green infrastructure to manage, treat or reduce storm water discharges and urban non-point source runoff to the critical wildlife habitat of Kachemak Bay.

**Total Project Cost:** \$340,000

**State Request FY2017: \$306,000**

(City of Homer 10% Match: \$34,000)



A master plan is needed to address storm water management issues.



## Mid-Range Projects

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### Part 2: Mid-Range Projects

- **Local Roads .....9**
- **Parks and Recreation ..... 13**
- **Port and Harbor ..... 22**
- **Public Safety ..... 32**
- **Public Works ..... 35**

**FY 2017 - DRAFT Document**



## Local Roads

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- **East to West Transportation Corridor .....10**
- **Heath Street - Pioneer to Anderson .....11**
- **Land Acquisition for New Roads .....12**

**FY 2017 - DRAFT Document**



# East to West Transportation Corridor

Updated to show Waddell Way portion completed.

FY 2017 - DRAFT Document

**Project Description & Benefit:** Currently the only way for drivers to get through town is via Pioneer Avenue or the Sterling Highway. Extending Bartlett Street, acquiring and upgrading Waddell Way and putting a road through Town Center provides an alternate east - west route for traffic, easing congestion and allowing drivers to more quickly and efficiently get to their desired destination. This project fulfills a major objective of the City of Homer's 2005 Transportation Plan.

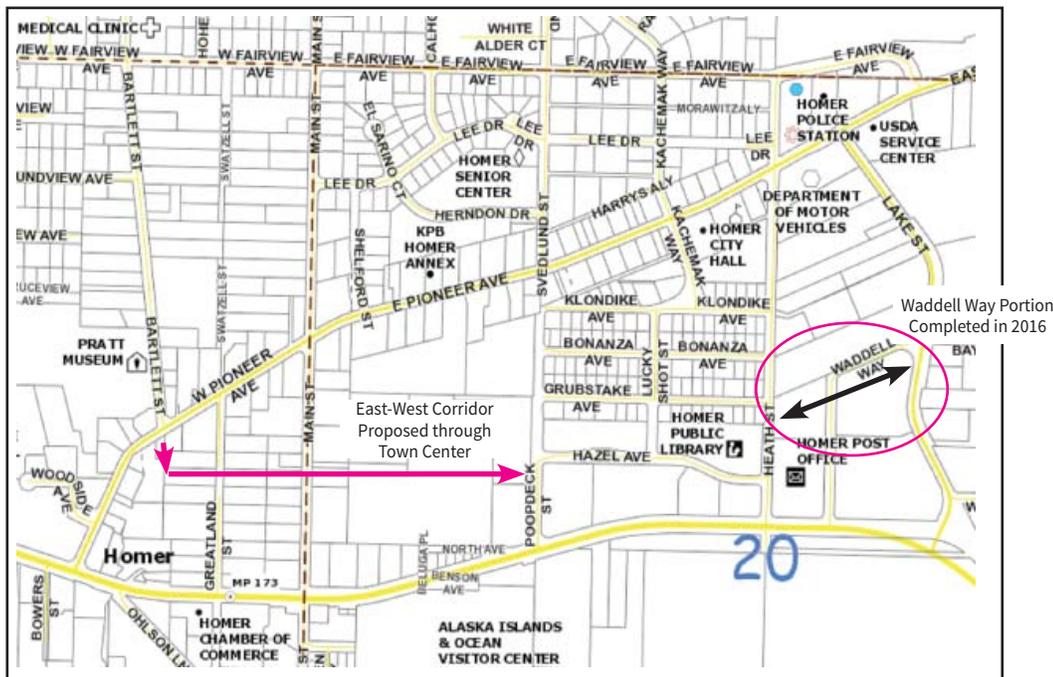
Building a road through Town Center, 30 acres of undeveloped land in the heart of Homer is the first step in opening up this prime real estate. The Homer Comprehensive Plan, Town Center Development Plan and Comprehensive Economic Development Strategy all call for careful development of Town Center. The roads will be built to urban road standards and include such amenities as sidewalks, storm drains, and street lighting. Development on newly opened lots will help grow Homer's downtown business sector.

**Plans & Progress:** The City has purchased a lot for the Bartlett Street extension. The first leg of the east to west transportation corridor, Waddell Way, was completed in 2016. The City dedicates a percentage of sales tax to the Homer Area Roads and Trails (HART) fund for road improvement projects and has pledged over \$2.1 million from the fund as a match for this project.

**Total Project Cost:** \$7,659,000  
 2018 (Land Acquisition): \$1,250,000  
 2019 (Design): \$543,000  
 2020 (Construction): \$5,866,000  
 2017 (Inspection & Contingency): \$1,086,000

**State Request FY2019: \$5,312,500**  
 (City of Homer 25% Match: \$2,346,400)

**Priority Level: 1**



Map showing proposed extension of Bartlett Street and proposed east-west street through Town Center.



## Heath Street Extension: Pioneer to Anderson

FY 2017 - DRAFT Document

**Project Description & Benefit:** This project provides for the design and construction of a road connection from East End Road to Anderson Street. The project will address concerns raised by Alaska Department of Transportation and Public Facilities (ADOT&PF) regarding the Heath Street/Pioneer and Lake Street/Pioneer intersections and will provide access from East End Road past Homer High School to a developing residential area north of the high school. The City of Homer will work with ADOT&PF engineers to determine the best route (extension of Heath Street vs. extension of Lake Street) to provide safer and more effective circulation, improve emergency access to and from the high school, provide for pedestrian access from the high school to a hillside trail system, and reduce congestion at existing intersections.

**Plans & Progress:** The improvement is recommended in the 2005 Homer Area Transportation Plan and would implement recommendations of the 2005 Homer Intersections Planning Study (ADOT&PF). The City of Homer has committed to funding 50% of the project with Homer Area Roads and Trails (HART) funds.

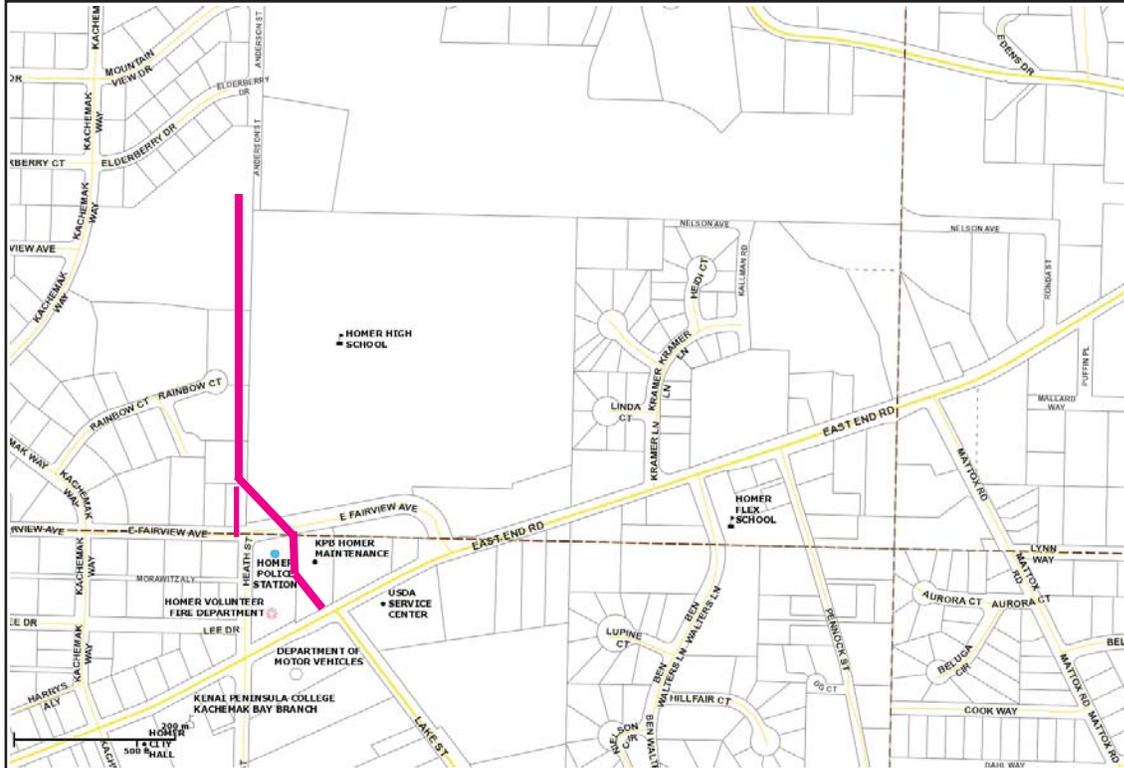
**Total Project Cost:** \$4,500,000

**Schedule:**

2018 (Design): \$500,000

2020 (Construction): \$4,000,000

**Priority Level:** 3



Connecting East End Road to Anderson Street improves emergency access to and from the high school and reduces congestion at existing intersections.



## Land Acquisition for New Roads

FY 2017 - DRAFT Document

**Project Description & Benefit:** This project will help meet current and future transportation needs by acquiring specific land parcels and rights of way to extend three local roads. It will improve traffic flow in Homer by providing alternate connections between different sectors of town.

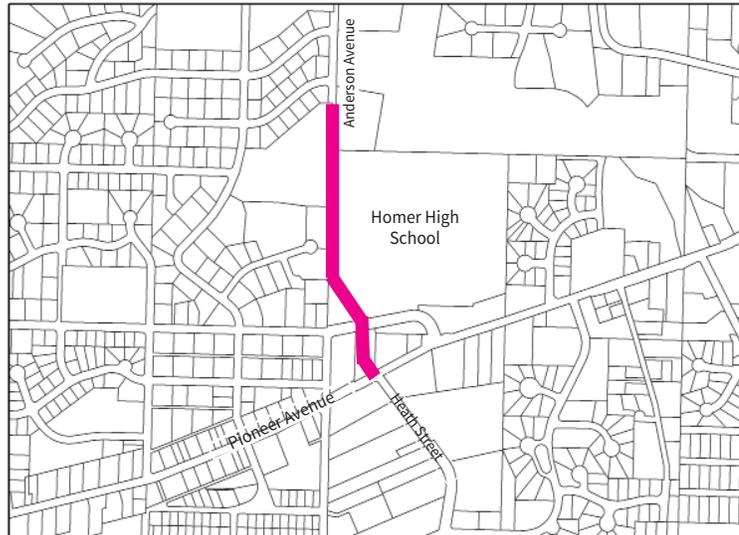
- **Lake/Heath Street to Anderson Avenue**
- **Poopdeck Street extension north to Pioneer Avenue**
- **Early Spring Street extension north to East End Road**

**Plans & Progress:** All three road projects are recommended in the 2005 Homer Area Transportation Plan.

**Total Project Cost:** \$2,200,000

**Schedule:** 2017-2019

**Priority Level:** 1



Heath Street to Anderson Avenue.



Poopdeck Street to Pioneer Avenue.



Early Spring Street to East End Road.



## **Parks and Recreation**

Updated. Removed Rogers Loop Trailhead Land Acquisition.  
Listed in this P&R Table of Contents last year, but no project description included.

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- **Multi-Use Community Center .....14**
- **Ben Walters Park Improvements, Phase 2 .....15**
- **Jack Gist Park Improvements, Phase 2 .....16**
- **Karen Hornaday Park Improvements, Phase 2.....17**
- **Mariner Park Restroom .....18**
- **Baycrest Overlook Gateway Project .....19**
- **Bayview Park Restoration Project .....20**
- **Homer Spit Trailhead Restroom .....21**

**FY 2017 - DRAFT Document**



## Multi-Use Community Center

FY 2017 - DRAFT Document

**Project Description & Benefit:** This project would be the first phase in designing and constructing a Multi-Use Community Center to adequately serve the social, recreation, cultural, and educational needs of the Homer community. Years of growing numbers of requests to Parks and Recreation for access to indoor facilities highlights the need for this project. The 2015 City of Homer Parks, Art, Recreation and Culture (PARC) Needs Assessment validated this perceived need. Incorporating an extensive public input process, the PARC Needs Assessment reflects the community's high priority on community access to public recreational and educational spaces and identifies a community center as a significant future investment for the community.

The community center is currently broadly envisioned as a comprehensive multi-generational facility that offers something for people of all ages. Public input identified a general-purpose gymnasium and a multi-purpose space for safe walking/running, dance, martial arts, performing arts, community events and dedicated space for youth as priority features. In addition to social, health and quality of life benefits, a multi-use center provides considerable opportunity for positive economic impact to the community. Direct impacts include new revenues from admission and rental fees generated by hosting regional or statewide conferences, weddings and/or other private rentals. Participants and spectators visiting Homer for these events will also indirectly benefit the community through their use of restaurants, retail shops, lodging, transportation and other hospitality industry services. This facility would draw additional year round programs and events to Homer, contribute to the local economy by attracting additional visitors and businesses, and would be an incentive for families to relocate to Homer.

The PARC Needs Assessment included a statistically valid survey question asking the community's interest for constructing and funding an \$18 million facility. 30% of respondents agreed with the statement that this facility is a priority in the next five years; an additional 27% placed it as a priority in the next five to ten years. The success of this project requires sound capital and ongoing operations funding.

**Plans & Progress:** The first step is to complete a reconnaissance or a preliminary research of the size and type of facility, develop conceptual floor plans and site plans, estimate total construction cost and ongoing operational funding mechanisms.

**Total Project Cost:** \$500,000

**Schedule:** 2018

**Priority Level:** 2



The City of Unalaska's Community Center is the hub of community activities. Centrally located, the Community Center is widely used by both residents and visitors. It has everything from a cardio and weight room to music and art areas.



## Ben Walters Park Improvements, Phase 2

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FY 2017 - DRAFT Document

**Project Description & Benefit:** Ben Walters Park comprises 2.5 acres on the shore of Beluga Lake, near the intersection of Lake Street and the Sterling Highway. With its central location, proximity to McDonalds restaurant, and access to the lake for winter and summer recreation, it is one of Homer’s most frequently visited parks. Phase 2 will enlarge the parking area and renovate the picnic shelter that has become worn with heavy use over the years.

**Plans & Progress:** Phase 1 of the park improvement project, replacing the dock, was completed in 2009. Since then the Kachemak Bay Rotary Club has adopted the park under the City of Homer’s Adopt-a-Park Program. They have made improvements such as painting the restrooms, installing a bench, resetting the posts and tending flower beds in the summer months.

**Total Project Cost:** \$250,000

**Schedule:** 2017

**Priority Level:** 2



Improvements are needed at Ben Walters Park including enlarging the parking lot and renovating the shelter.



## Jack Gist Park Improvements, Phase 2

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FY 2017 - DRAFT Document

**Project Description & Benefit:** Jack Gist Park has been in development since 1998 on 12.4 acres of land donated to the City of Homer by a private landowner. As originally envisioned by the Jack Gist Recreational Park Association, this parcel has been developed primarily for softball fields. It also features a disc golf course.

The proposed project will complete Phase 2 by improving drainage around the upper ball field, constructing a concession stand/equipment storage building adjacent to the softball fields, and developing an irrigation system utilizing a stream on the property in conjunction with a cistern. Phase 3 will provide potable water (water main extension), construct a plumbed restroom, and acquire land for soccer fields.

**Plans & Progress:** Phase 1 of this project was completed in 2011 after a five year period of incremental improvements. In 2005-2006, a road was constructed to Jack Gist Park from East End Road, a 70-space gravel parking area was created, and three softball fields were constructed including fencing, dugouts, and backstops. In 2008, bleachers were installed at all three softball fields. In 2009, three infields were resurfaced. In 2010, with volunteer help, topsoil was spread and seeded on two of the three fields and the parking area was improved and expanded. 2011 saw improvements to the third ball field: drainage improvements on the outside perimeter (right and left field lines), imported material to improve the infield and topsoil and seeding to improve the outfield.

**Total Project Cost:** \$160,000

Drainage: \$50,000

Concession Stand and Equipment Storage: \$75,000

Irrigation System: \$35,000

**Schedule:** 2018-2019

**Priority Level:** 2



One of the new softball fields at Jack Gist Park



## Karen Hornaday Park Improvements, Phase 2

**PARCAC scaled down scope of Phase 2 to include only highest priority items**

### Project Description

**& Benefit:** Homer's popular Karen Hornaday Park encompasses baseball fields, a day use/ picnic area, a playground, a campground, and a creek on almost 40 acres. It is also used to host community events such as the Highland Games. The Karen Hornaday Park Master Plan, updated and approved in 2009, sets forth goals and objectives to be accomplished over a 10-year period.

Phase 2 priorities focus on safe and inclusive access to the park and its essential facilities. The road to access the park runs between the park and the parking lot, requiring kids to have to cross in front of traffic to get to the park's attractions. Woodard Creek is one of the jewels of Karen Hornaday Park but gets little attention because there is no convenient way to access it. A trail along the creek would allow people to enjoy the City's only creek.

Phase 2 will address these safety and accessibility priorities by

(1) relocating the park access road towards the easterly border of the park and relocating the parking lots to the westerly side of the new road, between the road and the park. Improvements will comply with the 2010 Americans with Disabilities Act for park access and include paving, striping, signage, informational kiosk and landscaping.

(2) Constructing a ADA accessible trail along Fairview Avenue as an approach to an eventual Woodard Creek trail; and

**Plans & Progress:** The Alaska Legislature appropriated \$250,000 for park improvements in FY 2011. This money together with City funds and fundraising by HoPP, an independent group organized to make playground improvements, helped complete Phase 1 (drainage improvements, ballfield improvements, new playground, new day use area and northern parking lot improvements). The City received a Land and Water Conservation Fund (LWCF) grant for campground improvements and the development of a new day use area between the two ball fields which was completed in 2014. The City spent \$25,000 on preliminary engineering for moving the road, one of the goals of Phase 2. An eventual Phase 3 will replace the current aging bathroom facility and address handicap accessibility and ADA improvements within the playground.

**Total Project Cost:** \$948,569

Woodard Creek Access Trail  
(along Fairview Avenue): \$222,299

**Schedule:** 2018 - 2019

**Priority Level:** 2



The road into Karen Hornaday Park is between the park and the parking lot, requiring children to have to cross traffic to get to the park's attractions.

FY 2017 - DRAFT Document



## Mariner Park Restroom

**Staff recommendation per Julie & Carey: remove project from CIP  
Too costly in wetlands; not feasible as currently conceived.**

FY 2017 - DRAFT Document

**Project Description & Benefit:** As one of Homer's most popular recreation areas, Mariner Park attracts campers, beach walkers, kiteflyers, Spit Trail users, birders, people with dogs, and others who come to enjoy the views and open-air recreation opportunities. This project will accomplish the most pressing need at Mariner Park: the construction of a plumbed restroom to better meet the needs of campers and beach walkers during the busy summer months.

**Plans & Progress:** Mariner Park is in a flood plain and any structure built there will require unique design to address flooding issues.

**Total Project Cost:** \$330,000

**Schedule:** 2016

**Priority Level:** 2



The portable restrooms at Mariner Park campground get heavy use during the summer season.



## Baycrest Overlook Gateway Project

FY 2017 - DRAFT Document

**Project Description & Benefit:** When you drive to Homer on the Sterling Highway, it is hard to resist pulling over at the Baycrest Hill Overlook, even if you have been there before. The overlook (constructed in the 1990’s by visionaries at Alaska Department of Transportation and Public Facilities during a Sterling Highway reconstruction) has become the primary entrance to Homer. The first experience of that Baycrest view is cited by many residents as the primary reason for deciding to settle in Homer.

Baycrest Overlook is one of the major sites in Homer’s Gateway Project, which entails enhancing visitor and resident experiences at the entrances to Homer. The other gateways are the Homer Airport and the Homer Port. Goals for improving the overlook gateway include welcoming residents and visitors in a comfortable setting without detracting from the view, instilling stewardship and inspiring visitors to learn about the diversity of Kachemak Bay and other potential experiences awaiting those just arriving in Homer or returning home.

Gateway improvements include overlook parking lot paving, landscaping, benches and picnic tables to enhance the visitor experience and comfort. Updated interpretive signage will tell the story of Homer and the surrounding communities and highlight the phenomenal natural resources of Kachemak Bay. Improvements to the overlook will welcome everyone, orient visitors to the natural landscape and community and help encourage commerce. Benches and picnic tables allow travelers a comfortable place to linger, rest and enjoy the spectacular setting.

**Plans & Progress:** The first Gateway Project began in 2009 when a collaborative effort (involving the City of Homer, Alaska State Parks, National Park Service, Kachemak Research Reserve and U.S. Fish and Wildlife Service) created a beautiful diorama in Homer’s airport terminal highlighting the wealth of public and private lands available to everyone who comes to Kachemak Bay.

This group plus the Alaska Department of Fish and Game, Alaska Department of Transportation, Pratt Museum, Homer Chamber of Commerce, Kachemak Bay Conservation Society and Homer Garden Club are working on the Baycrest Overlook Gateway Project. The State and the City of Homer spent \$6,000 in 2013 to produce the Baycrest Overlook Interpretive Plan. The Plan included public comment meetings, design, development and locations for welcome and interpretive signage; it was officially adopted by Homer City Council in 2013. In 2016, Homer’s Chamber of Commerce placed a welcome informational kiosk to feature brochures of Chamber-member businesses.

The project will consist of three phases:

Interpretive signage, benches and picnic areas

Enhanced landscaping

New restrooms and paving upgrades.

**Total Project Cost:** \$262,000

2013 (Preliminary Design): \$6,000

2019 (Construction): \$256,000

    Signage/Benches: \$50,000

    Landscaping: \$25,000;

    Restrooms and Paving: \$181,000

**Priority Level:** 3



Baycrest Overlook is very often the first stop and introduction to Homer for many visitors. Interpretive signs need revamping to address the local area. The most prominent interpretive feature informs visitors about an obscure historic gold exploration expedition gone wrong on the Kenai Peninsula.



## Bayview Park Restoration

FY 2017 - DRAFT Document

**Project Description & Benefit:** Bayview Park is a small, relatively quiet fenced neighborhood park at the top of Main Street. The goal of this project is to improve the accessibility and safety of the Park and its playground elements with a focus on making the park more user-friendly to young children (infant-toddler-preschool age) and for children and parents/caregivers with disabilities or mobility issues.

Over the last five years, thanks to a dedicated group of volunteers comprising the Playspaces Work Group of Homer's Early Childhood Coalition, some improvements (adding additional play features such as an embankment slide, log steps, an alder fort and boulders) have been started at the park. Homer's Early Childhood Coalition continues to adopt this little park and works to complete elements included in the Park's Master Plan. In 2014, they completed an ADA accessible pathway and made temporary repairs to the perimeter fence. They are currently working to replace the fence, add new play equipment and extend accessible pathway to all play features.

- Summer 2017: Replace existing white picket fence with a wood frame-chain link fence to improve the stability and durability of the fence (current fence is in constant need of repair). Parents and caregivers appreciate having a fence as it provides a level of safety for young children around the busy roads and ditches surrounding the park.
- Summer 2018-19: Upgrade ground cover to playground standards, replace jungle gym, add additional swing port, and extend ADA trail to new elements as needed. The goal is to provide new playground elements that are designed for younger/toddler age and to have some accessible for children with disabilities.

**Plans & Progress:** In 2011 Homer Early Childhood Coalition raised money and funded a new slide and boulders that were installed by the City of Homer. Several parents built and installed stepping logs and 2 small "bridges". In 2013 Homer Early Childhood Coalition coordinated with Corvus Design to meet with local families and children for project ideas and create a master plan with cost estimates. \$5,347.76 was raised to pay for design costs and install new play elements. ADA parking and access trail improvements were completed in 2014 utilizing in-kind donations of equipment and labor and an additional \$5,118 in fundraising dollars.

Homer Early Childhood Coalition Playspaces Work Group have developed a fundraising plan to raise additional funds through grant writing, community donations and in-kind donations of supplies, equipment, and labor. The group meets regularly to discuss design plans and fundraising.

**Total Project Cost:** \$189,974

**Schedule:** 2018

**Priority Level:** 2



Though charming, the white picket fence that surrounds Bayview Park is in need of constant repair. A more practical chain length fence is needed to keep young children out of roads and ditches.



## Homer Spit Trailhead Restroom

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**Project Description & Benefit:** The parking lot at the intersection of the Ocean Drive bike path and Homer Spit Trail gets heavy use year round. The Spit trail is a popular spot for biking, running, walking, and roller blading. Parents bring their young children to ride bikes because the trail is relatively flat and has few dangerous intersections. A restroom would be heavily used by recreationalists and commuters using both trails.

**Total Project Cost:** \$295,000

**Schedule:** 2019

**Priority Level:** 3



The parking lot at the Spit trail head full of cars on a sunny day.

FY 2017 - DRAFT Document



## Port and Harbor

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- **Deep Water/Cruise Ship Dock Expansion, Phase 1 ..... 23**
- **Barge Mooring Facility..... 24**
- **Homer Spit Dredged Material Beneficial Use Project .. 25**
- **Ice Plant Upgrade ..... 26**
- **System 4 Vessel Mooring Float System..... 27**
- **Truck Loading Facility Upgrades at Fish Dock ..... 28**
- **Ramp 8 Restroom ..... 29**
- **Seafarers Memorial Parking Expansion..... 30**
- **Boat House Pavilion and Plaza on the Homer Spit..... 31**

**FY 2017 - DRAFT Document**



# Deep Water/Cruise Ship Dock Expansion, Phase 1

Updated plans & progress; updated design graphic.

FY 2017 - DRAFT Document

**Project Description & Benefit:** Upgrades to the Deep Water/Cruise Ship Dock are necessary to provide a facility that can accommodate multiple industry groups and provide the greatest economic benefit to the area. A feasibility study of expanding and strengthening the dock (with later phases including a terminal building and other upland improvements) is nearing completion. Expansion increases the Port & Harbor’s capability to support regional resource development initiatives with moorage and a staging area for freight service to the Lake and Peninsula Borough (via the Williamsport-Pile Bay Road) and to potential future Cook Inlet region resource development projects. There is current demand for modifications to the existing dock to accommodate long-term mooring of large resource development vessels such as timber, mining and oil and gas barges, and as designed, the dock will be able to handle icebreakers, of particular importance given Alaska’s strategic arctic location.

The facility will boost cargo capability. The City has a 30-acre industrial site at the base of the dock which can support freight transfer operations and serve as a staging area for shipping to and from the Alaska Peninsula, the Aleutians, and Bristol Bay. Handling containerized freight delivery to the Kenai Peninsula would reduce the cost of delivering materials and supplies to much of the Peninsula. The dock expansion will also enhance cruise ship-based tourism in Homer by providing moorage at the dock for two ships (a cruise ship and a smaller ship) at the same time, reducing scheduling conflicts.

Finally, improvements to the dock will fulfill a contingency planning requirement under Homeland Security provisions. The Port of Anchorage, through which 90% of the cargo for the Alaska Railbelt areas and the Kenai Peninsula passes, is vulnerable. If the Port of Anchorage were to be shut down and/or incapacitated for any reason, Homer’s port would become even more important as an unloading, staging, and trans-shipping port.

**Plans & Progress:** In 2005 the City of Homer spent \$550,000 for cathodic protection of the existing dock and conceptual design of an expanded dock. \$2 million in federal transportation earmark funds were appropriated in FY 2006 to prepare preliminary design and conduct further economic analysis. The Alaska Legislature appropriated an additional \$1 million for FY 2011. The Homer City Council has authorized the sale of \$2 million in bonds to help fund the construction of this project. Currently the City is working with R&M consulting to complete design and feasibility. To date the team completed a extensive conditions survey of the existing infrastructure, bottom condition survey, soils core drilling, and a very detailed tide/current profile for the dock. A nearly completed feasibility study of dock improvement/uplands land use options helped identify the best option for expansion to improve freight and cargo handling capabilities. The team also completed some uplands improvements that benefit cargo movement and storage on land close to the deep water dock: paving outer dock truck bypass road, removing the old wooden fence around the concrete storage yard and replacing it with a chain link fence, stormwater runoff handling, lighting and security cameras.

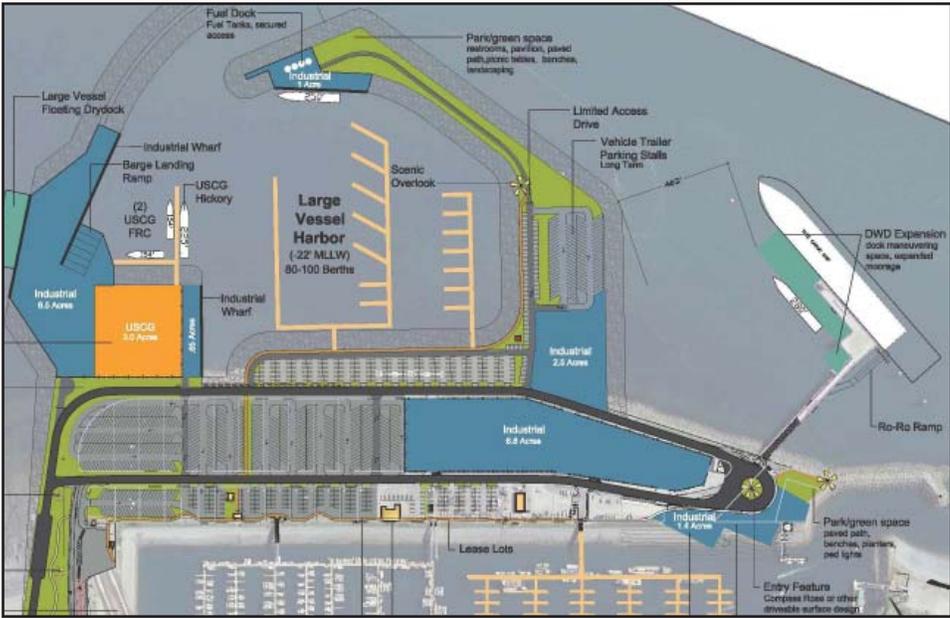
**Total Project Cost:** \$35,000,000

**Feasibility:** \$1,250,000  
(Completed September 2016)

**Design:** \$1,750,000

**Construction:** \$32,000,000

**Priority:** 1



Deep Water Dock Expansion (white dock on right of diagram) proposed design.



## Barge Mooring Facility, Phase I

FY 2017 - DRAFT Document

**Project Description & Benefit:** Constructing a barge mooring facility will meet the growing freight needs of existing Homer businesses and attract additional large vessel business. The mooring facility, proposed along the beachfront of Lot TR 1A (between the Nick Dudiak Fishing Lagoon and Freight Dock Road on the west side of the harbor) could accommodate up to four, 70' x 250' barges located side-by-side. The barges would be moored in the tidal zone, with the bow end pulled tight to the beach. The barges would typically be moored at high tide with the intent that a portion of the barge would be 'dry' as the tide recedes.

Phase I of the mooring facility will include dead-man anchors along the beach, dolphins (constructed of driven piles) extending out into the water perpendicular to the beach, and mooring points (buoys or dolphins) astern of the barges. The facility would also feature a ramp that would enable barges to be hauled out onto dry ground above the high tide line to facilitate maintenance and minor repairs. The ramp would be set at a slope of 5 degrees. A dead-man anchoring system would be provided to allow the barge operators to winch the barge up and down the ramp. Phase II will install electrical pedestals delivering 440v electrical power to each mooring location.

This proposed improvement will increase the Port & Harbor's moorage capacity by providing secure moorings for vessels that cannot currently be accommodated within the harbor's basin due to lack of space. The Port and Harbor report demand for this mooring facility; creating winter storage supplies a valuable service to our marine industry and creates the opportunity for additional harbor moorage revenue by being able to move landing craft off the harbor's float system. It would also support (as well as serve as a draw) to the large vessel repair facility proposed as an upland improvement to the area directly above the Barge Mooring Facility.

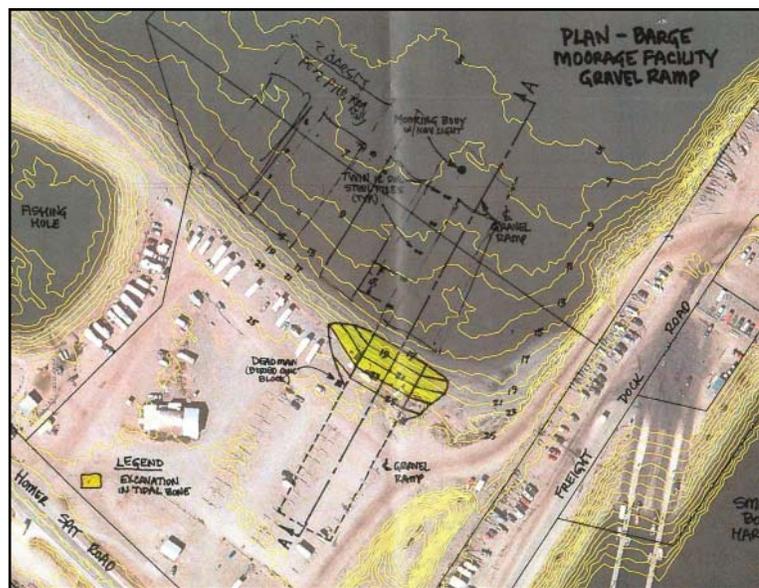
**Plans & Progress:** The Barge Mooring Facility is being developed in two phases. Phase I will include the haul out ramp and barge mooring stations. Phase II will include electrical service pedestals for each station. Phase I Design/Engineering/Permitting/Geotechnical for Phase I is currently underway. Staff are working with Nelson Engineering to complete design work for the facility.

**Total Project Cost:** \$1,958,976

**Schedule:**

- 2016-2017 : Phase 1 - Design/Engineering/Permitting/Geotechnical: \$108,976
- 2017: Phase I - Construction: \$1,250,000
- 2018: Phase II - Construction: \$600,000

**Priority Level:** 1



Concept design for Barge Mooring Facility



## Homer Spit Dredged Material Beneficial Use Project

**Staff recommendation: per Bryan & Carey remove this project from CIP.**

**Project Description & Benefit:** The Army Corps of Engineers' best management practices for dredging operations on the Homer Spit includes beneficial uses of dredged materials. The Corps will utilize material dredged from the entrance of the Small Boat Harbor and the Pioneer Dock berth to replenish eroded material along the beaches. Beach replenishment points are proposed on the west side of the Spit at Mariner Park and on the east side of the Spit just north of the Fishing Lagoon.

This project proposes further beneficial uses: creating additional parking on the Spit and build up projects of existing properties. Dredged material would be used to create a parking pad between the boardwalks across from Ramp 3 and to improve the Mariner Park parking lot. The additional parking will be a welcome improvement as it is often hard to find parking during peak summer months on the Spit. Armor rock will be installed across from Ramp 3 to protect against erosion.

Dredged material will be placed on the beaches as part of the Army Corps of Engineers' dredging/disposal operations. Hauling costs to Mariner Park will be supplemented by Harbor Funds and the City of Homer will spread, cap and place riprap along the beach where fill is placed near or in the tidal zone. A Corps permit will be needed to accomplish this work.

Total Project Cost: \$688,000

Schedule:

2017: Design and Inspection: \$50,000

2018: Spread available material in upland parking pad areas: \$10,000

2018-2019: \$628,000

(Compact material: 20,000; Instal riprap: \$350,000; Gravel cap: \$95,000; Paving: \$100,000 Contingency \$63,000)

Priority Level: 2

**Using dredged material to expand Spit parking is a stand alone project (p. 30); beach replenishment does not need to be a CIP project.**



The Homer Spit has been shaped over the years by nature as well as human intervention. (2008 NOAA photo)

**FY 2017 - DRAFT Document**



## Ice Plant Upgrade

**Updated. Compressor replacement now Phase II. Backup refrigeration unit proposed as Phase I upgrade.**

FY 2017 - DRAFT Document

**Project Description & Benefit:** The ice plant at the Fish Dock is a critical component of the overall Port and Harbor enterprise, providing more than 3,500 tons of flake ice each year to preserve the quality of more than 20 million pounds of salmon, halibut, sablefish, and pacific cod landed at the Port of Homer. Having been built in 1983, the ice plant compressors do not operate as efficiently as new state-of-the-art high efficiency refrigeration compressors. The long-term upgrade for the Ice Plant is to replace six of the seven old compressors within the ice plant with new, more highly efficient ones. This would increase the plant's efficiency and reduce operating costs.

Presently, though, the facility's refrigeration components are running smoothly and are not in need of a costly major overhaul. A smaller, more feasible Phase I upgrade consists of adding a refrigeration unit back by the cold storage room so that the Ice Plant can remain operational year round. This would help the fisherman and also keep some revenue coming in during the winter shut down.

**Total Project Cost:** \$660,000

**Schedule:**

2017: Purchase/install new refrigeration equipment for the bait room: \$160,000

2020: Purchase new/replace old compressors: \$500,000

**Priority:** 1



Four of the Ice Plant's aging compressors are shown here.



## System 4 Vessel Mooring Float System

**Project Description & Benefit:** System 4 is made up mostly of floats that were relocated from the original harbor construction in 1964. In the 2002 Transfer of Responsibility Agreement (TORA) project, System 4 was completed by moving the old floats into place. Within two years it was filled to maximum capacity. System 4 floats are over 20 years beyond their engineered life expectancy and are showing their age. This project can be done in phases.

Plans & Progress: Phase 1 floats HH, JJ, and headwalk float AA between those floats were replaced in fall of 2014. Power and water was extended from ramp 7 to JJ and HH as part of the same project. A new landing float was installed for Ramp 7 in the Spring of 2014. Phase 2 floats CC, DD, EE, GG will be replaced next.

**Total Project Cost:** \$5,600,000

**Schedule:**

2016 Design: \$600,000

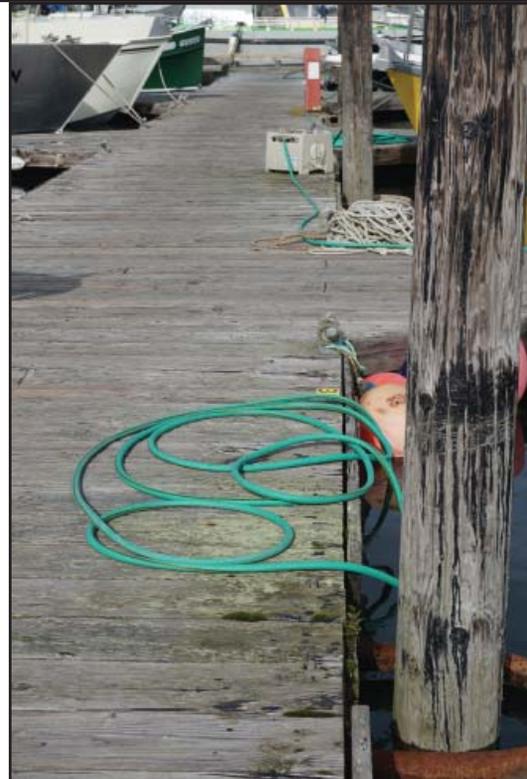
2017-2020 Construction: \$5,000,000

**Priority Level:** 2



System 4 ramps to be replaced next.

Detail of aging Float DD, at right.



FY 2017 - DRAFT Document



## Truck Loading Facility Upgrades at Fish Dock

FY 2017 - DRAFT Document

**Project Description & Benefit:** Approximately 22 million pounds of fish are landed at the Homer Fish Dock each year and loaded onto trucks. The resulting truck, fork lift, and human traffic creates considerable congestion as fish buyers jockey for space to set up portable loading ramps. Lack of adequate drainage in the area creates further problems as the vehicles must maneuver in soft and often muddy conditions.

This project will construct a loading dock to facilitate the loading of fish onto trucks. In addition, it will provide for paving of Lot 12-B and other improvements to address the drainage problems that impact the area.

**Total Project Cost:** \$300,000

**Schedule:** 2018

**Priority:** 1



Currently at the Fish Dock, fish buyers have to contend with a muddy lot and lack of a loading dock to facilitate the transfer of fish to trucks.



## Ramp 8 Restroom

**Updated to indicate outhouse has been removed from location .**

**Project Description & Benefit:** Ramp 8 serves System 5, the large vessel mooring system. Previously, restroom facilities for Ramp 8 consisted of an outhouse capable of occupying only two people at a time. This outdated restroom brought many complaints to the Harbormaster's office. Sanitary restroom facilities are expected in modern, competitive harbors along with potable water and adequate shore power. The Ramp 8 outhouse was removed in 2015. A new public restroom in this location is needed to serve the crew members of large vessels when they come to port.

**Plans & Progress:** Design costs for this project would be minimal as the City has standard public restroom plans engineered that can be easily modified for this location.

**Total Project Cost:** \$295,000

**Schedule:** 2019

**Priority Level:** 3



Ramp 8 sees heavy use from crews of large vessels moored in System 5. Since this outhouse was removed in 2015, crews walk 1.5 blocks to use the nearest restroom facility.

FY 2017 - DRAFT Document



## Seafarers Memorial Parking Expansion

FY 2017 - DRAFT Document

**Project Description & Benefit:** This project would use materials from dredging the harbor to build up a parking lot between Seafarers Memorial and the east end of the nearby boardwalk complex. The additional parking will be a welcome improvement as it is often hard to find parking during peak summer months on this section of the Spit. The project has the added benefit of replenishing the beaches on the east side of the Spit and protecting infrastructure from erosion. The material will be placed on the beaches as part of the Army Corps of Engineers' dredging/disposal operations. Funding is needed to supplement hauling costs, compact material, cap with gravel and pave the lot. A Corps permit will be needed to accomplish this work.

**Plans & Progress:** The City has appropriated \$15,000 for the Homer Area Roads and Trails (HART) fund for preliminary engineering design and permitting. 95% of engineering design work was completed in 2015. The dredged materials are scheduled to be placed in the lot in 2017. A phased approach to construction will be used.

**Total Project Cost:** \$635,000

**Schedule:**

2016: Design and Permitting at 95% complete: \$8,000

2017: Dredged Material Placement by Corps: In kind

2018: Install drainage, riprap protection, paving/stripping and all parking lot delineation: \$627,000

**Priority Level:** 1



This project would fill in, level and pave the grassy area pictured above between the Seafarer's Memorial and the nearby boardwalk.



## Boat House Pavilion and Plaza on the Homer Spit

Updated to reflect project progress.

**Project Description & Benefit:** The Homer Spit is one of our community's greatest treasures. It serves as an economic hub for maritime and retail activities, provides unsurpassed recreational opportunities, contains important habitat for fish and wildlife, and serves as a gateway to countless visitors. Recent improvements to the Spit, including an expanded trail, new docks, public art, and new restrooms, have added tangibly to the quality of life and the visitor experience in Homer. The completion of a new Harbormaster's Office provided a unique opportunity to build off the excitement and momentum of recent Homer Spit improvements to redevelop the vacant old Harbormaster Office site and surrounding land.

The old Harbormaster's Office sat near the top of Harbor Ramps 1-3, an area of the Spit that teems with pedestrians, vehicles, retail shops, restaurants, commercial fishing activities, charter boat and tour operations, and constant visitors to the public restrooms. This project will redevelop the site to increase pedestrian safety, calm traffic, improve dilapidated restrooms and add a new resource to the Spit: a public pavilion—called the "Boat House." The Boat House, a maritime pavilion, would be a community gathering space, destination for visitors, and attractive reference point on the Spit. It would be a resource for boat owners, harbor users, charter boat operations, cruise ship passengers, Spit trail users, and anyone else on the Spit. The Boat House would provide a needed public space to get out of the weather, be a staging area for people and gear, offer a scenic view of the Harbor, and be a striking monument to Homer's rich maritime traditions and ways of life.

This project aligns with two important goals laid out in the 2011 Spit Comprehensive Plan. Initially, it addresses the need for a gathering space, "attractive shelter," and "central plaza." Additionally, the project facilitates the plan's long term goal of over slope development around the Harbor. An attractive pavilion and plaza will help catalyze development of additional retail facilities on the Spit, particularly through over slope development around the busiest area of the Harbor. By keeping people longer on the Spit, it would boost economic activity. The City of Homer, as owner of Lot 28 has agreed to own, operate and maintain the Boat House Pavilion upon approval of all aspects of the project from design and planning to permitting, site development and construction. Ongoing costs would be kept at a minimum through careful design, highly durable building materials, and low maintenance landscaping.

**Plans & Progress:** This project will be carried out in phases. Phase I involves design, fundraising, Boat House Pavilion and pedestrian plaza construction. Phase II is landscaping and remodel of existing restrooms. Phase III is overslope development. A volunteer Boat House Committee comprised of a maritime business owner, former co-coordinators of the Homer Playground Project (HoPP), and others have spearheaded design, public outreach and fundraising. To date the Boat House Committee has produced preliminary site and building designs (through pro bono services provided by architectural and design firms Corvus and ECI respectively), secured \$135,000 in cash donations, \$67,000 in-kind donations for Phase I and a fiscal agent, the Homer Foundation. The City of Homer has requested \$25,000 in construction funds from the Rasmuson Foundation through its Tier 1 grant program.

**Project Cost:** \$277,000

**Schedule: Phase I:** 2016-17

**Priority Level:** 2



Preliminary design proposal for The Boat House Pavilion. Situated on the northwest corner of the parking lot between Ramp 2 and the Salty Dawg on the Spit, the Pavilion features a 20' x 45' Boat House, a covered, maritime-themed public gathering space.

FY 2017 - DRAFT Document



## Public Safety

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- **South Peninsula Fire Arms Training Facility.....33**

**FY 2017 - DRAFT Document**



## South Peninsula Fire Arms Training Facility

**Staff recommends removing this project, per Chief Robl, Carey.**

**Project Description & Benefit:** This project will construct a multi-agency training facility for law enforcement on the lower Kenai Peninsula. Beneficiaries will include the Homer Police Department, local units of the Alaska State Troopers, Alaska State Parks, and various federal law enforcement agencies. Properly managed, the facility could also be used by local gun clubs and sporting groups. The facility, which will include a modern indoor shooting range, will provide a proper and safe environment for firearms training. It will enable local law enforcement personnel to conduct training at any time of day, year-round, regardless of weather.

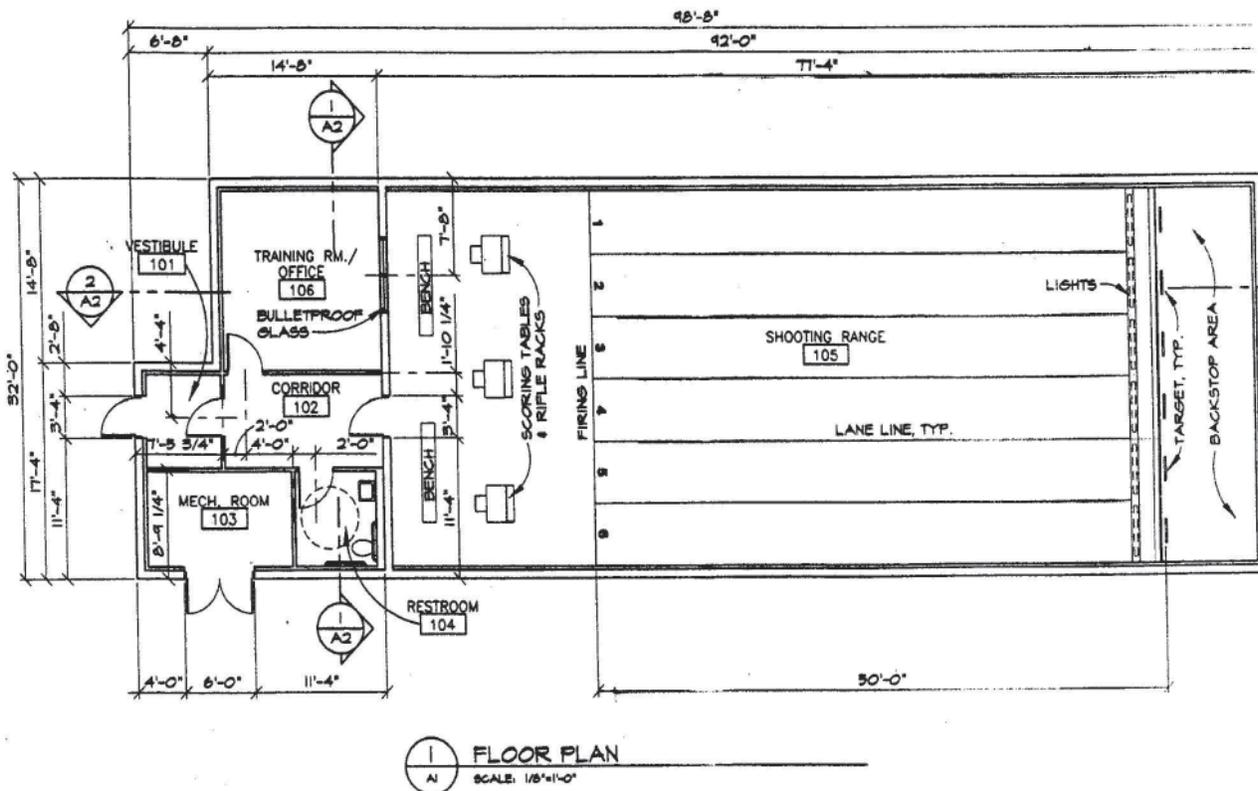
Total Project Cost: \$1,500,000

Schedule: 2017

Priority Level: 2

**Firearms training facility is incorporated into new Public Safety building design.**

FY 2017 - DRAFT Document





## Public Works Projects

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- **Water Storage/Distribution Improvements .....35**

**FY 2017 - DRAFT Document**



## Water Storage/Distribution Improvements, Phase 2

Updated to indicate completion of Phase 1.

**Project Description & Benefit:** This project will design and construct improvements that will increase water storage capabilities, improve water system distribution, drinking water quality/public health, and treatment plant and water transmission effectiveness. Improvements are designed to be completed in multiple phases as community need dictates.

- **Phase 1:** Installation of 4,500 linear feet of water main extension on Kachemak Drive and 2,600 linear feet of distribution main across Shellfish Avenue, connecting isolated sections of town with a new pressure reducing vault (PRV) was funded and will be completed in 2016.
- **Phase 2:** Installation of an underground water storage tank and 2,000 linear feet of water main between the new tank and the water system.
- **Phase 3:** Replacement of 3 PRVs on the East Trunk and installation of micro turbines generating power to the grid, abandonment of an existing functionally obsolete steel water tank and replacement of adjacent PRV station, and slip-lining of old cast iron water main on the Homer Spit.

**Plans & Progress:** The need for this project has been documented in the Homer Water & Sewer Master Plan (2006). The design has been completed through a \$884,000 Special Appropriation Project grant the City received from the Environmental Protection Agency. The Department of Environmental Conservation recommended funding phase 1 through the Municipal Matching Grant program which is reflected in The States FY16 capital budget approved by the Governor.

**Total Project Cost:** \$9,828,934

2014 (Design, Completed): \$900,000

2016 Phase 1 Construction (Funded, Completed): \$2,828,934

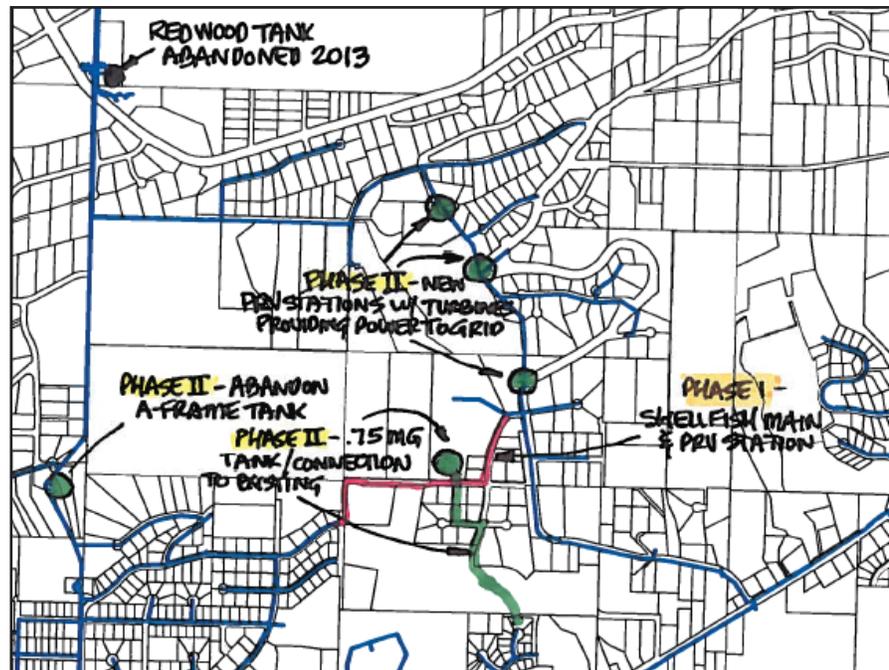
2019 Phase 2 Construction: \$3,900,000

2020 Phase 3 Construction: \$2,200,000

**FY2016 State Request for Phase 1: \$1,980,254**

(City of Homer 30% Match: \$848,680)

**Priority Level: 1**



Phase 1, Shellfish Subdivision Main and PRV Station (indicated by red line) was completed in 2016. Phase 2 (green line) consists of installing an underground water storage tank and 2,000 linear feet of water main to increase water storage and distribution capabilities.



## State Projects

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The City of Homer supports the following state projects which, if completed, will bring significant benefits to Homer residents.

### Transportation projects within City limits:

- **Homer Intersection Improvements.....37**
- **Kachemak Drive Rehabilitation/Pathway.....38**
- **Main Street Reconstruction/Intersection .....39**

### Transportation projects outside City limits:

- ~~**Sterling Highway Realignment MP 150-157**~~  
AK DOT&PF completed erosion control project MP 150-157. Moved to completed projects list.
- **Sterling Highway Reconstruction,  
Anchor Point to Baycrest Hill .....40**

### Non-transportation projects:

- **Alaska Maritime Academy.....41**

FY 2017 - DRAFT Document



## Homer Intersection Improvements

Updated to indicate completion of Pioneer Ave/Main Street 4-way stop & include that State DOT meet ADA-mandated accessibility standards and other recommendations brought forward by Homer's ADA Compliance Committee.

**Project Description & Benefit:** This project implements recommendations of the 2005 Homer Intersections Planning Study commissioned by the Alaska Department of Transportation and Public Facilities. The study analyzed the needs of twelve intersections according to traffic forecasts, intersection safety records, pedestrian concerns and intersection options. The benefit of the improvements will be to enhance traffic safety and quality of driving and pedestrian experiences for residents and visitors, particularly as the community continues to grow.

The study noted that for intersections identified as needing control measures, either roundabouts or traffic signals will function well. The Alaska Department of Transportation and Public Facilities report supports the development of modern roundabouts at many locations (“because of the good operational performance of roundabouts, superior safety performance, and reduced maintenance”). However, traffic signals have been chosen alternatives for the two Main Street intersection improvements.

Many of the intersections need traffic signals for two reasons: 1) to provide gaps for turning vehicles and 2) provide safer crossings for pedestrians in the center of town where traffic volumes are increasing and worsening in the summer months. The intersection study also analyzed areas with poor or non-existent lane and crosswalk pavement markings, missing or inadequate crosswalk signage and heavy traffic volumes. While the City and DOT&PF have improved pedestrian mobility and safety through some crosswalk projects, accessible standards have not been met by the State when they make intersection improvements.

The City of Homer expects the State of Alaska to adhere to 2010 ADA standards when newly constructing, altering or repaving streets and intersections, including mandated curb ramps or other sloped areas at intersection having curbs or other barriers to entry from a street level pedestrian walkway. Further, while not mandated, the City's ADA Committee endorses upgrading Homer's four traffic signals to audible pedestrian signals and evaluating potential additional traffic control/pedestrian crosswalk installation in areas where there are major pedestrian traffic generators or where multi-use trails crosses the roadway.

Problem intersections and recommended improvements are as follows:

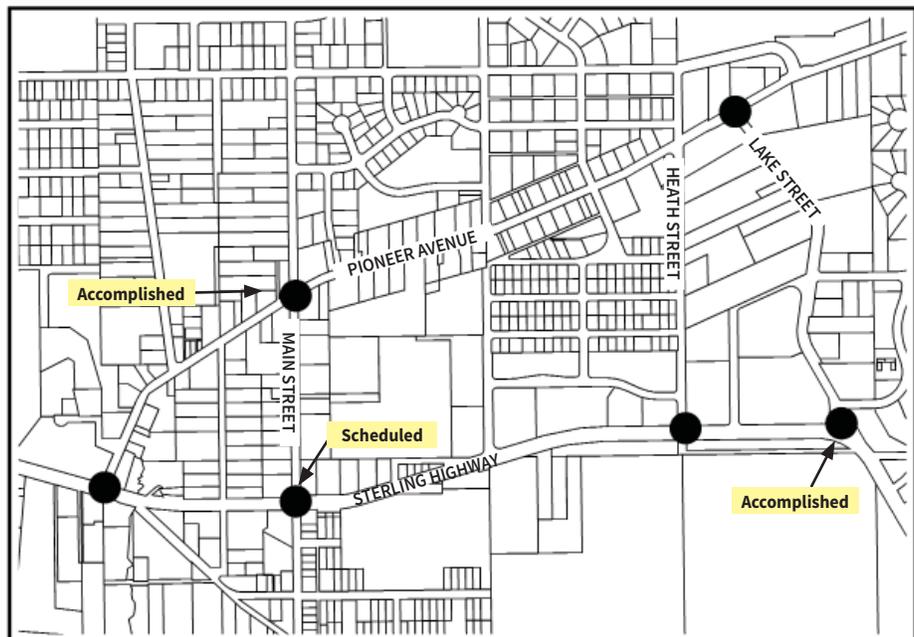
Sterling Highway and Pioneer Ave. - Roundabout or traffic signal;

Sterling Highway and Main Street - Traffic signal;

Sterling Highway and Heath Street - Roundabout or traffic signal;

Pioneer Ave. and Lake Street/East End Road - Roundabout or traffic signal.

**Plans & Progress:** State of Alaska DOT/PF obtained \$2.8 million to make safety improvements to Main Street Intersections. Traffic control at the Pioneer Avenue and Main Street intersection was accomplished in 2016 by installing a four-way stop and flashing overhead beacon. State of Alaska DOT/PF will be moving forward in 2017 to complete improvements at the Main Street intersection by installing a traffic signal at the Main Street and Sterling Highway intersection.



Alaska DOT/PF has recommended roundabouts or traffic signals at four additional central Homer intersections, to be accomplished as soon as possible.

FY 2017 - DRAFT Document



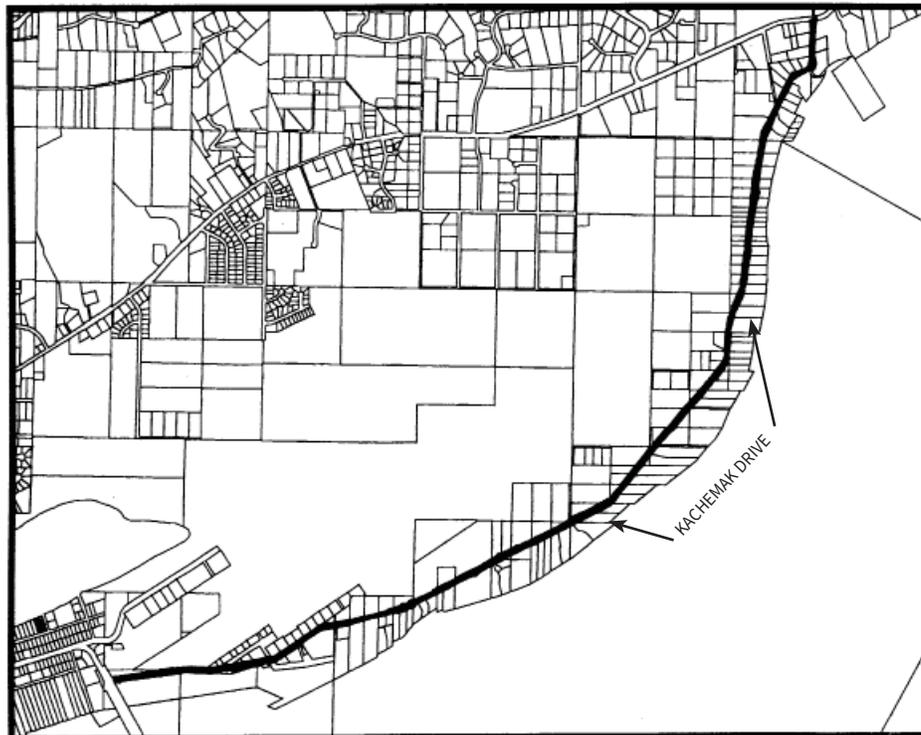
## Kachemak Drive Rehabilitation/Pathway

FY 2017 - DRAFT Document

**Project Description & Benefit:** Kachemak Drive connects Homer Harbor with Homer’s industrial boat yards, serves drivers as a connector from the Homer Spit to East End Road, has a residential community, and serves as an alternate route to the airport. Truck, boat trailer, residential and commuter traffic are often heavy, with an approximate daily traffic of 1,500 vehicles. The road needs rehabilitation including raising the embankment, resurfacing, widening the road, and drainage improvements.

Bicyclists, pedestrians and occasional moms with strollers use Kachemak Drive to connect to the Spit, Ocean Drive, and East End Road bike paths. Kachemak Drive has narrow to non-existent shoulders, forcing cyclists to the left of the fog line. Motorists typically slow down behind bicyclists, wait until there is no oncoming traffic, then pass by crossing the center line. This procedure is dangerous to motorists and cyclists, especially on the hill leading up from the base of the Spit to the airport, where visibility is low. Bicycle traffic has increased in the past couple of years due to the advent of wide-tire winter bicycles and Homer’s increasing popularity as a bicycle friendly town. Construction of a separated pathway along East End Road will increase recreational and commuter bicycle and pedestrian traffic on Kachemak Drive and will improve driver, bicycle, and pedestrian safety. Because of the significant right-of-way acquisition involved, this project will likely take several years to complete.

**Plans & Progress:** The Kachemak Drive Path Committee has worked with the City of Homer Advisory Parks and Recreation Commission and Transportation Advisory Committee to explore potential alternatives. The City performed preliminary engineering in 2012 on a portion of the trail and found significant grade and easement challenges to the project.



Project location for Kachemak Drive pathway.



## Main Street Reconstruction

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FY 2017 - DRAFT Document

**Project Description & Benefit:** This project will provide curb and gutter, sidewalks, storm drainage, and paving for Main Street from Pioneer Avenue to Bunnell Street.

Homer’s Main Street is a primary north-south corridor running from Bayview Avenue (near the hospital) to Ohlson Lane (near Bishop’s Beach). In the process, it connects Homer’s primary downtown street, Pioneer Avenue, with the Sterling Highway and provides the most direct access to the Old Town district. It also provides the western border to Homer’s undeveloped Town Center district.

Despite its proximity to the hospital, businesses and residential neighborhoods, Main Street has no sidewalks, making pedestrian travel unpleasant and hazardous. Sidewalks on this busy street will enhance the quality of life for residents and visitors alike and provide economic benefits to local businesses and the community as a whole.

**Plans & Progress:** Main Street is a City street from Pioneer Avenue northward, and a State street from Pioneer Avenue south. The Homer Non-Motorized Transportation and Trail Plan, adopted by the City Council in 2004, calls for construction of sidewalks on both sides of Main Street to provide a safe means for pedestrians to travel between Old Town and Pioneer Avenue, and stresses that this should be regarded as a “near term improvement” to be accomplished in the next two years. The Homer City Council passed Resolution 06-70 in June 2006 requesting that Alaska Department of Transportation and Public Facilities (DOT/ PF) “rebuild and upgrade Main Street from Pioneer Avenue to Bunnell Avenue as soon as possible in exchange for the City assuming ultimate ownership, maintenance, and operations responsibility.”

State of Alaska DOT/PF has obtained \$2.8 million to make safety improvements to Main Street Intersections. In 2016, they installed a four-way stop and flashing overhead beacon at the Pioneer and Main Street intersection. They will be moving ahead with the preferred alternative of installing a traffic signal at the Sterling Highway and Main Street intersection (2017). However, much work remains to be done to improve and reconstruct of the entire section of Main Street from Pioneer Avenue to Bunnell Street.



A mother pushes a stroller along Main Street between the Sterling Highway and Bunnell Street, while another pedestrian walks on the other side of the road.



## **Sterling Highway Reconstruction Anchor Point to Baycrest Hill**

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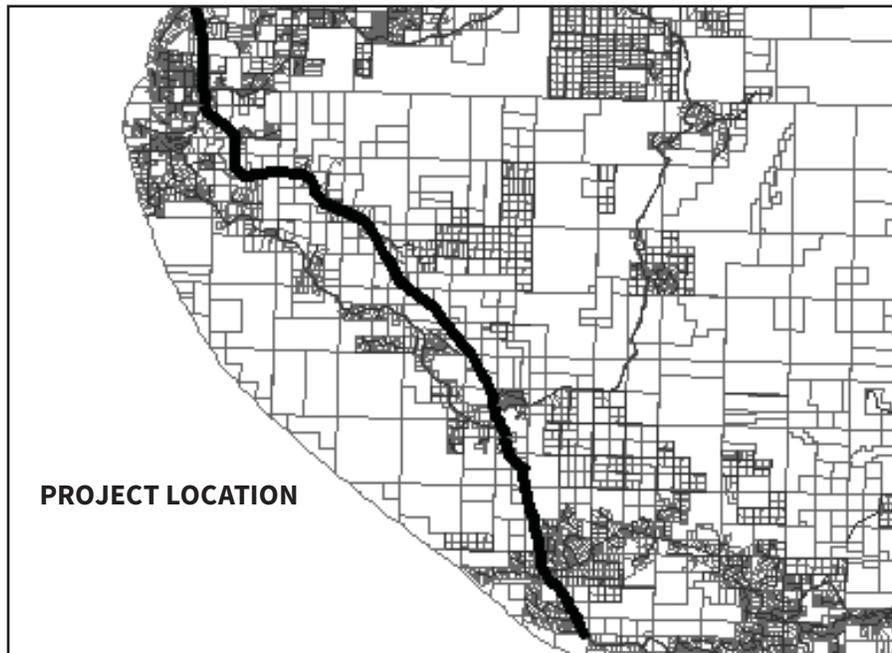
FY 2017 - DRAFT Document

**Project Description & Benefit:** This project will reconstruct 12 miles of the Sterling Highway between Anchor Point (MP 157) and the top of Baycrest Hill in Homer (MP 169) to address severe safety issues resulting from curves, hills and blind spots on the existing road. The project has been identified as a high priority of the Kenai Peninsula Borough.

Many major side road intersections, gravel hauling operations, and school bus stops contribute to dangerous conditions on the 12-mile section of highway, which has been the scene of several serious accidents, many with fatalities, over the past several years. Continued population growth has led to more subdivisions with intersecting roads and more traffic on the highway, exacerbating the problem. School buses must stop in some locations with blind corners and hills.

The project calls for construction of an improved two-lane highway paralleling the alignment of the existing highway. The reconstructed highway will be designed to allow two additional lanes to be added at a future date.

**Plans & Progress:** The Sterling Highway MP 157-169 Rehabilitation project is included in the 2012-2015 Alaska Statewide Transportation Improvement Program (STIP). Two and a half million dollars was included in the FY2013 capital budget for design and right of way phases of this project. Total costs are expected to exceed \$36 million; consequently, the project may be constructed in phases. Preliminary engineering and environmental assessment services began in the summer of 2014, with design, permitting and right-of-way acquisition scheduled to begin in 2016.





## Alaska Maritime Academy

**Staff recommendation per Bryan, Julie & Carey remove this project from CIP.**

**Project Description & Benefit:** This project will establish an accredited maritime academy providing quality post-secondary education primarily focused on marine related programs for developing career-oriented skills relating to engineering, ship operations, marine science, maritime management, and small vessel design and operation. The academy would provide both classroom and hands-on training, taking advantage of Homer’s existing marine trades industry cluster and opportunities for time onboard vessels in port and at sea.

The Federal Maritime Administration provides training vessels and other support to state maritime academies. Currently there are six academies in the U.S.; none in Alaska. Alaska Statute Sec. 44.99.006 specifies that the Governor may enter into an agreement with the Federal Maritime Administration to provide for an Alaska Maritime Academy.

**Plans & Progress:** The Homer City Council approved Resolution 10-22(A) requesting that Alaska’s Governor select Homer as the site of an Alaska Maritime Academy and specifying that a citizens task force be established to facilitate the effort to develop a maritime academy here. A maritime academy is also included as a potential economic development opportunity in the City of Homer Comprehensive Economic Development Strategy.



Maritime academies utilize both classroom and hands-on training. The training ship for the Great Lakes Maritime Academy in Traverse City, Michigan is shown in the background of this photo.

**Two west coast maritime academies already exist: WA and CA. Not sure there’s enough demand for another. If so, it would be a Federal project sponsored through UAA system; Homer would compete with Juneau and Seward (with a technical school infrastructure already in place) to be host location. Fiscal environment makes this project highly unlikely. Homer already addressing maritime trades much more feasibly through continuing education program through KPC.**

FY 2017 - DRAFT Document



## Projects Submitted by Other Organizations

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The City of Homer supports the following projects for which local non-profit organizations are seeking funding and recognizes them as being of significant value to the Homer community:

- **Haven House:**  
Safety/Security Improvements .....43
- **Homer Council on the Arts:**  
Re-configuration and Facility Upgrade.....44
- **Homer Hockey Association:**  
Kevin Bell Ice Arena Acquisition.....45
- **Homer Senior Citizens Inc.:**  
Alzheimer’s Unit .....46
- ~~Homer Senior Citizens Inc. Natural Gas Conversion~~  
Natural Gas Conversion completed and moved to completed projects list.
- **Kachemak Shellfish Growers Association:**  
Kachemak Shellfish Hatchery .....47
- **Pratt Museum:**  
New Facility and Site Redesign.....48
- **South Peninsula Hospital:**  
~~Site Evaluation & Planning for Hillside Reinforcement~~49  
SPH requests removing this project in favor of two higher priority projects included in Proposed Project packet.

FY 2017 - DRAFT Document



## Haven House Safety/Security Improvements

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**Project Description & Benefit:** Haven House provides protection through emergency shelter and program services to adults and children who are victims of domestic violence, sexual assault and child abuse. Domestic violence and sexual assault offenders are among the most dangerous type of violent offender and such shelters warrant a high degree of security systems, equipment, and technology. Haven House is requesting \$25,000 to improve the security of the facility through upgrading existing surveillance equipment, adding additional, much-needed surveillance equipment, upgrading existing security system, improving communications between all offices in the building, as well as instant communication to law enforcement, and improving equipment that contributes to security, such as doors, windows, locking systems, and fence. According to feedback collected on surveys from Haven House shelter employees and clients, as well as security challenges we have faced in the past, there is a need to provide improvements to our security systems currently in place. This will protect Haven House clients, staff, and community members and provide a much-needed public safety function for the entire southern Kenai Peninsula communities.

**Plans & Progress:** In July of 2014 Haven House completed Phase 1 of security improvements, the addition of a secured arctic entry, which provided a layer of security at our main entrance. The first part of Phase 2, completed winter 2015, included adding the security doors to the arctic entry. Additionally, funds from the Rasmuson Foundation and the State of Alaska will help complete the remaining Phase 2 items which include security cameras and surveillance systems, replacing aging windows, and fortifying the existing yard fence, but only at one specific location. We estimate completion of Phase 2 some time in fall of 2016. Haven House is seeking further funding for a Phase 3 to completely secure our yard and property perimeter to ensure staff and client safety and confidentiality.

**Total Project Cost:** \$25,000



Haven House provides protection through emergency shelter and program services to adults and children who are victims of domestic violence, sexual assault and child abuse.

FY 2017 - DRAFT Document



## Homer Council on the Arts Facility Upgrade & Reconfiguration

Updated plans & progress and added Phase 2 placement of a yurt.

FY 2017 - DRAFT Document

**Project Description & Benefit:** Guided by the conviction that the arts are for everyone, Homer Council on the Arts (HCOA) provides opportunities for all people in our community to experience and participate in the arts. HCOA provides arts education, arts advocacy, creative opportunities and a place for Homer's residents, regardless of income, to participate in and experience the arts.

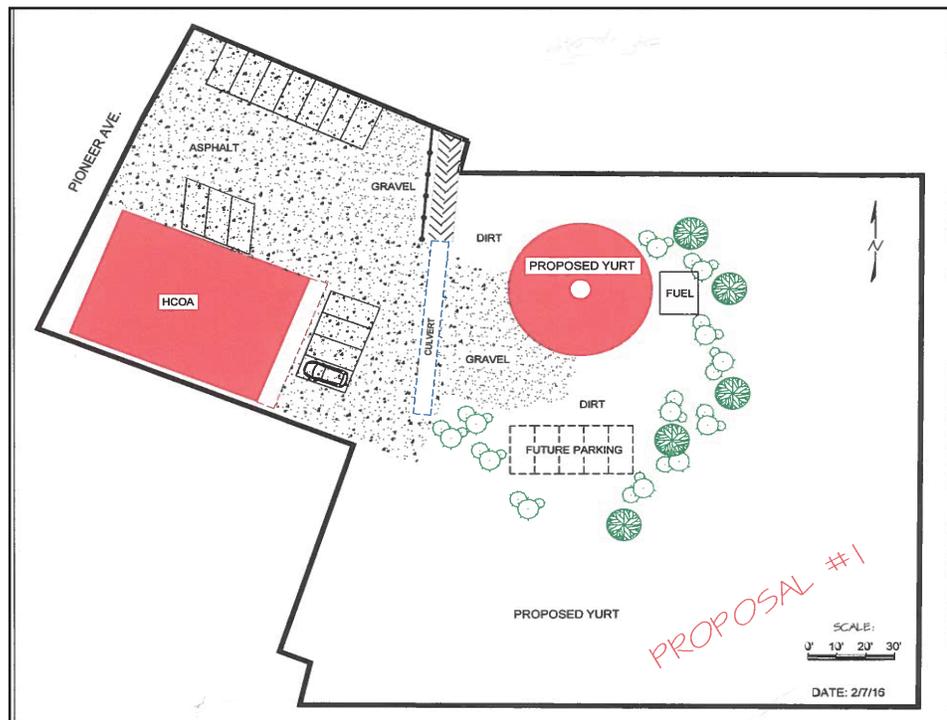
Recognizing the limits of HCOA's 56-year old, former office space facility, HCOA has taken steps to determine how the building can better serve the needs of Homer's art community and better support HCOA's mission. These steps included a comprehensive energy audit in 2012 and participation in the Foraker Group Pre-Development Program. Combined, these two planning processes assessed HCOA's and the community's programmatic needs (as determined in Homer's Parks, Art, Recreation and Culture (PARC) Needs Assessment) and created feasible, appropriately scaled remodel options to accommodate those needs through building improvements.

The following phased facility upgrade plan was chosen to make HCOA's facility more efficient and affordable to operate, fill a documented community need for affordable community program, dance, and medium-sized performance space, and improve the overall accessibility, flexibility, longevity and aesthetics of the existing building.

Plans & Progress: HCOA recently refinanced its mortgage to initiate Phase One Energy Efficiency and Maintenance Improvements. To date, HCOA has converted the main building to natural gas, repaired and replaced windows and doors, and improved lighting efficiency in the gallery space. HCOA has gathered interested community and board members, and others to serve on a Facility Improvement Committee. Continuing plans are as follows:

- Replace the roof and paint the existing building, completing Phase One of the plan in Fall/Winter 2016;
- Secure funding from individuals, foundations, and government agencies to complete Phase Two of the project: construct a yurt on back of the property to provide community dance and performance art space. 2016-2017;
- Begin fundraising, complete plans and construct Phase Three: interior reconfiguration and renovation of the existing facility. 2017-2018.

**Total Project Cost:** \$500,000



HCOA's site plan showing location of yurt which will provide community dance and small performance art space.



## Homer Hockey Association Kevin Bell Ice Arena Acquisition

**Project Description & Benefit:** The Kevin Bell Arena was constructed in 2005, with initial funding from grants associated with the Kenai Peninsula hosting the 2006 Arctic Winter Games combined with a loan from English Bay Corporation/Homer Spit Properties. Since opening its doors, the Homer Hockey Association (HHA) has operated the rink within a yearly budget of \$300,000, which covered both operating and capital acquisition expenses. In September 2015, though, HHA had to begin paying the principal on its loan which increased the monthly payments significantly. In order to purchase the building and the land, HHA needs to obtain \$2.74 million dollars.

HHA's mission is to cultivate on-ice recreation of all kinds, for all ages, on the Lower Kenai Peninsula. Homer Hockey Association is accomplishing this mission. One of the few non-profit, volunteer-run ice rinks in the U.S., HHA has done an outstanding job accomplishing its mission. Volunteers contribute an estimated 14,000 volunteer hours annually, representing a huge commitment of time and effort by our community. Over the years, programs have been expanded to include activities for all: figure skating, hockey for adults and children, broomball, and a curling program. The Kevin Bell Arena hosts up to 800 users a week during the winter. These efforts earned HHA the 2012 Alaska Recreation & Parks Association Outstanding Organization award.

The Kevin Bell Ice Arena hosts many tournaments and events that bring commerce to the City of Homer, especially important during the winter when tourism is low. In the 2015-16 season, HHA hosted seven separate adult and youth tournaments with a combined total of 150 games. These tournaments and jamborees brought over 1,160 out-of-town players to Homer, accompanied by family and fans that contributed an estimated \$646,187 to the local economy through lodging, transportation, dining and merchandise purchases. It is estimated that half came from the Pee Wee "C" State Tournament where the Homer team were champions.

**Plans & Progress:** HHA ran a grass roots campaign in the 2014-15 season to educate and solicit ideas to secure the future of the Kevin Bell Arena. During this endeavor, we have gotten resolutions from the City of Homer and the Kenai Peninsula Borough and circulated a petition to solicit support and inform Kenai Peninsula residents as well as ice sports supporters everywhere of our situation.

HHA conducted TILT Don't Let the Rink Sink, a crowdfunding campaign in January 2015 which raised \$25,000 to help pay for the increase in principal payments for 2016. HHA also received a one-time line item of \$14,000 from the City of Homer to go toward the principal of the loan.

HHA continues to rely on revenue from fundraising, grants, and sponsorships to meet its budget. This past season, HHA sponsored a dessert auction, golf tournament, garage sale, Ash Cup silent auction, a Skate-a-Thon, and concessions, earning a total of \$18,241. An annual raffle (mandatory for all HHA members) earned \$26,407 for the 2015-16 season. Grants and sponsorships totaled \$46,694.

Homer Hockey Association has been in contact with state and federal legislators about the rink's financial situation and has requested help in identifying possible funding sources.

**Total Project Cost:** \$2,740,000



Homer's Pee Wee Tier II State Champions. Last year, the Kevin Bell Arena hosted seven ice sports tournaments, bringing over 1,160 out-of-town players to Homer.



## Homer Senior Citizens Inc. Alzheimer's Unit

FY 2017 - DRAFT Document

**Project Description & Benefit:** Seniors are the fastest growing population for the State of Alaska. Homer is projected as the second city in the State which will see the most significant growth in this demographic. Homer Senior Citizens (HSC) operates a 40 bed assisted living facility. We have sent four seniors from our community due to Alzheimer's disease in the past four years. Losing one senior a year is unacceptable as it tears away the fabric of our community. All of the seniors have families remaining in the Homer community.

In order to maintain the health of a senior, a full continuum of care is required. Maintaining physical, mental and social capacity supports the dignity of our most vulnerable adults. An Alzheimer's Unit has been a strategic priority for the HSC's Board of Directors to keep our seniors home in the community.

The Alzheimer's Unit will include fifteen beds and 24/7 nursing care. Additionally, it will include a memory care unit to help maintain residents' existing cognitive capacity. Specific features of the facility (therapy pool and activities room) will be open to all seniors 55 years of age and older. The activities room will be Phase 2 of the project and will incorporate low-impact exercise equipment to maintain seniors' physical capacity. This also opens up the possibility to contract with South Peninsula Hospital for use of the therapy pool for other age groups, benefiting the entire population of Homer.

Operating funds will be secured from "fees for service;" room and board; billing for Physical Therapy in both the therapy pool and the exercise program in the activities room (once Phase 2 has been completed) and fees for contracted use of therapy equipment and the pool. Projected five year profit will be approximately \$1,508,600. This does not include contractual arrangements with third party vendors.

**Plans & Progress:** Currently HSC staff is completing the State of Alaska Certificate of Need. Design work continues; HSC has met with HydroWorx to incorporate the Therapy Pool with the Alzheimer's Unit.

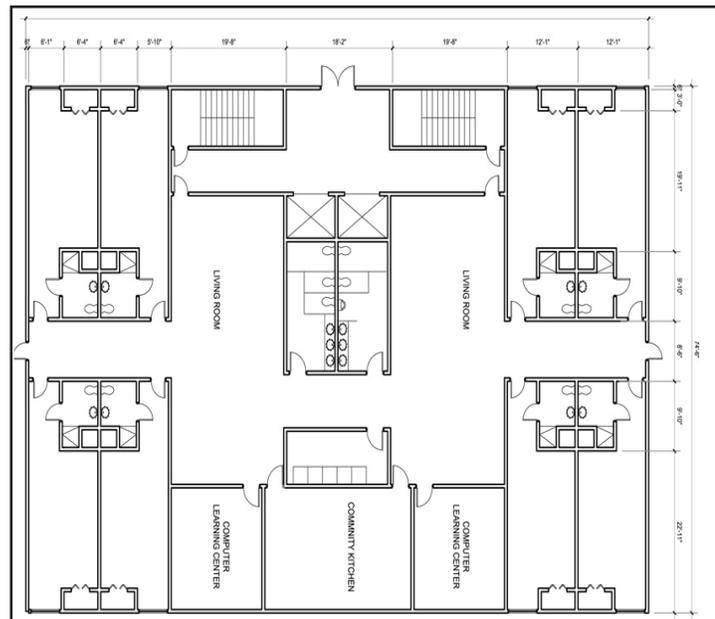
HSC is in the initial stages of fundraising for the Alzheimer's Unit. Three foundations that fund this type of project have been identified. One of the priorities for scoring in these grant programs is City of Homer support through Capital Improvement Plan designation. HSC will be holding many fundraising events to secure the match for foundation grants. Fundraising activities include hosting "Backing out of Time" Alzheimer's documentary at the Homer Theatre and a Wine/Beer Tasting event at the Beluga Lake Lodge in September of 2016. HSC also recently held a matching campaign which secured \$40,000 in seed money for the Alzheimer's Unit.

**Total Project Cost:** \$3,000,000

Funding Received to date: \$40,735.50



Example of a HydroWorx Therapy Pool Room .





## **Kachemak Shellfish Growers Association Kachemak Shellfish Hatchery**

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FY 2017 - DRAFT Document

**Project Description and Benefit:** For over twenty years Kachemak Shellfish Mariculture Association (KSMA), a 501c5 organization, has worked to fulfill its primary mission of assisting shellfish growers in Kachemak Bay to establish an economically sustainable oyster industry. Today through its partnership with the Kachemak Shellfish Growers Cooperative (KSGC), a co-op formed to market and distribute mussels and oysters, there are 14 farms in the Bay and a sorting, marketing and shipping facility on the Homer Spit supplying shellfish and mariculture related goods to local restaurants, residents and tourists while shipping oysters all over Alaska and the nation.

Recently the industry was severely impacted by an oyster seed shortage affecting the shellfish industry on the entire Pacific Coast. Local leaders developed a small proof of concept experiential oyster hatchery/setting facility at the KSGC building to address this issue. Over the past three years, on a thin budget, with the assistance of industry professionals, and with the support of the State of Alaska, the co-op raised over 7.5 million oyster seed in anticipation of a capital improvement push. KSMA supports this highly technical hatchery and laboratory with two employees who oversee the 24-hour a day, five-month process culturing oysters and propagating algae (oyster food) in conjunction with their other duties. Please note that this should not be understated; others have invested more with lesser success. Some experts gave this experimental nursery only a 10% chance of success. However, thanks to the nutrient rich waters of Kachemak Bay and the dedication and expertise of staff the oysters thrived at the Homer Spit facility and into the upweller (a nursery for the young oysters) in Halibut Cove. With the commitment of KSMA's employees and the Bay's farmers this proof of concept is ready to mature to the next step—a fourth year of production and expanding the hatchery to a financially sustainable operation through the scale of production. By supplying oyster seed to shellfish farmers throughout the state of Alaska, it will reduce cost to farms and the impact of seed shortage .

Over the past four years KSMA produced 7.5 million seed and has purchased or developed much of the expertise and equipment necessary for the hatchery expansion including technician training, the expensive salt water well, and algae production. However a larger lab, and storm damage prevention are needed to mature the proof of concept to a production facility supporting the greater Bay and its residents. The Kachemak Mariculture building on the Spit needs professional engineering, design, and planning to transition its available space from an experimental, small hatchery to the next phase of a permanent hatchery enabling KSMA to commercially produce oyster seed.

The benefit of a thriving oyster farming industry in Homer is huge. Oyster production in Kachemak Bay is currently in its 22nd year. Oysters have become a sparkling year-round addition to the seafood options available to residents and tourists in Homer. Every cooler of oysters delivered to the dock represents approximately \$150 to the grower. By the time the end user receives those oysters, the economic ripple effect becomes approximately \$725. Oysters clearly benefit the community and economy.

A local hatchery and nursery can also provide a great learning lab for high school and university students, who currently have to travel to the hatchery in Seward for their studies. (The Seward hatchery hatches opilio crab; however the waters of Resurrection Bay are less conducive to oyster seed.) A course in mariculture could easily be developed in conjunction with aspects of oyster seed development, culturing and marketing.

**Plans and Progress:** The design and expansion of the shellfish hatchery is in process. Successful seed will be sold first to growers in Kachemak Bay. Excess seed will be sold to other farmers in the state who are eager for a reliable supplier.

KSMA's Hatchery consultant has many designs from hatcheries where he has assisted. Final design for the Homer Spit Facility would occur in conjunction with permitting.

**Total Project Cost:** \$400,000

Preconstruction: \$75,000  
Funding Secured: \$50,000  
Construction: \$325,000



Microscopic view of two tiny oysters.



## Pratt Museum New Facility and Site Redesign

FY 2017 - DRAFT Document

**Project Description & Benefit:** The national award-winning Pratt Museum preserves the stories of the Kachemak Bay region and provides a gathering place for people to learn and to be inspired by this region and its place in the world. The Pratt’s exhibits, education programs, and collections seek to foster self-reflection and dialogue among the Museum’s community and visitors. Each year, the Pratt serves up to 25,000 visitors, with more than 4,000 young and adult learners participating in its programs. The Pratt is consistently viewed as one of Alaska’s most important cultural institutions and as a leader among small community museums across the country.

The Pratt Museum’s existing 10,500 square foot building is more than 47 years old, and the building’s galleries, public meeting, and education spaces do not meet the Museum’s or the community’s needs. The Pratt is working on a project to better serve this community and visitors long into the future, through the construction of a new facility and redesign of the Pratt’s 10+ acres. Benefits of this project will include: 1) improved education programs and exhibits; 2) creation of a community learning space to promote education and community dialogue; 3) an expanded trail system; 4) the ability to serve larger visitor and school groups; 5) greater representation at the Museum of the region’s diverse cultural groups; 6) the ability to properly care for growing collections, including community archives and stories; and 7) full disability accessibility.

**Plans & Progress:** Nearly a decade of thorough organizational evaluation, professional assessment, and community dialogue led the Pratt Museum Board of Directors and staff to the decision to embark on an ambitious capital project. A fundraising feasibility study was conducted in 2009 in tandem with the development of draft architectural and site concepts. Additionally, a McDowell Group economic impact analysis found that the Museum generates substantial economic activity in the region. The following critical steps have laid the groundwork for the successful completion of this project:

- The Pratt has gathered diverse community and stakeholder input through public meetings, surveys, and other means to guide the Planning and Design Phases;
- With leadership from the Patrons of the Pratt Society and generous individual donors, 10+ acres of urban green space have been acquired in the heart of Homer, which the Museum owns debt-free;
- Participation in the Rasmuson Foundation’s prestigious “Pre-Development Program,” provided the Pratt with more than \$70,000 of in-kind planning services to start the project;
- Phase II community input planning and research continues for Master Exhibit Plan permanent exhibit renovations to be installed in the new building;
- The Museum has secured \$3.4 million (36% of the project total) in cash, grants, and pledges with an additional third of the project budget identified from major funders who will contribute when later funding benchmarks have been reached;
- An upgrade and expansion of the trail system, the first part of the project, was completed in 2012, schematic designs are complete, the design development phase was completed in 2015, construction documents are underway in 2016, site development is planned for 2016-17 and construction dates for the new building are to be determined.

**Total Project Cost:** \$9,500,000

Preconstruction: \$1,000,000

Construction: \$8,500,000

\$3,400,000 raised to date

(FY17 State Request: \$1,650,000)



Architectural rendering of the new Pratt Museum facility.



## **South Peninsula Hospital Site Evaluation & Planning for Hillside Reinforcement**

**South Peninsula Hospital requests this project be removed from CIP.**

**Plans and Progress:** South Peninsula Hospital sits on a very steep hillside, with all parking lots and outbuildings being terraced down from the main hospital building. Both the lot the hospital sits on and the lot behind it continue with a very steep elevation incline. The buffer is only 12 feet behind the building cut into the hillside before the terrain continues with the steep incline for as far as 300 yards. The remaining hillside has thick vegetation and is not utilized or developed in any way at this time.

The facility has had numerous additions and structural work completed in the last 10 years which may have impacted and affected the stability of the hillside. The hillside runs continuous from the entrance of parking the entire length of the building and beyond. No part of the main hospital building is out of the risk zone for damages from hillside erosion and sloughing.

A site evaluation is necessary to establish the current condition of the hillside, and make any recommendations to secure it from further erosion and sloughing. Such evaluation would include a survey, soils testing, geologic hazard assessment and mitigation report, landslide evaluation, earthquake assessment, and recommendations for options to minimize risk to the facility. The recommended options would include cost estimates.

**Plans and Progress:** The estimated cost of such a study, evaluation, and report is \$100,000. This could include work by the Army Corps of Engineers, and/or a private engineering firm.

**Total Project Cost:** \$100,000

**Two new proposed projects are higher priority.**



**FY 2017 - DRAFT Document**



## Capital Improvement Long-Range Projects

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FY 2017 - DRAFT Document

The following projects have been identified as long-range capital needs but have not been included in the Capital Improvement Plan because it is not anticipated that they will be undertaken within the six-year period covered by the CIP. As existing CIP projects are funded or as other circumstances change, projects in the long-range list may be moved to the six-year CIP.

### Local Roads

**Fairview Avenue – Main Street to East End Road:** This project provides for the design and construction of Fairview Avenue from Main Street to East End Road. The road is approximately 3,000 linear feet and the project will include paving, water and sewer mains, stub-outs, storm drains, and a sidewalk or trail. The project extends from the intersection of Main Street to the Homer High School, and finally to East End Road, and will provide an alternative to Pioneer Avenue for collector street access east/west across town. This roadway would benefit the entire community by reducing congestion on Pioneer Avenue, the major through-town road, and would provide a second means of access to the high school. It would also allow for development of areas not currently serviced by municipal water and sewer.

This improvement is recommended by the 2005 Homer Area Transportation Plan. Necessary right of way has already been dedicated by the Kenai Peninsula Borough across the High School property.

**Cost:** \$1.75 million      **Priority Level 3**

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**Fairview Avenue – Main Street to West Hill Road:** This project provides for the design and construction of Fairview Avenue from Main Street to West Hill Road. The road is approximately 4,200 linear feet and the project will include paving, water and sewer mains, stub-outs, storm drains, and a sidewalk or trail. In conjunction with the Fairview to East End Road project, this project will benefit the entire community by providing an alternative to Pioneer Avenue for collector street access east/west across town, thereby reducing congestion on Pioneer Avenue and developing alternative access for emergency vehicle response. The need for the road extension has increased markedly with the development of three major residential subdivisions in the area.

This improvement is recommended in the 2005 Homer Area Transportation Plan.

**Cost:** \$3 million      **Priority Level 3**

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### Parks And Recreation

**Beach Access from Main:** This project will provide residents and visitors with coastal viewing stations and access to the beach at the southern end of Main Street, utilizing City-owned land. The project will enhance connectivity in Homer's developing trails and park system, providing additional access so that beachgoers can walk onto the beach at one point and off at another, on a loop through Old Town, Town Center, etc. For those not physically able to walk all the way to the beach, platforms near the roads will provide nice views and benches on which to relax. Interpretive signage could provide information on Homer history, beach formation, and other topics.

The Main Street beach access point is envisioned to have a small parking area, a viewing platform with a bench, and stairs with landings.

**Cost:** \$250,000      **Priority Level 3**

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## Capital Improvement Long-Range Projects

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FY 2017 - DRAFT Document

**East Trunk/Beluga Lake Trail System:** This project will create two connecting trails:

- The Beluga Lake Trail will partially encircle Beluga Lake with a raised platform trail that includes a wildlife observation site. The trail will connect neighborhoods and business districts on the north and south sides of the lake.
- The East Trunk Trail will provide a wide gravel pathway from Ben Walters Park east along the City sewer easement, along the north side of Beluga Lake (connecting with the Beluga Lake Trail), and eventually reaching East End Road near Kachemak City.

The completed trail system will connect Paul Banks Elementary School, the Meadowood Subdivision, and other subdivisions and residential areas to Ben Walters Park. It will additionally provide hiking, biking, and wildlife viewing opportunities around Beluga Lake. In addition, it will provide an important non-motorized transportation route.

The Beluga Lake Trail, a trail connection to Paul Banks Elementary School and East End Road are included in the 2004 City of Homer Non-Motorized Transportation and Trail Plan.

**Cost:** Beluga Lake Trail—\$1.5 M      East Trunk Trail—\$2 M      Priority Level 3

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**Horizon Loop Trail, Phase 1:** The Homer Horizon Loop Trail is proposed as a four to five mile route that would run clockwise from Karen Hornaday Park up around the top of Woodard Creek Canyon, traverse the bluff eastward, and then drop down to Homer High School. The parking lots of Karen Hornaday Park and Homer High School would provide trailhead parking. Those wishing to complete the loop will easily be able to walk from the high school to Karen Hornaday Park or vice versa via Fairview Avenue. A later stage of trail development will connect the Horizon Loop Trail with the Homestead Trail at Bridge Creek Reservoir.

**Cost:** Staff Time      Priority Level 3

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**Jack Gist Park Improvements, Phases 3:** Jack Gist Park has been in development since 1998 on 12.4 acres of land donated to the City of Homer by a private landowner. As originally envisioned by the Jack Gist Recreational Park Association, this parcel was developed primarily for softball fields. The long-term goal is to acquire adjacent properties that will provide space for soccer fields. Phase 3 development will construct a plumbed restroom at the park and develop soccer fields.

**Cost:** \$400,000      Priority Level 3

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**Karen Hornaday Park Improvements, Phase 3:** Phase 3 park improvements will include building a concession stand, shed, landscaping, signage, and revegetating Woodard Creek.

**Cost:** \$860,000      Priority Level 2

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**Mariner Park Improvements:** This project will provide significant improvements to Mariner Park as called for in the park's master plan: Construct a bike trail from the "Lighthouse Village" to Mariner Park (\$325,000); Construct a pavilion, additional campsites, and interpretive kiosk (\$150,000); and improve the appearance of the park with landscaping (\$75,000).

**Total:** \$500,000      Priority Level 3

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**Public Restrooms – Homer Spit:** With increased activity on the Homer Spit, the need for restroom facilities has also increased. The restroom at Ramp 2 is in poor condition and needs to be replaced.

**Cost:** \$295,000      Priority Level: 2

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## Capital Improvement Long-Range Projects

FY 2017 - DRAFT Document

### PUBLIC PROJECTS

**Homer Conference Center:** Homer is a popular visitor destination and the visitor industry is a critical component of the local economy. However, millions more dollars might be spent in Homer if a meeting facility large enough to attract conferences with several hundred participants was available. Currently, Homer has no facility capable of providing meeting space for groups of more than 180 people.

Homer's reputation as an arts community will help attract meetings and audiences if a facility exists to accommodate and showcase these events. The conference center, featuring banquet/ballroom space and flexible meeting space, will fill this need. If the facility is located in Homer's developing Town Center, other area businesses would also benefit from the increased number of visitors attending meetings at the conference center.

A conference center will increase Homer's ability to compete with other communities in that important niche of the visitor industry, and will also provide a venue for meetings and cultural events hosted by local organizations, such as the Kachemak Bay Writers Conference and Shorebird Festival events.

In partnership with the Homer Chamber of Commerce, the City of Homer commissioned a conference center feasibility study completed in summer 2005. The study predicts moderate demand from outside groups for a conference center in Homer. The Conference Center Feasibility Study Steering Committee made a formal recommendation that the City support efforts to encourage the construction of a conference center in Homer's Town Center. In August 2005, the Homer City Council passed Resolution 05-86(A) which recommends further consideration and authorizes the City Manager to pursue ideas and discussions that will increase the likelihood of a conference center being built in Homer.

**Cost:** \$5 million                      Priority Level 3

**Public Works Complex:** The City of Homer Public Works complex on the Sterling Highway was constructed in phases from 1974-1986 (except for the recently completed large equipment storage shed). In 1980, Homer's population was 2,209. Since that time, the population has grown more than 150%, with a corresponding increase in roads, water/sewer lines, and other construction activity that requires employee and equipment time. The existing facility is no longer adequate to meet these needs and the problem will become more acute with continued growth.

A new Public Works complex will include the following:

- Increased office space to provide adequate room for employee work areas, files, supplies, and equipment storage
- Adequate space for Parks Division and Engineering staff and equipment
- A waiting area for the public, contractors, etc.
- A conference room that doesn't double as the employee break room
- A break room with adequate seating, storage, and locker space
- A laundry room
- A garage for the motor pool large enough to accommodate more than one or two projects at a time
- Improvements in ventilation throughout the facility and wiring for computer technology

**Cost:** Design—\$500,000              Construction—\$4,500,000              Priority Level 2

**Homer Greenhouse:** Homer's growth in population and area, the importance of tourism to the local economy, and increased community requests for beautification illustrate the need for a new greenhouse capable of producing 100,000 plants annually. In addition to spring planting, the greenhouse can be used to grow hanging baskets for the Central Business District; poinsettias, etc. for the winter holiday season; and shrubs and trees for revegetation and park improvements. The greenhouse could also serve as a community resource for meetings, weddings, winter visits, etc.

**Staff recommend removing this project; proposed locatin (HERC) may be redeveloped for Public Safety building.**

**Cost:** \$400,000                      Priority Level 3



## Capital Improvement Long-Range Projects

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FY 2017 - DRAFT Document

**Public Market Design and Financing Plan:** This project will facilitate implementation of a recommendation in the City's Comprehensive Economic Development Strategy discussed in both the "Agriculture" and "Downtown Vitalization" sections. It is also consistent with the goals of the Homer Town Center Development Plan and the Climate Action Plan. Specifically, the project will provide a permanent, weather-protected venue for the Homer Farmers Market in Town Center. The project will kick off development in the Town Center district, providing immediate benefits to downtown Homer and serving as a catalyst for further development.

**Staff recommend removing this project until further work on Town Center; farmer's market currently established**

**Cost:** \$60,000

Priority Level 3

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### UTILITIES

**Spit Water Line – Phase 4:** The existing Homer Spit water line is 40 years old and is constructed of 10-inch cast iron. In recent years it has experienced an increasing number of leaks due to corrosion. The condition has been aggravated by development on the Spit resulting in increased load from fill material on an already strained system. Phase 4 of this project consists of slip lining approximately 1,500 linear feet of water main to the end of the Spit. Slip lining the Homer Spit waterline, versus replacing, will reduce cost while ensuring an uninterrupted water supply for public health, fire/life safety needs, and expanding economic activities on the Spit. The City received a grant for the EPA for design of the project which was completed in fall of 2014.

**Cost:** \$400,000

Priority Level 3

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**Bridge Creek Watershed Acquisition:** Currently, the Bridge Creek watershed is the sole source of water for Homer. To protect the watershed from development that could threaten the water supply and to ensure the availability of land for possible future expansion of water treatment operations within the watershed, the City seeks to acquire additional acreage and/or utilize conservation easements to restrict development that is incompatible with clean water.

**Cost:** \$1,000,000

Priority Level 3

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**Alternative Water Source:** Currently Homer's sole water source is the Bridge Creek Reservoir. Population growth within the City, increased demands for city water from residents outside City limits, increasing numbers of tourists and summer residents, and climate change that has reduced surface water availability are all factors in the need for a new water source to augment the existing reservoir.

**Cost:** \$16,750,000

Priority Level 3

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**West Hill Water Transmission Main and Water Storage Tank:** Currently, water from the Skyline treatment plant is delivered to Homer via two transmission mains. One main (12-inch) is located along East Hill Road and delivers water to the east side of town. The other (8-inch) runs directly down to the center of town. A third transmission main is needed to deliver water to the west side of town, provide water to the upper West Hill area, and provide backup support to the two existing transmission mains. A new water storage facility is also needed to meet the demands of a rapidly growing community.

The addition of a third water transmission main has been identified in comprehensive water planning documents for over 20 years.

**Cost:** Design—\$500,000

Construction—\$4.5 M

Priority Level 2

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## Capital Improvement Long-Range Projects

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FY 2017 - DRAFT Document

### STATE PROJECTS

**Ocean Drive Reconstruction with Turn Lane:** Ocean Drive, which is a segment of the Sterling Highway (a State road) connecting Lake Street with the Homer Spit Road, sees a great deal of traffic, particularly in the summer, and has become a source of concern for drivers, bicyclists, pedestrians, and tour bus operators. This project will improve traffic flow on Ocean Drive and reduce risks to drivers, bicyclists, and pedestrians by creating a center turn lane, providing well-marked crosswalks, and constructing a separated bike path. The project will also enhance the appearance of the Ocean Drive corridor by moving utilities underground and providing some landscaping and other amenities.

Currently, a bicycle lane runs on the south side of Ocean Drive. However, it is common for cars and trucks to use the bicycle lane to get around vehicles which have stopped in the east-bound traffic lane in order to make a left turn. Some frustrated drivers swing around at fairly high speeds, presenting a significant risk to bicyclists and pedestrians who may be using the bike lane. In recent years, the Homer Farmers Market has become a popular attraction on the south side of Ocean Drive during the summer season, contributing to traffic congestion in the area. In addition, Homer is seeing more cruise ship activity which also translates into more traffic on Ocean Drive. All of these factors have led to increased risk of accidents.



## **Capital Improvement Appendices**

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- **CIP Development Schedule**
- **Resolution 16-XXX**
- **City of Homer Financing Assumptions**



## Capital Improvement Appendices

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**CITY OF HOMER  
2017-2022 CAPITAL IMPROVEMENT PLANNING PROCESS  
FY 2018 LEGISLATIVE REQUEST DEVELOPMENT SCHEDULE**

ACTION	TIME FRAME
City Council approval of schedule	April 25, 2016
Solicit new/revised project information from City Departments, local agencies and non-profits	April 26
Input for new draft requested by	May 27
Prepare and distribute draft CIP to City advisory groups for review and input:	Meeting dates:
Economic Development Commission	June 14, July 12
Parks and Recreation Commission	June 16
Port and Harbor Commission	June 22, July 27
Planning Commission	June 15, July 20
Cannabis Advisory Commission	June 23, July 28
Library Advisory Board	August 2
Administrative review and compilation	August 22- August 26
City Council worksession to review proposed projects	August 29
Introduction of Resolution on CIP/Legislative Request	September 12
Public Hearing on CIP/Legislative Request	September 26
Adoption of Resolution by City Council	October 10
Administration forwards requests for Governor's Budget	October 12
Administrative Compilation of CIP	Through end of October
Distribution of CIP and State Legislative Request	October 2016 & January 2017
Compilation/distribution of Federal Request	February 2017



## Capital Improvement Appendices

Replace with current resolution.

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**CITY OF HOMER  
HOMER, ALASKA**

Mayor/City Council

**RESOLUTION 15-084(A)**

A RESOLUTION OF THE HOMER CITY COUNCIL ADOPTING THE 2016-2021 CAPITAL IMPROVEMENT PLAN AND ESTABLISHING CAPITAL PROJECT LEGISLATIVE PRIORITIES FOR FISCAL YEAR 2017.

WHEREAS, Duly published hearings were held on September 14 and October 12, 2015 in order to obtain public comments on capital improvement projects and legislative priorities; and

WHEREAS, The Council received comments from all of the Commissions and held a Worksession on August 24, 2015; and

WHEREAS, It is the intent of the City Council to provide the Governor, the State Legislature, State agencies, the Alaska Congressional Delegation, and other potential funding sources with adequate information regarding the City's capital project funding needs.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Homer, Alaska, that the "City of Homer Capital Improvement Plan 2016-2021" is hereby adopted as the official 6-year capital improvement plan for the City of Homer.

BE IT FURTHER RESOLVED that the following capital improvement projects are identified as priorities for the FY 2017 State Legislative Request:

1. Public Safety Building
2. East Boat Harbor
3. Harbor Sheet Pile Loading Dock
4. Fire Department Fleet Management
5. Storm Water Master Plan

BE IT FURTHER RESOLVED that projects for the FY 2017 Federal Legislative Request will be:

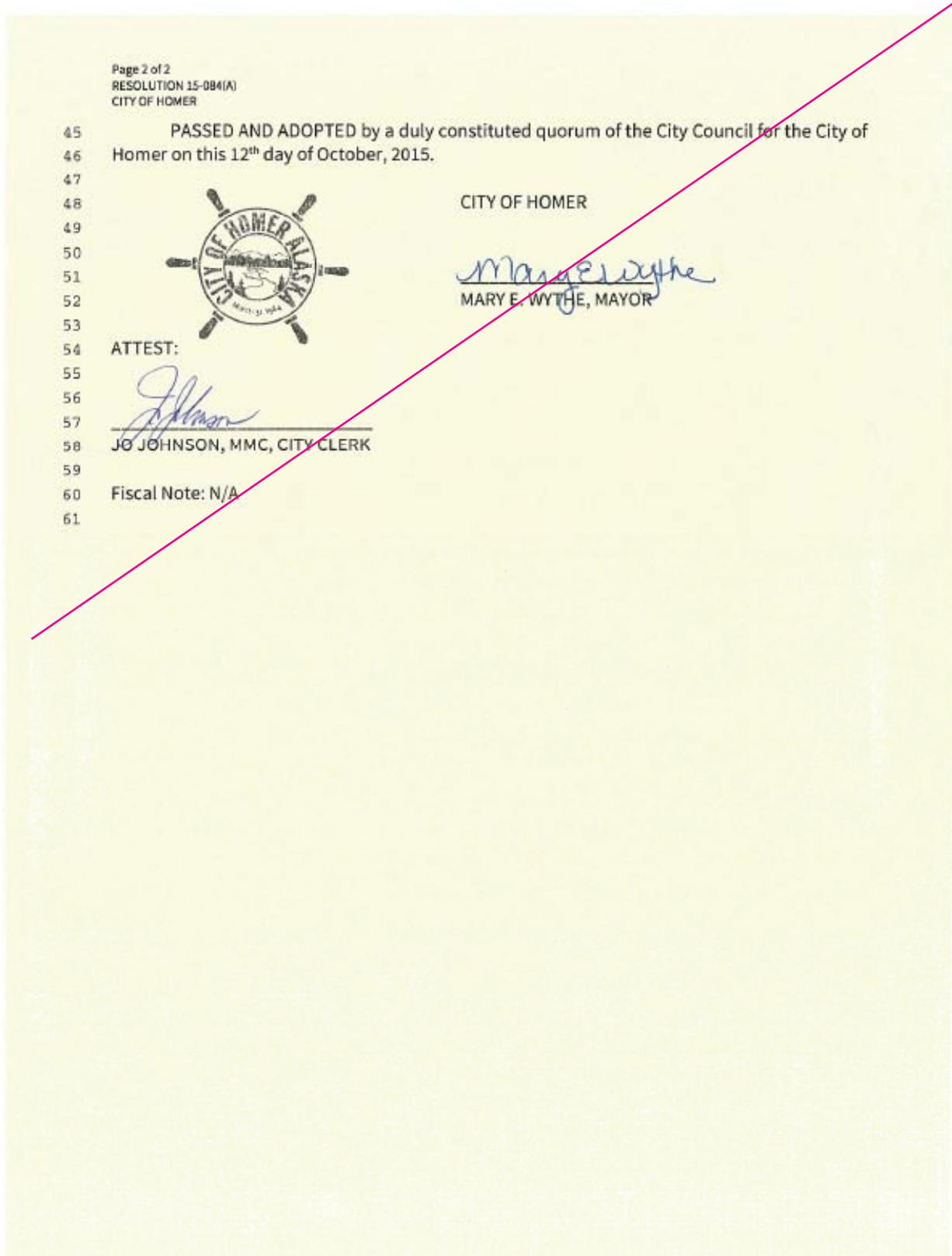
1. Public Safety Building
2. East Boat Harbor

BE IT FINALLY RESOLVED that the City Manager is hereby instructed to advise the appropriate State and Federal representatives and personnel of the City's FY 2017 capital project priorities and take appropriate steps to provide necessary background information.



## Capital Improvement Appendices

replace with current resolution.





## Capital Improvement Appendices

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### City of Homer Financing Assumptions: Capital Improvement Program

Implementation of the City of Homer Capital Improvement Plan requires utilization of various financing mechanisms. Financing mechanisms available to the City of Homer include:

- Federal grants or loans
- State grants or loans
- General obligation bonds
- Limited obligation bonds
- Revenue bonds
- Special assessment bonds
- Bank loans
- Pay as you go
- Private sector development agreements
- Property owner contributions
- Lease or lease–purchase agreements

The use of any of the financing mechanisms listed above must be based upon the financial capability of the City as well as the specific capital improvement project. In this regard, financing the CIP should take into consideration the following assumptions:

1. The six-mill property tax limitation precludes utilizing General Fund operating revenue to fund major capital improvements. Available revenue should be utilized to fund operation and maintenance activities.
2. The operating revenue of enterprise funds (Port & Harbor, Water & Sewer) will be limited and as such, currently only fund operation and maintenance activities.
3. The utilization of Federal and State grants will continue to be significant funding mechanisms. Grants will be pursued whenever possible.
4. The 1½ percent sales tax approved by voters of Homer for debt service and CIP projects is dedicated at ¾ percent to sewer treatment plant debt retirement, with the remaining balance to be used in water and sewer system improvement projects, and ¾ percent to the Homer Accelerated Roads and Trails (HART) Program.
5. The HART Program will require property owner contributions of \$30 per front foot for road reconstruction, with an additional \$17 per front foot for paving.
6. The Accelerated Water and Sewer Program will require substantial property owner contributions through improvement districts/assessment funding, set currently at 75 percent.
7. The private sector will be encouraged to finance, construct, and operate certain nonessential capital improvements (e.g., overslope development).
8. The utilization of bonds will be determined on a project-by-project basis.
9. The lease and/or lease–purchase of capital improvements will be determined on a project-by-project basis.





## **Proposed New Projects Table of Contents**

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### **City of Homer Projects**

1. City of Homer Radio Communication System Upgrades ..... 2
2. Fire Department Rescue 1 Remount..... 3
3. Large Vessel Haul Out Repair Facility ..... 4

### **Projects Submitted by Other Organizations**

4. Kachemak Ski Club: Rope Tow Motor House Relocation. .... 5
5. South Peninsula Hospital: Homer Medical Clinic Expansion ..... 6
6. South Peninsula Hospital: Operating Room HVAC Replacement.... 7

**PROPOSED NEW PROJECT - DRAFT**



## City of Homer Radio Communication System Upgrades

**Project Description & Benefit:** The City's radio communication system is a complex, high-tech, multi-component communication infrastructure that serves the daily needs of the Homer Police, Fire, Port & Harbor and Public Works Departments and is critical for effective emergency response to natural disasters and man-made incidents. Communication system technology has changed tremendously during the last thirty years of the digital age. They are now completely digital, can carry encrypted data in addition to voice communications and must comply with FCC bandwidth requirements. Homer's entire system is aging and must be replaced soon to keep up with technological advances.

**The Public Safety Radio System** consists of central dispatch consoles, five repeaters (two each for fire and police and one for joint use, strategically located at two different sites and elevations), and several Motorola subscription handheld and mobile communication units. The system provides (1) full radio coverage across Homer and outlying communities despite geographically diverse terrain, (2) redundancy in the event a natural or manmade disaster renders one site inoperable, (3) interoperability with all local, borough and state agencies utilizing the ALMR system allowing easy communication with almost any Alaska-based unit during both everyday incidents and large multi-agency response events and (4) Moto-Bridge to electronically connect disparate radios to ensure quality communications with agencies who do not share a common channel with Homer.

However, Motorola will be ending anti-virus protection and software update support for the repeaters and dispatch consoles in 2018. As a result, ALMR will be replacing all of their repeaters and dispatch consoles in 2018. Homer's repeaters and dispatch consoles are identical equipment. If we do not upgrade when ALMR does, Homer will slowly begin to lose communication features before completely losing functionality within three to five years. Additionally, Motorola will cease part replacement support for these components and all the subscription communication devices starting in 2018. A critical parts failure in dispatch or in the repeaters could possibly shut Homer's public safety communication system down. Finally, Public Safety subscription units operate within a specifically licensed bandwidth. FCC is in the process of implementing another round of narrowing bandwidth requirements. The entire system will have to be upgraded to comply with new FCC regulations that will phase in starting in 2020, with full compliance required by 2022.

**Port & Harbor and Public Works Radio Systems** are of a simpler design -- they need only a basic level of interoperability to communicate with dispatch, police and fire and do not transmit data or need encryption. They will, however, have to meet the new FCC bandwidth requirements in 2022, so all of these radios will have to be replaced. Port & Harbor has one base radio, 7 mobile and 7 portable radios and may need to add a repeater to their system to improve system coverage. Public Works has one base unit, one repeater, 11 portable and 22 mobile radios and a Trimble UHF data radio system for infrastructure locates. Their need for portables is likely to increase as high as 18 to meet new safety requirements with confined space policy changes. It is unknown if the Trimble UHF system will be impacted by FCC's new narrow banding requirements.

**Plans and Progress:** Homer's Police Department received notice from AK Division of Homeland Security and Emergency Management to award FY2016 funds in the amount of \$343,363.40 toward radio communication system upgrades. Still, considerable city funds will be needed to replace the entire radio communication system by 2022.

**Total Project Cost:** \$876,655 - \$956,655 (\$343,363.40 funded through FY16 State Homeland Security and Emergency Management grant award.)

- Public safety repeater relocation to new Spit communication tower \$47,363
- Public Safety repeater upgrade: \$127,668
- Public Safety dispatch consoles and associated equipment: \$296,000
- Public Safety radios: \$558,987
- Port & Harbor radios and possible repeater: \$40,000 - \$70,000
- Public Works radios: \$100,000-\$120,000 system
- Public Works data radio system: \$50,000-\$80,000



## Fire Department Rescue 1 Remount

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**Project Description & Benefit:** Homer Volunteer Fire Department’s Rescue 1 vehicle is a 1999 Saulsbury Rescue Truck made up of a 20’ stainless steel rescue body mounted on a commercial Freightliner chassis. This apparatus carries a wide assortment of light and heavy equipment necessary for specialized rescue operations such as hydraulic cutters and spreaders (like the Jaws of Life), high and low pressure air lift bags, confined space rescue equipment and an assortment of hand tools to aid in the extrication of entrapped victims. Additionally, the apparatus is equipped with a dual-agent firefighting package that can extinguish small fires in vehicles or prevent them from occurring during rescue operations.

Rescue 1 also carries two additional support systems critical to personnel safety and operations: a breathing air cascade system for on-scene filling of firefighters air bottles and operating air powered equipment and tools, and a 9,000 watt telescoping light tower used to provide scene lighting.

This project will replace Rescue 1’s aging and underpowered chassis with a new chassis with a larger motor, making it more capable of navigating the 7-9% road grades within our jurisdiction.

**Total Project Cost:** \$150,000

**Priority Level:**

**Schedule:** 2017



Rescue 1, a workhorse in the Homer Volunteer Fire Department fleet, is in need of a new chassis with a larger motor, making it more capable of navigating the area’s 7-9% road grades with a load.

PROPOSED NEW PROJECT - DRAFT



## Large Vessel Haulout Repair Facility

**Project Description & Benefit:** The Large Vessel Haulout Repair Facility will consist of a haul out/launch ramp and improvements to the upland portion of Lot TR 1A (east of the Nick Dudiak Fishing Lagoon). The site has accommodated approximately six to eight vessels (depending on size) with ample workspace. Upland improvements including a large vessel wash down pad (which can also be used by recreational/sport boats), lighting, electrical pedestals and a drainage/water management system will facilitate local, efficient and environmentally sound vessel repairs.

Because of the lack of facilities, large vessels currently have to travel to perform repairs which could otherwise be completed here in Homer. The project is a response to requests from vessel owners/managers seeking safe moorage and uplands haulout area for large shallow draft vessels. Availability of a haul out/repair facility in Homer benefits the local fleet of larger vessels, the local marine trades businesses and the City of Homer. The Large Vessel Repair Facility will operate year round. Vessel owners may arrange with contractors for required services, or perform the work themselves.

**Plans & Progress:** A Large Vessel Haulout Task Force was formed in 2014. Initially, the Task Force analyzed two potential sites for the facility and determined that developing the repair facility on the uplands of lot TR-1-A is more feasible than developing it on the old chip pad. Project development is being carried out in three phases. Phase 1 included pre-development activities such as site selection and completion of management plans and policies. To date the Task Force has completed Best Management Practices, vessel owner use agreements, and vender use agreements for the Large Vessel Repair facility. Staff have completed a Stormwater Pollution Prevention Plan (SWPPP) with the Alaska Department of Environmental Conservation for a portion of lot TR-1-A.

Phase 2 involves completing the design for the haul out ramp and upland support facilities such as the wash down pad and drainage/water management system according to the prevention plan (SWPPP) and electrical fixtures. Phase 3 is construction.

**Total Project Cost:** \$600,000

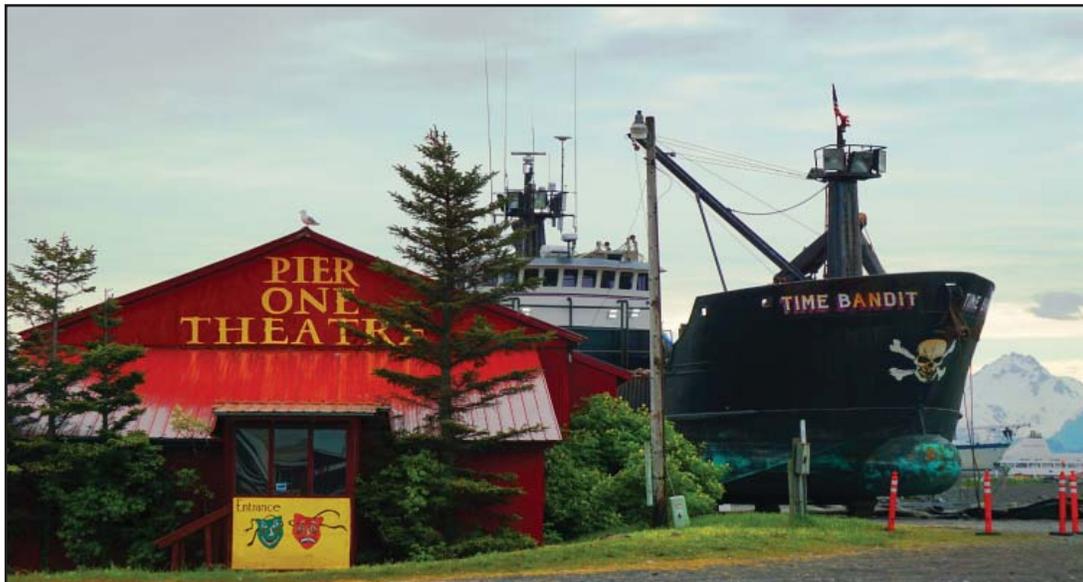
**Schedule:**

**2016:** Phase 1 - Pre-Development (completed as part of Barge Mooring Facility preliminary planning & design work)

**2017:** Phase 2 - Design/Engineering/Permitting: \$105,000

**2019:** Phase 3 - Construction: \$495,000

**Pirority Level:**



The Time Bandit hauled out in Spring of 2016 for repairs on Homer Spit Lot TR 1 A next to Pier One Theatre.

PROPOSED NEW PROJECT - DRAFT



## **Kachemak Ski Club Ohlson Mt. Rope Tow Motor House Relocation**

**Project Description & Benefit:** This project will provide safety improvements to an historic public recreation treasure on the Kenai Peninsula--the Ohlson Mountain ski facility. Local fishermen and homesteaders originally founded KSC in 1948 (making it perhaps the oldest operational nonprofit in the Homer area) to get families out of the house during the slow winter months and meet school requirements for physical education. Since then, KSC has provided thousands of lower Kenai Peninsula youths, adults and families with affordable downhill skiing (and more recently snowboarding) opportunities every Sunday (weather permitting) through its 800 foot long rope tow. It is also used by school programs and offers ski and snow board lessons. In addition to the rope row, the facility includes a small lodge/warming hut and outhouse facilities. This historic facility promotes sports education and fitness in the community, and the all-volunteer, non-profit KSC has efficiently utilized countless hours of volunteer labor and a variety of grants to maintain and improve the area. Without this support the ski area would be unable to operate. The ski area is the only facility offering downhill skiing and snowboarding opportunities in Southcentral Alaska other than Alyeska resort in Girdwood and is proud of its 100% safety record.

The ski area has weathered decades of harsh weather conditions; in the past ten years most of the infrastructure has been refurbished and improved. However, the mounting structure and foundation of the Rope Tow's top station, which supports the engine, bullwheel and weight of the rope in motion is very old and after 52 years of service is showing some structural weaknesses. In conjunction with replacing the top station's foundation, an enormous safety and ergonomic improvement will be realized by relocating the top station southward. KSC has always struggled to keep the top of the towpath and rope tow unloading area smooth, safe and efficient due to 1) the steep grade of the hill's apex in relation to the unload area and safety gate; 2) the steep angle of the rope at the apex and 3) a minimum distance between the unload area and the safety gate guarding skiers from entanglement in the bullwheel.

KSC proposes to solve all these problems in one operation: building a new top station foundation 30 feet to the south, relocating the motor higher and further back, protecting the new foundation and motor with a 6' x 12' weatherproof hut and associated grade work. This project extends the life of this historic and well-used recreation area for the next 50 years, significantly improves user safety by more than doubling the existing time and distance an operator and potential victim have in averting an entanglement situation, and greatly improves the rope angle for rider comfort and safety.

**Plans and Progress:** Scope of work, project design and detailed cost estimates have been prepared. Commitment of fifty hours of volunteer labor from Board members (valued at \$10/hour) has been secured to help accomplish this maintenance and safety upgrade.

**Total Project Cost:** \$25,435

Foundation (materials, labor & equipment): \$9,160

Motor Relocation (tear down, inspection, cleaning and relocation): \$3,400

Motor Hut Construction (includes materials & volunteer labor): \$2,775

Extend Power Supply to New Location: \$6,000

Excavator and Grade Work: \$4,100

**Schedule:**

Planning & Design: 2016

Preconstruction completed by: July 2017

Construction completed by: Jan 2018



Ohlson Mountain Rope Tow's top station, which supports the engine, bullwheel and weight of the rope in motion, is in need of foundation repair.

PROPOSED NEW PROJECT - DRAFT



## Homer Medical Clinic Expansion

**Project Description and Benefit:** The Kenai Peninsula Borough owns and provides for the operation of the South Peninsula Hospital. South Peninsula Hospital, Inc. (SPH Inc.) manages the operations of the facilities through a Sub Lease and Operating Agreement with the Borough and the City of Homer. The Hospital is run on a nonprofit basis in order to ensure the continued availability of medical services to the area. The Homer Medical Center falls under this umbrella, and is located near the hospital's main campus.

Homer Medical Center provides a central location for family practice, OB/GYN, midwifery and other primary care services. They have outgrown their current space, multiple physicians are sharing office space; storage is an ongoing problem as well as challenges with patient flow. With the limited number of exam rooms the facility is not able to function at the current level of demand, let alone the expected growth based on an aging population. This project is intended to improve patient as well as service provider satisfaction, while allowing the facility to function at a more optimum capacity, and will support the clinic's goal to become a certified Patient Centered Medical Home, which is the preferred model of primary care.

The existing Medical Center is a roughly 5,000 sq. ft. wood framed structure and while it is 30 years old, it has been maintained relatively well. Homer Medical Center is comprised of 27 nurses and clerical personnel, six physicians and two midlevel providers. Only two of the physicians are full time. There are four or five family practice providers on any given day using the main clinic. The clinic is open six days a week until 5pm, with extended hours on Tuesday and Thursday evenings. The current patient load is 65 to 70 patients per day.

**Plans and Progress:** The plan is to expand the facility east and south on the existing lot, adding a total of 5,700 square footage to accommodate additional exam rooms, waiting area and office space. In addition to expanded space, renovations and site improvements will also be done, such as expanded parking. The expansion and improvements will eliminate the need to rent the building across the street, currently rented for the purposes of the clinic's business office. Architectural schematics are nearly complete. Bond funding is being requested by the Borough by vote of the service area, but no change in the mil rate is expected.

**Total Project Cost:** The estimated cost of the proposed addition is \$2,800,000 - \$3,000,000. This includes final project design, project management and administrative costs.

**Schedule:** Fall 2016 - Summer 2017.



Homer Medical Clinic

PROPOSED NEW PROJECT - DRAFT



## South Peninsula Hospital Operating Room HVAC Replacement

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**Project Description & Benefit:** The Kenai Peninsula Borough owns and provides for the operation of the South Peninsula Hospital. South Peninsula Hospital, Inc. (SPH Inc.) manages the operations of the facilities through a Sub Lease and Operating Agreement with the Borough and the City of Homer. The Hospital is run on a nonprofit basis in order to ensure the continued availability of medical services to the area.

The heating, ventilation and air conditioning (“HVAC”) units for South Peninsula Hospital’s operating rooms were installed in 1974. Currently, air handling unit AC-2 and the rooftop air cooled condensing unit associated with it are past their expected useful life and the entire system no longer provides sufficient control of room temperature and humidity levels required for hospital operating rooms under FGI Guidelines for Design and Construction of Hospitals and Outpatient Facilities. The existing HVAC system is also not well equipped to provide for proper operating room pressure control to meet FGI criteria.

Air conditioning alters the properties of air (temperature, humidity and sterile filtration) to more favorable conditions for keeping the hospital hygienic and to facilitate treatment of disease. Proper ventilation and filtration in the operating room are the most important means of reducing contamination and preserving the correct pressure relationships between functional areas. Maintaining the required level of relative humidity is essential to control the growth of microorganisms, prevent electrostatic discharge and is important to the shelf life of sterile supplies and maintenance of electro-medical devices. Temperatures also need to be adequately controlled given the heat produced by operating room lighting, equipment and staff.

**Plans and Progress:** Recommendation for long-term system replacement is to first provide new rooftop air handling unit(s) to serve the operating rooms and related spaces. Ultimately, a complete replacement of the HVAC systems serving the operating rooms is necessary for proper humidity and temperature control, air exchange rates, and room pressurization for the operating room environment. This system configuration will serve the entire surgery department and will be determined under a subsequent design phase. Modifications to HVAC systems serving the spaces adjacent and related to the operating rooms may also be warranted.

**Total Project Cost:** The estimated cost of the proposed project is \$1,800,000. This includes project management and administrative costs.

**Schedule:** 2017-2018



PROPOSED NEW PROJECT - DRAFT



HOMER CITY COUNCIL  
491 E. PIONEER AVENUE  
HOMER, ALASKA  
[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)



COMMITTEE OF THE WHOLE  
5:00 P.M. MONDAY  
SEPTEMBER 12, 2016  
COWLES COUNCIL CHAMBERS

MAYOR BETH WYTHE  
COUNCIL MEMBER DAVID LEWIS  
COUNCIL MEMBER BRYAN ZAK  
COUNCIL MEMBER GUS VAN DYKE  
COUNCIL MEMBER CATRIONA REYNOLDS  
COUNCIL MEMBER DONNA ADERHOLD  
COUNCIL MEMBER HEATH SMITH  
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.**

Councilmembers Lewis and Reynolds have requested excusal.

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

**3. 2017 BUDGET – REVENUE SOURCES FOR GENERAL FUND**

**4. Ordinance 16-45(S)**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2016 Operating Budget by Appropriating Funds in the Amount of \$30,000.00 From Port and Harbor Reserves to Purchase Twelve New LED Lights for the High Mast Light Pole #7 at the Harbor From Puffin Electric of Homer, Alaska, as a Sole Source Contract. City Manager/Port and Harbor Director. Page 241

Memorandum 16-136 and 16-143 from Port and Harbor Director as backup.

Pages 243/245

**5. Resolution 16-093**, A Resolution of the City Council of Homer, Alaska, Expressing Support for Kenai Peninsula Borough Ordinance 2016-31 Amending Sections of KPB Chapter 5.18 to Update and Clarify the Borough Sales Tax Code, Including Changes to Several Provisions on Tax-Exempt Sellers and Taxable Sales and Services. Mayor/City Council. Page 317

**6. CONSENT AGENDA**

**7. REGULAR MEETING AGENDA**

**8. COMMENTS OF THE AUDIENCE**

**9. ADJOURNMENT NO LATER THAN 5:50 P.M.**

Next Regular Meeting is Monday, September 26, 2016 at 6:00 p.m. and Committee of the Whole 5:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

CALL TO ORDER  
PLEDGE OF ALLEGIANCE  
AGENDA APPROVAL



HOMER CITY COUNCIL  
491 E. PIONEER AVENUE  
HOMER, ALASKA  
[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)



**REGULAR MEETING**  
**6:00 P.M. MONDAY**  
**SEPTEMBER 12, 2016**  
**COWLES COUNCIL CHAMBERS**

MAYOR BETH WYTHE  
COUNCIL MEMBER DAVID LEWIS  
COUNCIL MEMBER BRYAN ZAK  
COUNCIL MEMBER GUS VAN DYKE  
COUNCIL MEMBER CATRIONA REYNOLDS  
COUNCIL MEMBER DONNA ADERHOLD  
COUNCIL MEMBER HEATH SMITH  
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**

Councilmembers Lewis and Reynolds have requested 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 Special meeting minutes of August 11, 2016 and Regular meeting minutes of August 22, 2016. City Clerk. Recommend adoption.

Pages 103/107

- B. **Memorandum 16-140**, from Mayor Wythe, Re: Appointment of Jonathan Sharp to the Parks, Art, Recreation and Culture Advisory Commission and Appointment of Emilie Springer to the Library Advisory Board. Page 103
- C. **Ordinance 16-46**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a Department of Homeland Security FY2015 Staffing for Adequate Fire and Emergency Response (SAFER) Grant in the Amount of \$248,421.00 to Fund the Assistant Fire Chief Position for Two Years, and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Recommended dates: Introduction September 12, 2016, Public Hearing and Second Reading September 26, 2016. Page 129
- D. **Resolution 16-091**, A Resolution of the City Council of Homer, Alaska, Approving and Accepting the Donation from Paul Mackie of a Carved Opal Stone Sculpture Titled 'Bookworm' by Artist Odraf Nkomo to be Placed at the Library. City Clerk/Parks Art Recreation and Culture Advisory Commission. Recommend adoption. Page 153
- E. **Resolution 16-092**, A Resolution of the Homer City Council Amending the Drug Free Workplace Policy. City Manager. Recommend adoption. Page 163
- F. **Resolution 16-094**, A Resolution of the Homer City Council Approving the City of Homer Parks, Art, Recreation and Culture Advisory Commission Bylaws to Prescribe Its Duties and Responsibilities, and Provide for the Transition From the Former Public Arts Committee and Parks and Recreation Advisory Commission. City Clerk/Parks, Art, Recreation and Culture Advisory Commission. Recommend adoption. Page 167
- Memorandum 16-141 from Parks, Art, Recreation and Culture Advisory Commission as backup. Page 169
- G. **Resolution 16-095**, A Resolution of the Homer City Council Awarding the Contract for the Construction of the Kachemak Drive (Phase III) Water and Sewer Improvement Project to the Firm of Southcentral Construction, Inc. of Anchorage, Alaska, in the Amount of \$912,488.00 and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk/Public Works Director. Recommend adoption. Page 183
- Memorandum 16-142 from Public Works Director as backup. Page 185

H. **Resolution 16-096**, A Resolution of the Homer City Council Approving 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 for Project Funds for Establishing a High Quality Seafood Processing Company Within the City of Homer. City Manager. Recommend adoption. Page 189

I. **Memorandum 16-144**, from Deputy City Clerk, Re: Confirmation of Election Judges for the City of Homer October 4, 2016 Regular Election. Recommend approval. Page 193

**6. VISITORS**

A. Public Safety Building Review Committee, Project Update, 15 minutes.

B. Mayor Navarre and Larry Persily, Kenai Peninsula Borough Tax Code Changes, 10 minutes.

C. Derotha Ferraro, Director of Public Relations, South Peninsula Hospital, Hospital Improvements Funded by Kenai Peninsula Borough Proposition 2, 10 minutes. Page 197

**7. ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS**

A. Mayor's Proclamation - National Estuaries Week, September 17 - 24, 2016 Page 201

B. Mayor's Proclamation - National Senior Center Month, September 2016 Page 205

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

A. Report on the Conditions and Status of the Parks and Recreational Facilities

- 5. Port and Harbor Advisory Commission
- 6. Cannabis Advisory Commission
- E. Alaska Municipal League Trip Report for Councilmember Zak Page 207

**8. PUBLIC HEARING(S)**

- A. **Ordinance 16-44(A)**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 17.04.190, Entitled “Deferment of Assessment Payments for Low Income Residents,” by Permitting Assessment Deferral Applicants to Apply for a Deferral in Any Year an Applicant is Eligible for the Deferral Regardless of Whether or Not the Applicant Applied for Deferral in the Initial Year of Assessment. City Manager. Introduction August 22, 2016, Public Hearing and Second Reading September 12, 2016. Page 231

Memorandum 16-135 from City Clerk as backup. Page 236

- B. **Ordinance 16-45(S)**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2016 Operating Budget by Appropriating Funds in the Amount of \$30,000.00 From Port and Harbor Reserves to Purchase Twelve New LED Lights for the High Mast Light Pole #7 at the Harbor From Puffin Electric of Homer, Alaska, as a Sole Source Contract. City Manager/Port and Harbor Director. Page 239

Memorandum 16-136 and 16-143 from Port and Harbor Director as backup. Pages 243/245

**9. ORDINANCE(S)**

**10. CITY MANAGER’S REPORT**

- A. City Manager’s Report Page 295
- B. Bid Report Page 307

**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**

**14. NEW BUSINESS**

**15. RESOLUTIONS**

- A. **Resolution 16-093**, A Resolution of the City Council of Homer, Alaska, Expressing Support for Kenai Peninsula Borough Ordinance 2016-31 Amending Sections of KPB Chapter 5.18 to Update and Clarify the Borough Sales Tax Code, Including Changes to Several Provisions on Tax-Exempt Sellers and Taxable Sales and Services. Mayor/City Council. Page 319

**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, September 26, 2016 at 6:00 p.m. and Committee of the Whole 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.



PUBLIC COMMENTS  
UPON MATTERS  
ALREADY ON THE AGENDA



# RECONSIDERATION



# CONSENT AGENDA



Session 16-17 a Special Meeting of the Homer City Council was called to order on August 11, 2016 at 5:30 p.m. by Mayor Pro Tempore David Lewis 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, LEWIS, REYNOLDS, SMITH, VAN DYKE, ZAK

STAFF: DEPUTY CITY CLERK JACOBSEN  
ADMINISTRATIVE LAW JUDGE MANDALA

Councilmember Zak was present, but after adjourning to executive session he was excused from participation in the proceedings due to a conflict of interest.

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

Mayor Pro Tempore Lewis called for a motion to approve the agenda.

ZAK/ADERHOLD SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Mayor Pro Tempore Lewis called for a motion to go into executive session to consider Ethics Complaint 2016-01. He note for the record this is a confidential hearing as the respondent did not request it be held in an open meeting. Those present at the hearing will be the Board of Ethics, Acting City Clerk Jacobsen, the Complainant, the Respondent, and their representatives and Administrative Judge Cheryl Mandala to advise the Board. Witnesses will wait in the lobby until they are called.

ADERHOLD/REYNOLDS MOVED TO GO INTO EXECUTIVE SESSION.

There was no discussion.

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

Motion carried.

Council adjourned to Executive Session at 5:35 p.m. and reconvened at 6:59 p.m.

## **PENDING BUSINESS**

A. Board of Ethics Decision – Ethics Complaint #2016-01

The Board of Ethics has completed its deliberations on Ethics Complaint 2016-01. Under Homer City Code 2.80.065(a), the Board must vote in open session on three questions in the matter of Ethics Complaint 2016-01.

Mayor Pro Tempore Lewis asked for a motion on whether the board finds by a preponderance of the evidence one or more violations within the jurisdiction of the board.

REYNOLDS/VAN DYKE SO MOVED.

Mayor Pro Tempore Lewis clarified a yes vote means there was a violation and a no vote means there was not a violation.

NO: VAN DYKE, SMITH, REYNOLDS, LEWIS, ADERHOLD

Motion failed.

Mayor Pro Tempore Lewis asked for on whether the board recommends further administrative or remedial actions.

REYNOLDS/ADERHOLD SO MOVED

Mayor Pro Tempore Lewis clarified a yes vote means there should be remedial actions and a no vote means there are no remedial actions.

VOTE: NO: SMITH, REYNOLDS, LEWIS, ADERHOLD, VAN DYKE

Motion failed.

Mayor Pro Tempore Lewis asked for a motion if any sanctions, corrective actions or referrals the board recommends.

REYNOLDS/ADERHOLD MOVED THAT WE FIND THERE'S NO SPECIFIC SANCTIONS, CORRECTIVE ACTIONS OR REFERRALS RECOMMENDED.

There was brief discussion for clarification.

YES: ADERHOLD, REYNOLDS, LEWIS, SMITH, VAN DYKE

Motion carried.

Mayor Pro Tempore Lewis stated the board has concluded by preponderance of evidence that no violations of the ethics code occurred. The board will prepare a confidential statement of closure pursuant to HCC 2.80.065(d). He reminded all parties that pursuant to HCC 2.80.065(d) this matter shall remain confidential unless the respondent in their sole discretion elects to have the statement of closure released as a public document.

**ADJOURNMENT**

There being no further business to come before the Board of Ethics, Mayor Pro Tempore Lewis called for a motion to adjourn the meeting.

REYNOLDS/ADERHOLD MOVED TO ADJOURN THE SPECIAL COUNCIL MEETING.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

The meeting was adjourned at 7:05 p.m. The next Regular Meeting is scheduled for Monday, August 22, 2016 and Committee of the Whole at 5:00 p.m. All meetings scheduled to be held in the Homer City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

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MELISSA JACOBSEN, CMC, DEPUTY CLERK

Approved: \_\_\_\_\_



Session 16-18 a Regular Meeting of the Homer City Council was called to order on August 22, 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, REYNOLDS, SMITH, VAN DYKE, ZAK

ABSENT: LEWIS (excused)

STAFF: CITY MANAGER KOESTER  
CITY CLERK JOHNSON  
CITY PLANNER ABBOD  
FINANCE DIRECTOR LI  
PORT AND HARBOR DIRECTOR HAWKINS

Councilmember Lewis has requested excusal.

Mayor Wythe ruled Councilmember Lewis' absence as excused. There was no objection from the Council.

Council met as a Committee of the Whole from 5:00 p.m. to 5:40 p.m. to discuss City Manager's Report and Consent 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 16-45(S)**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2016 Operating Budget by Appropriating Funds in the Amount of \$30,000.00 From Port and Harbor Reserves to Purchase Twelve New LED Lights for the High Mast Light Pole #7 at the Harbor **From Puffin Electric of Homer, Alaska, as a Sole Source Contract**. City Manager/Port and Harbor Director. **PENDING BUSINESS - Resolution 16-078(S)**, A Resolution of the Homer City Council Approving Memorandum 16-138 Establishing Conditions Under Which Adjacent and Benefitted Properties Can Connect to the Shellfish Avenue/South Slope Drive Water Main Project. City Manager/Public Works Director. Memorandum 16-138 from Public Works Director as backup. Map of proposed Shellfish Avenue/South Slope Drive Water Main Project . **RESOLUTIONS - Resolution 16-090(S)**, A Resolution of the Homer City Council Awarding the Contract for the City-Owned Dredge Materials 2016 to Gregoire Construction, Arno Construction, Betty Gambone, and JHTKO, LLC of Homer, Alaska, a Combined Total of 3,850

Cubic Yards for a Total Amount of \$20,065.00 and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Port and Harbor Director. Memorandum 16-139 from Port and Harbor Director as backup. Bid Tally.

REYNOLDS/ADERHOLD – MOVED TO APPROVE THE AGENDA AS AMENDED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

### **PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA**

Karen Berg-Forrester, city resident, supports Resolution 16-078(S). She spoke on behalf of the Quiet Creek Condominium Community who supports the amendments made in Memorandum 16-138.

Tony Burgess, city resident, opposes Resolution 16-78(S) as lot owners were told the assessment was based on frontage size. The assessment was then reversed where smaller lot owners are required to subsidize larger lot owners.

Ben Gibson, city resident, supports Resolution 16-078(S) as it addresses most concerns for residents on Shellfish Avenue.

Nancy Hillstrand, city resident, commented on Ordinance 16-45(S). She provided information to show LED lights are harmful to the health of humans, birds, and wildlife. She asked Council to look at all aspects, not just cost savings.

Scott Adams, city resident, commented on costs associated with Ordinance 16-45(S). He hopes we can hold off on purchasing LED lights until we know how the budget will look for next year.

### **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 August 8, 2016. City Clerk. Recommend adoption.

B. **Ordinance 16-44**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 17.04.190, Entitled “Deferment of Assessment Payments for Low Income Residents,” by Permitting Assessment Deferral Applicants to Apply for a Deferral in Any Year an Applicant is Eligible for the Deferral Regardless of Whether or Not the Applicant Applied for Deferral in the Initial Year of Assessment. City Manager. Recommended dates: Introduction August 22, 2016, Public Hearing and Second Reading September 12, 2016.

Memorandum 16-135 from City Clerk as backup.

Moved to Ordinances, Item A. Aderhold.

C. **Ordinance 16-45**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2016 Operating Budget by Appropriating Funds in the Amount of \$30,000.00 From Port and Harbor Reserves to Purchase Twelve New LED Lights for the High Mast Light Pole #7 at the Harbor. City Manager/Port and Harbor Director. Recommended dates: Introduction August 22, 2016, Public Hearing and Second Reading September 12, 2016.

**Ordinance 16-45(S)**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2016 Operating Budget by Appropriating Funds in the Amount of \$30,000.00 From Port and Harbor Reserves to Purchase Twelve New LED Lights for the High Mast Light Pole #7 at the Harbor **From Puffin Electric of Homer, Alaska, as a Sole Source Contract**. City Manager/Port and Harbor Director.

Memorandum 16-136 from Port and Harbor Director as backup.

Moved to Ordinances, Item B. Aderhold.

D. **Resolution 16-088**, A Resolution of the Homer City Council Awarding the Contract for the 2016 Paving Project to McKenna Brothers Paving, Inc. of Anchorage, Alaska, in the Amount of \$418,771.30 and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Public Works Director. Recommend adoption.

Memorandum 16-137 from Public Works Director as backup.

- E. **Resolution 16-089**, A Resolution of the City Council of Homer, Alaska, Noting the Insufficiency of the Petition for Ocean Drive Loop Road Reconstruction and Paving Special Assessment District. City Clerk. Recommend adoption.

Item B, Ordinance 16-44 was moved to Ordinances, Item A. Aderhold.

Item C, Ordinance 16-45 and 16-45(S) was moved to Ordinances, item B. Aderhold.

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

ZAK/ADERHOLD - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

## **VISITORS**

- A. Karen Wood-McGuiness, Regional Community Rating System Coordinator, FEMA

Karen Wood-McGuiness, Regional Community Rating System Coordinator, and Jimmy Smith, National Flood Insurance Coordinator, presented an award to the City for protecting citizens from losses caused by flooding. The City participates in the National Flood Insurance Program that allows citizens a 10% discount to purchase flood insurance in flood zones. The new discounts will be effective October 2016. The City joined the program in 1981. There is \$6.6M in insurance coverage within the City. The City's work on storm water has helped to reduce the risk of flooding and an outreach campaign was held for the citizens in the community. City Planner Rick Abboud was presented a plaque for the work done by his department and Dotti Harness.

Flood insurance covers mud flows on a case by case basis. Ms. Wood-McGuiness compared a mud flow to a chocolate milkshake where a mud slide is like a cake topling. Floodsmart.gov references insurance and the Alaska Department of Commerce and Economic Development provides good information on maps.

- B. Jack Bennett, Industrial Hemp Manufacturing

Jack Bennett provided an overview of the uses for industrial hemp. France is building two million hemp homes this year as a solution to affordable housing. Hemp bricks are fireproof,

mildew proof, moisture and termite resistant, and allergy-free. Hemp homes provide 70% in energy savings.

Mr. Bennett is creating a model home on Old East End Road in Homer to present to rural Alaska as a solution to affordable housing. A binder is used for the hemp bricks. It does not need to be heated or cooked and is self-leveling. The life cycle on Portland cement is 28 years before it weakens and cracks, but the binder used here has over a 100-year life cycle. It is a zero footprint, is stronger than cement and impervious to water.

Hemp seeds are known for making bio-mass fuel, soaps, oils for foods, and as a medicine. Hemp seeds are high in cannabinoid counts, but do not have the psychoactive properties. Children impacted by autism or ADD get a lot of benefits from the CBD oil. Adults who suffer with insomnia or constant pain get benefits from the CBD oil made from the hemp seeds.

Additionally hemp products are being used to replace pollutants used in oil spill cleanups. It replaces the acid-based formulas in fracking. Industrial hemp is a billion dollar industry in the United States and we have been importing it from Europe and Canada. Canada grows it to supply American factories to process the hemp. There are 25,000 industry applications.

Governor Walker's office is fully supportive of industrial hemp and the benefits.

## **ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS**

### **A. Borough Report**

Kenai Peninsula Borough Assembly Member Kelly Cooper provided an overview on the four ballot propositions for the October 4<sup>th</sup> election:

Proposition 1 is for General Obligation bonds for the Central Peninsula; \$10,600,000 on developing more landfill cells as they fill up.

Proposition 2 is for South Peninsula Hospital Medical Center General Obligation bonds; \$4,800,000 for the expansion for Homer Medical Center and mechanical needs for the hospital. (In the interim the KPB Assembly will consider a \$2.8M intergovernmental loan for HMC expansion.)

Proposition 3 is increasing the maximum amount of a sale subject to borough sales tax from \$500 to \$1,000 and exempting residential rentals from sales tax.

Proposition 4 is phasing out the senior citizen property tax exemption for new applicants by the year 2024. If people have the exemption now they won't lose it. In 2018 the senior

exemption it will go down \$50,000; in 2021 it will go down another \$50,000; and there is still an exemption for people in need.

At tomorrow's Assembly meeting there will be a public hearing on the property tax code, clarifying code and how we collect taxes; and a public hearing on reducing the planning commissioners from 13 to 9. A substitute ordinance to decrease the 13 commissioners to 11 by 2020 will be introduced. Every community opposes it. There are two new ordinances to transition the invocation to a moment of silence and to eliminate the invocation. Sales tax code changes are up for public hearing on September 6<sup>th</sup>. These changes include classifying flight seeing tours as taxable, nonprofits with gift shops to begin charging sales tax to patrons, and removing the exemption for taxing freight.

B. 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

Parks Art Recreation and Culture Advisory Commissioner Deb Lowney reported the commission discussed Jack Gist Park and the issues at the park. Their recommendation is to change the closing time to 10 p.m. Enforcement of the closure time will need to be addressed and user groups need to be informed. Signage was number one in their budget recommendations. With the new dog ordinance a lot of signage is needed. Other requests were for maintenance, compliance with regulations, and a major media campaign on animal control, the new beach laws, picking up after pets, and being a good pet owner. PARC would like to make a presentation to Council on September 12<sup>th</sup> on parks and beaches.

5. Port and Harbor Advisory Commission

Port and Harbor Advisory Commission Chair Cathy Ulmer advised Council the City needs a large boat harbor. She appreciates any support for Port and Harbor to make it a priority.

6. Cannabis Advisory Commission

Councilmember Reynolds announced the next meeting is Thursday, August 25<sup>th</sup> at 5:30 p.m.  
Mayor Wythe called for a recess at 6:55 p.m. and reconvened the meeting at 7:02 p.m.

## **PUBLIC HEARING(S)**

- A. **Ordinance 14-18(A)(S-2)**, An Ordinance of the Homer City Council Amending Homer City Code 21.03.040, Definitions Used in Zoning Code, Homer City Code 21.05.030, Measuring Heights, and Homer City Code 21.70.010, Zoning Permit Required; Repealing Homer City Code Chapter 21.58, Small Wind Energy Systems; and Enacting Homer City Code Chapter 21.58, Towers and Related Structures. Planning. Introduction April 28, 2014 and Referred to Planning Commission. Amended Substitute Adopted March 29, 2016 and Referred to Planning Commission. Second Substitute Introduced August 8, 2016, Public Hearing and Second Reading August 22, 2016.

Memorandum 16-127 from City Planner as backup.

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

REYNOLDS/ZAK – MOVED FOR THE ADOPTION OF ORDINANCE 14-18(A)(S-2) BY READING OF TITLE ONLY.

Councilmember Aderhold thanked Planning for the work they put into this.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- B. **Ordinance 16-38(S)**, An Ordinance of the City Council of Homer, Alaska, Amending HCC 7.04.030, Traffic Fine Schedules, and Enacting Homer City Code Chapter 7.15, Animals in Vehicles, Regarding Animals in Vehicles; and Amending Homer City Code Title 20, Animals, Regarding the Regulation and Impoundment of Animals, and Penalties for Animal Violations. City Manager/Police Chief. Introduction June 27, 2016, Public Hearings July 25, August 8 and 22, 2016, Second Reading August 22, 2016.

Memorandums 16-026 and 16-111 from Deputy City Clerk as backup.  
Memorandum 16-114 from City Attorney as backup.

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

REYNOLDS/ADERHOLD - MOVED TO ADOPT ORDINANCE 16-38(S).

ADERHOLD/REYNOLDS – MOVED TO AMEND LINE 32 AFTER THE WORD “PREVENTED” TO ADD “COMMA IN A HUMANE MANNER COMMA” AND LINE 37 TO DELETE “CROSS-TETHERING WITHIN THE VEHICLE” AND REPLACE WITH “TETHERING IN A MANNER THAT RETAINS THE ANIMAL’S FRONT AND HIND LEGS WITHIN THE VEHICLE.”

Other municipalities do not have the cross-tethering language. The amendment will provide more leeway in tethering animals, but not dictate how to do it.

Councilmember Van Dyke commented the ordinance is discriminatory as it only addresses dog owners when there are other pets too. We will need to expand it to include all pets. Council noted most points in the ordinance refer to animals.

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

Motion carried.

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

Motion carried.

- C. **Ordinance 16-43**, An Ordinance of the City Council of Homer, Alaska, Amending Ordinance 13-03(S)(2) to Change the Terms for Adjusting the Amortization of Principal of the Natural Gas Distribution Special Assessment Bond Authorized by Ordinance 13-02, and Authorizing an Amendment to the Loan Agreement Between the City and the Kenai Peninsula Borough Regarding the Bond. City Manager. Introduction August 8, 2016, Public Hearing and Second Reading August 22, 2016.

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

ADERHOLD/REYNOLDS - MOVED TO ADOPT ORDINANCE 16-43.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

**ORDINANCE(S)**

- A. **Ordinance 16-44**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 17.04.190, Entitled “Deferment of Assessment Payments for Low Income Residents,” by Permitting Assessment Deferral Applicants to Apply for a Deferral in Any Year an Applicant is Eligible for the Deferral Regardless of Whether or Not the Applicant Applied for Deferral in the Initial Year of Assessment. City Manager. Recommended dates: Introduction August 22, 2016, Public Hearing and Second Reading September 12, 2016.

Memorandum 16-135 from City Clerk as backup.

ADERHOLD/REYNOLDS - MOVED TO INTRODUCE ORDINANCE 16-44.

ADERHOLD/REYNOLDS – MOVED TO AMEND LINE 38 TO CHANGE THE LAST WORD IN THE SENTENCE FROM “EXEMPTION” TO “DEFERMENT.”

There was no discussion.

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

Motion carried.

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

Motion carried.

- B. **Ordinance 16-45**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2016 Operating Budget by Appropriating Funds in the Amount of \$30,000.00 From Port and Harbor Reserves to Purchase Twelve New LED Lights for the High Mast Light Pole #7 at the Harbor. City Manager/Port and Harbor Director. Recommended dates: Introduction August 22, 2016, Public Hearing and Second Reading September 12, 2016.

**Ordinance 16-45(S)**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2016 Operating Budget by Appropriating Funds in the Amount of \$30,000.00 From Port and Harbor Reserves to Purchase Twelve New LED Lights for the High Mast Light

Pole #7 at the Harbor **From Puffin Electric of Homer, Alaska, as a Sole Source Contract.** City Manager/Port and Harbor Director.

Memorandum 16-136 from Port and Harbor Director as backup.

ADERHOLD/REYNOLDS – MOVED TO INTRODUCE ORDINANCE 16-45.

Councilmember Smith disclosed a potential conflict of interest as his father works for Puffin Electric.

Mayor Wythe ruled Councilmember Smith did have a conflict of interest and there was no objection from the Council.

Councilmember Smith was excused from his seat at the dais.

REYNOLDS/ADERHOLD – MOVED TO SUBSTITUTE ORDINANCE 16-45(S).

Councilmember Zak would like to review the information provided on health effects of LED lighting as provided by Nancy Hillstrand.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Councilmember Smith returned to his seat at the dais.

## **CITY MANAGER'S REPORT**

### **A. City Manager's Report**

#### **Dispatch**

The Kenai Peninsula Borough Mayor's office has engaged City Administration since fall of last year on a proposal to consolidate dispatch services. Concerned about losing their contract with the State for Dispatch, they have reached out to Seward, Kenai and Homer to gauge interest in consolidation. Soldotna Police Department already dispatches through the Borough, though their cost would go up under this proposal. City administration has actively participated, providing stats and attending meetings. This is not the first time consolidation has come up. The proposal to consolidate dispatch has been floated a number of times during Chief Robl's tenure, and the City has always come to the conclusion that although the idea of greater efficiency with consolidated services sounds good, it begins to fall apart in the details. This round is no different, though the stakes are potentially higher with the budget being so tight. I have run the numbers and see no long term cost savings for the City. Administrative staff would have to be retained, and PERS termination study penalties would

be incurred. There are also considerable risks including equipment failure, loss of local knowledge, and loss of control over how dispatch services are provided to the City and what we are charged for them. I have attached both the Borough's proposal and my response which provides a more detailed analysis of a complicated topic. Up until now I have refrained from digging into the details publicly as I want to be sensitive to the hard working and dedicated public servants who answer to our 911 calls any time of day or night and make sure they know their jobs are not on the line. Dispatch is a notoriously difficult position to fill and we have a great team there now. I would hate to lose any of them based on the misconception their job is at risk and want to ensure any Dispatcher reading this that is not the case. Nevertheless, this is an important enough topic that Council needs to be in the loop. The Borough would like an opportunity to address you on the topic. Would you like to extend an invitation to Mayor Navarre to present to Council during Committee of the Whole at the next Council meeting (September 12)? Mayor Navarre and Larry Persily are scheduled as visitors for the regular meeting to discuss the KPB ballot propositions that will go before the voters this fall.

### **Operation Northern Edge**

After the passage of Resolution 16-081(A), Opposing Siting and Timing of U.S. Navy Training Exercises that Pose Risks to Fish and Fisheries in the Gulf of Alaska, I was contacted by Senator Murkowski's office who emphasized Senator Murkowski's involvement in insisting that the Navy and Alaskan Command work with local communities regarding exercise scheduling and activities. Murkowski's staff will be meeting with the Navy this month and will request they reinitiate consultation with the City of Homer. I have extended an open invitation to Senator Murkowski's staff on this topic, and let them know how much the City appreciates that this issue has not dropped off their radar.

### **Audit Presentation Scheduled for September 26**

Auditors across Alaska are waiting for information from the State on PERS to be able to finalize the 2015 audits. The State should release that information next week and the audit firm, BDO, is scheduled to present to you September 26. The date has been delayed by months, however I am glad Council will have information on 2015 before budget talks for 2017 begin.

### **Assistant Fire Chief Position Funded through SAFER Grant**

I am ecstatic to announce that the City of Homer has received a SAFER grant through Homeland Security for an assistant fire chief at the Homer Volunteer Fire Department. This is a two-year grant that fully funds (salary and benefits, \$248,000 over two years) an assistant chief position. As you are aware, an assistant chief position has been on the books but not funded for many years due to budget constraints. In my opinion, this position is the number one staffing need for the City. This position will have a dramatic impact on the department, the volunteers, and our department's responsiveness and readiness. The morale boost to the crew to know they have help cannot be articulated. The timing could not be better. This position will have such a positive impact on our community, and allow the department to play a bigger role in the community. If you were in my office on Wednesday morning you

would have seen me doing my best happy dance yet. I should have a grant agreement in September for Council to accept by Ordinance.

### **Sales Tax and Vacation Rentals by Owner**

At the August 8 Council meeting while discussing budget priorities, Council brought up a question about how vacation rentals (Airbnb and VRBO, for example) are taxed. I contacted Larry Persily with the Borough and he confirmed that their lodging transactions are taxable--though compliance can be difficult. The sales tax staff scans the websites (Airbnb and VRBO) on a monthly basis looking for unregistered businesses.

From Mr. Persily, "A couple of points to keep in mind: Under the proposed code revision, anyone taking in less than \$2,500 a year would be exempt from collecting sales tax. So the low-priced room that gets rented out 30 nights a year at \$60 a night would be tax exempt. And, also under the code revision, we clarify and reaffirm that either the property owner pays the tax or Airbnb pays the tax, we don't really care much which one. (We don't say Airbnb by name, but reference out-of-borough businesses with an agent or business link in the borough.) Though, admittedly, it will be easier to collect from the local rental operator. This same provision would apply to Amway, Shaklee and other distributors who use local agents to peddle their goods."

### **Lunch with a Councilmember**

With fall around the corner (though it seems like it has settled in already), the timing is right to resurrect Lunch with a Councilmember, as long as Councilmembers are still up for it.

The Library Director spoke with the Friends who sponsor this event. Their suggestions are:

- Start in October
- Do it the same day every month through March
- Send out the schedule to all the non-profits and other organizations we can think of in town
- Have councilmembers sign up in advance so the Friends can make one poster (with the election in October we should wait till the second meeting to circulate a sign-up sheet)

Questions for Council are:

- Is the first Council Monday of the month still the preferred day?
- If so, would someone like to sign up for Oct. 10<sup>th</sup>?
- Any other suggestions (timing, etc.)? - the Friends are open to ideas.

City Manager Koester announced the Friends of the Library are excited about resuming the "Lunch with a Councilmember" program this fall. Councilmembers will sign up for the program to be held on the second Monday of each month, coinciding with the first council meeting of the month.

Administration is engaged with the Kenai Peninsula Borough Administration on discussion of a consolidated dispatch. Our internal analysis is that there are a number of risks and the cost savings is not there. It is an important decision to review in budgetary times and the Council will invite the Borough to a meeting after we do more research. Council will forward questions to the City Manager to ask the Borough so a meaningful conversation can be had with the Borough.

City Manager Koester announced the City received a SAFER grant that will fund an assistant fire chief at the Fire Department. It is a two-year position and we will have to figure out how to extend the position. The grant funded position will not be subject to PERS termination regulations as it is not creating a new class of employees.

B. Bid Report

**CITY ATTORNEY REPORT**

A. City Attorney Report – July 2016

**COMMITTEE REPORT**

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

Councilmember Aderhold reported the committee met and talked about city evaluation priorities. They provided CIP (Capital Improvement Plan) recommendations of access to the Fishing Lagoon and Karen Hornaday Park and Homer intersection improvements. The current police and jail has accessibility issues and if the bond is not passed in October the committee will look at those issues.

**PENDING BUSINESS**

- A. **Resolution 16-078**, A Resolution of the Homer City Council Approving Memorandum 16-120 Establishing Conditions Under Which Adjacent and Benefitted Properties Can Connect to the Shellfish Avenue/South Slope Drive Water Main Project. City Manager/Public Works Director. Postponed from July 25, 2016.

**Resolution 16-078(S)**, A Resolution of the Homer City Council Approving Memorandum ~~16-120~~ **16-138** Establishing Conditions Under Which Adjacent and

Benefitted Properties Can Connect to the Shellfish Avenue/South Slope Drive Water Main Project. City Manager/Public Works Director.

Memorandums 16-120 and 16-138 from Public Works Director as backup.

Motion on the floor from July 25, 2016: MOTION FOR THE ADOPTION OF RESOLUTION 16-078 BY READING OF TITLE ONLY.

ADERHOLD/ZAK - MOVED TO SUBSTITUTE RESOLUTION 16-078(S).

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.

## **NEW BUSINESS**

### **RESOLUTIONS**

- A. **Resolution 16-090**, A Resolution of the Homer City Council Awarding the Contract for the City-Owned Dredge Materials 2016 to a Firm to be Named in an Amount to be Disclosed and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Port and Harbor Director.

**Resolution 16-090(S)**, A Resolution of the Homer City Council Awarding the Contract for the City-Owned Dredge Materials 2016 to Gregoire Construction, Arno Construction, Betty Gambone, and JHTKO, LLC of Homer, Alaska, a Combined Total of 3,850 Cubic Yards for a Total Amount of \$20,065.00 and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Port and Harbor Director.

Memorandum 16-139 from Port and Harbor Director as backup.

Mayor Wythe called for a motion for the adoption of Resolution 16-090 by reading of title only.

VAN DYKE/REYNOLDS - SO MOVED.

Mayor Wythe called for a motion to substitute Resolution 16-090(S) for Resolution 16-090.

ZAK/REYNOLDS - SO MOVED.

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

Motion carried.

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

Motion carried.

### **COMMENTS OF THE AUDIENCE**

There were no comments of the audience.

### **COMMENTS OF THE CITY ATTORNEY**

City Attorney Wells was not present.

### **COMMENTS OF THE CITY CLERK**

City Clerk Johnson had no comments.

### **COMMENTS OF THE CITY MANAGER**

City Manager Koester had no comments.

### **COMMENTS OF THE MAYOR**

Mayor Wythe had no comments.

### **COMMENTS OF THE CITY COUNCIL**

Councilmember Aderhold reminded folks to keep an eye out for pedestrians and bicyclists since the days are getting darker and shorter.

Councilmember Van Dyke stood corrected on Ordinance 16-38(S) that says “animal” throughout instead of just dogs. He thanked everyone for coming out and listening. He thanked Jack Bennett for his presentation on hemp products and Katie for her happy dance for the grant to fund an assistant fire chief.

Councilmember Smith thanked Jack Bennett for his presentation on products he's developed. He thanked City Council Candidates Tom Stroozas and Shelly Erickson for showing up to have a head start, and also for stepping forward.

Councilmember Zak acknowledged the city council candidates present. He thanked Jack Bennett for sharing more information about industrial hemp. He pointed out Jack's shoes are made from hemp and the possibility of 25,000 different products made from hemp. It is a whole future and Alaska has great space with growing potential. The senior advisor to the Governor said we send a lot of ships out empty and we could export products. He thanked the Planning Commission and Planning Department for a wonderful job in preparing ourselves for emergencies. With the recent heavy rain a mud flow could be covered by insurance.

Councilmember Reynolds announced volunteer firefighter training is about to begin. People can register at the Fire Hall or online. She thanked Tom Stroozas and Shelly Erickson for attending the meeting to get up to speed beforehand. She wished the students a great first day of school tomorrow. Go Mariners!

## **ADJOURNMENT**

There being no further business to come before the Council, Mayor Wythe adjourned the meeting at 7:33 p.m. The next Regular Meeting is Monday, September 12, 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.

---

JO JOHNSON, MMC, CITY CLERK

Approved: \_\_\_\_\_



# City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

## Office of the Mayor

491 East Pioneer Avenue  
Homer, Alaska 99603

[mayor@ci.homer.ak.us](mailto:mayor@ci.homer.ak.us)

(p) 907-235-3130

(f) 907-235-3143

## Memorandum 16-140

TO: HOMER CITY COUNCIL  
FROM: MARY E. WYTHE, MAYOR  
DATE: SEPTEMBER 6, 2016  
SUBJECT: APPOINTMENT OF JONATHAN SHARP TO THE PARKS, ART, RECREATION AND CULTURE ADVISORY COMMISSION AND APPOINTMENT OF EMILIE SPRINGER TO THE LIBRARY ADVISORY BOARD.

---

Jonathan Sharp is appointed to the Parks, Art, Recreation and Culture Advisory Commission for a term to expire October 31, 2019.

Emilie Springer is appointed to the Library Advisory Board to fill the seat vacated by Patrick Brown. Her term will expire April 1, 2017.

### RECOMMENDATION:

Confirm the appointment of Jonathan Sharp to the Parks, Art, Recreation and Culture Advisory Commission and the appointment of Emilie Springer to the Library Advisory Board.

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

AUG 18 2016

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: Jonathan James Sharp Date: August 17, 2016

Physical Address: 998 Lakeside Drive Homer AK 99603

Mailing Address: same ↑

Phone #: 907-299-1911 Cell #: n/a Work #: n/a

Email Address: jonjsharp@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.

ADVISORY PLANNING COMMISSION  
1ST & 3RD WEDNESDAY OF THE MONTH AT 6:30 PM  
WORKSESSION PRIOR TO EACH MEETING AT 5:30 PM

ECONOMIC DEVELOPMENT ADVISORY COMMISSION  
2ND TUESDAY OF THE MONTH AT 6:00 PM

PARKS & RECREATION ADVISORY COMMISSION  
3RD THURSDAY OF THE MONTH AT 5:30 PM

CANNABIS ADVISORY COMMISSION  
4TH THURSDAY OF THE MONTH AT 5:30 PM

PORT & HARBOR ADVISORY COMMISSION  
3RD WEDNESDAY OF THE MONTH  
OCT-APRIL AT 5:00 PM  
MAY - SEPT AT 6:00 PM

LIBRARY ADVISORY BOARD  
1ST TUESDAY OF THE MONTH AT 5:30 PM

PUBLIC ARTS COMMITTEE  
2ND THURSDAY OF THE MONTH AT 5:00 P.M.  
FEB, MAY, AUGUST & NOVEMBER  
WORKSESSIONS PRIOR AT 4:00 PM

OTHER - PLEASE INDICATE  
\_\_\_\_\_

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 4 years. I have been a resident of the area for 4 years.

I am presently employed at KPBSD - Chapman School

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

Since moving to Homer, I have volunteered with many local organizations on work-party events: Homer Cycling Club; Moose Pretzel Disc Golf; Kachemak Bay State Park; Friends of KBSP; Pratt Museum

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

No. I have been a part of many educational advisory boards but none directly related to Parks, Rec. & Art.

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

To increase volunteerism within our community; to provide solutions & promote healthy choices in our community

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

Alaska Mountaineering Club; City of Homer Parks & Rec volunteer climbing; Moose Pretzel Disc Golf Club; Devils Club Orchestra

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:

N/A

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

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:

Personal values are service-oriented. I feel strongly about community volunteers & their impacts on our community. I would like to find solutions regardless of budgetary issues.

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](mailto:clerk@cityofhomer-ak.gov) or fax to 907-235-3143. Thank you for applying!



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

AUG 31 2016 PM 03:45 *DK*

Name: Emilie Springer Date: 8/31/16

Physical Address: 67620 Diamond Ridge

Mailing Address: PO Box 2882, Homer

Phone #: 399-1175 Cell #: 399-1175 Work #: \_\_\_\_\_

Email Address: esspringer@alaska.edu

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.

ADVISORY PLANNING COMMISSION  
1ST & 3RD WEDNESDAY OF THE MONTH AT 6:30 PM  
WORKSESSION PRIOR TO EACH MEETING AT 5:30 PM

ECONOMIC DEVELOPMENT ADVISORY COMMISSION  
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FEB, MAY, AUGUST & NOVEMBER  
WORKSESSIONS PRIOR AT 4:00 PM

OTHER - PLEASE INDICATE  
\_\_\_\_\_

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 ever - Born & raised here years. I have been a resident of the area for \_\_\_\_ years.

I am presently employed at UAF / NPRB student grant  
National Fisherman Journal

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

Academia - ABD PhD Status (through UAF)  
- teaching at Kpc geography + Anthro.

Creative Writing (non-fiction) through Breadloaf/

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

yes. Haven House Board of Directors 2013-2015

AMCC (Alaska Marine Conservation Council) Board  
2013-2015

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

I spend several hours/day @ HPL. My 2  
children regularly use the Kids section.

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

Books and Media are a regular part of  
my day. Literary awareness is a topic very important

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

please let me know if you are interested in a  
full resume or references. Thanks!

**ORDINANCE REFERENCE SHEET**  
**2016 ORDINANCE**  
**ORDINANCE 16-46**

An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a Department of Homeland Security FY2015 Staffing for Adequate Fire and Emergency Response (SAFER) Grant in the Amount of \$248,421.00 to Fund the Assistant Fire Chief Position for Two Years, and Authorizing the City Manager to Execute the Appropriate Documents.

Sponsor: City Manager

1. Council Regular Meeting September 12, 2016 Introduction
  - a. Department of Homeland Security Grant Award Package



**CITY OF HOMER  
HOMER, ALASKA**

City Manager

**ORDINANCE 16-46**

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, ACCEPTING AND APPROPRIATING A DEPARTMENT OF HOMELAND SECURITY FY2015 STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT IN THE AMOUNT OF \$248,421.00 TO FUND THE ASSISTANT FIRE CHIEF POSITION FOR TWO YEARS, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE APPROPRIATE DOCUMENTS.

WHEREAS, The City has applied for a Department of Homeland Security FY2015 Staffing for Adequate Fire and Emergency Response (SAFER) grant for the Homer Volunteer Fire Department; and

WHEREAS, The purpose of the SAFER Program is to protect the health and safety of the public and firefighting personnel against fire and fire-related hazards; and

WHEREAS, Due to budget constraints the City has been unable to fund an assistant fire chief position for many years; it is a position that has a dramatic impact on the fire department, the volunteers, and the department's responsiveness and readiness; and

WHEREAS, The City is pleased to have been awarded the SAFER grant in the amount of \$248,421.00 that will fund the Assistant Fire Chief position for a two-year period.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The Homer City Council hereby accepts and appropriates a Department of Homeland Security FY2015 Staffing for Adequate Fire and Emergency Response (SAFER) Grant in the amount of \$248,421.00 that will fund the Assistant Fire Chief position for a two-year period as follows:

Revenue:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
	Department of Homeland Security FY2015 SAFER Grant	\$248,421.00

43 Expenditure:

44

<u>Account</u>	<u>Description</u>	<u>Amount</u>
	Assistant Fire Chief Wages and Benefits	\$248,421.00

47

48 Section 2. The City Manager is authorized to execute the appropriate documents.

49

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

52

53 ENACTED BY THE HOMER CITY COUNCIL this \_\_\_\_\_ day of September, 2016.

54

55 CITY OF HOMER

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\_\_\_\_\_  
MARY E. WYTHE, MAYOR

60 ATTEST:

61

62

63

64 \_\_\_\_\_  
JO JOHNSON, MMC, CITY CLERK

65

66 AYES:

67 NOES:

68 ABSTAIN:

69 ABSENT:

70

71

72 First Reading:

73 Public Hearing:

74 Second Reading:

75 Effective Date:

76

77

78

79 Reviewed and approved as to form:

80

81

82 \_\_\_\_\_  
Mary K. Koester, City Manager

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84

\_\_\_\_\_  
Holly C. Wells, City Attorney

Date: \_\_\_\_\_

Date: \_\_\_\_\_



# FEMA

Ms. Jennifer Carroll  
City of Homer Volunteer Fire Department  
491 E Pioneer Ave  
Homer, Alaska 99603-7624

Re: Grant No.EMW-2015-FH-00814

Dear Ms. Carroll:

Congratulations, on behalf of the Department of Homeland Security, your application for financial assistance submitted under the Fiscal Year (FY) 2015 Staffing for Adequate Fire and Emergency Response (SAFER) Grant has been approved in the amount of \$248,421.00. As a condition of this award, you are required to contribute a cost match in the amount of \$0.00 of non-Federal funds, or 0 percent of the Federal contribution of \$248,421.00.

**Before you request and receive any of the Federal funds awarded to you, you must establish acceptance of the award through the Assistance to Firefighters Grant Programs' e-grant system.** By accepting this award, you acknowledge that the terms of the following documents are incorporated into the terms of your award:

- Summary Award Memo
- Agreement Articles (attached to this Award Letter)
- Obligating Document (attached to this Award Letter)
- FY 2015 Staffing for Adequate Fire and Emergency Response (SAFER) Grant Notice of Funding Opportunity.

Please make sure you read, understand, and maintain a copy of these documents in your official file for this award.

**Prior to requesting Federal funds, all recipients are required to register in the System for Award Management (SAM.gov).** As the recipient, you must register and maintain current information in SAM.gov until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that the recipient review and update the information annually after the initial registration, and more frequently for changes in your information. There is no charge to register in SAM.gov. Your registration must be completed on-line at <https://www.sam.gov/portal/public/SAM/>. It is your entity's responsibility to have a valid DUNS number at the time of registration.

In order to establish acceptance of the award and its terms, please follow these instructions:

**Step 1:** Please go to <https://portal.fema.gov> to accept or decline your award. This will take you to the Assistance to Firefighters eGrants system. Enter your User Name and Password as requested on the login screen. Your User Name and Password are the same as those used to complete the application on-line.

Once you are in the system, the Status page will be the first screen you see. On the right side of the Status screen, you will see a column entitled Action. In this column, please select the View Award Package from the drop down menu. Click Go to view your award package and indicate your acceptance or declination of award. PLEASE NOTE: your period of performance has begun. If you wish to accept your grant, you should do so immediately. When you have finished, we recommend printing your award package for your records.

**Step 2:** If you accept your award, you will see a link on the left side of the screen that says "Update 1199A" in the Action column. Click this link. This link will take you to the SF-1199A, Direct Deposit Sign-up Form. Please complete the SF-1199A on-line if you have not done so already. When you have finished, you must submit the form electronically. Then, using the Print 1199A Button, print a copy and take it to your bank to have the bottom portion completed. Make sure your application number is on the form. After your bank has filled out their portion of the form, you must fax a copy of the form to FEMA's SF-1199 Processing Staff at 301-998-8699. You should keep the original form in your grant files. After the faxed version of your SF 1199A has been reviewed you will receive an email indicating the form is approved. Once approved you will be able to request payments online. If you have any questions or concerns regarding your 1199A, or the process to request your funds, please call (866) 274-0960.

# Award Package

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Sincerely,



Brian E. Kamoie  
Assistant Administrator  
Grant Programs Directorate



## Summary Award Memo

**SUMMARY OF ASSISTANCE ACTION  
STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE GRANTS  
Application**

**INSTRUMENT:** GRANT  
**AGREEMENT NUMBER:** EMW-2015-FH-00814  
**GRANTEE:** City of Homer Volunteer Fire Department  
**DUNS NUMBER:** 040171563  
**AMOUNT:** \$248,421.00, Hiring

**Project Description**

The purpose of the Staffing for Adequate Fire and Emergency Response Program is to protect the health and safety of the public and firefighting personnel against fire and fire-related hazards.

After careful consideration, FEMA has determined that the recipient's project or projects submitted as part of the recipient's application, and detailed in the project narrative as well as the request details section of the application - including budget information - was consistent with the Staffing for Adequate Fire and Emergency Response Grant program's purpose and worthy of award. The projects approved for funding are indicated by the budget or negotiation comments below. The recipient shall perform the work described in the grant application for the recipient's approved project or projects as itemized in the request details section of the application and further described in the grant application narrative. The content of the approved portions of the application - along with any documents submitted with the recipient's application - are incorporated by reference into the terms of the recipient's award. The recipient may not change or make any material deviations from the approved scope of work outlined in the above referenced sections of the application without prior written approval, via amendment request, from FEMA.

**Period of Performance**

11-FEB-17 to 10-FEB-19

**Amount Awarded**

The amount of the award is detailed in the attached Obligating Document for Award. The following are the budgeted estimates for object classes for this grant (including Federal share plus recipient match):

Personnel:	\$169,132.00
Fringe Benefits	\$79,289.00
Travel	\$0.00
Equipment	\$0.00
Supplies	\$0.00
Contractual	\$0.00
Construction	\$0.00
Other	\$0.00
Indirect Charges	\$0.00
Total	\$248,421.00

**NEGOTIATION COMMENTS IF APPLICABLE (max 8000 characters)**

Any questions pertaining to your award package, please contact your GPD Grants Management Specialist: Katrice Hagen at [Katrice.Hagen@fema.dhs.gov](mailto:Katrice.Hagen@fema.dhs.gov).

**FEMA Officials**

**Program Officer:** The Program Specialist is responsible for the technical monitoring of the stages of work and technical performance of the activities described in the approved grant application. If you have any programmatic questions regarding your grant, please call the AFG Help Desk at 866-274-0960 to be directed to a program specialist.

**Grants Assistance Officer:** The Assistance Officer is the Federal official responsible for negotiating, administering, and executing all grant business matters. The Officer conducts the final business review of all grant awards and permits the obligation of federal funds. If you have any questions regarding your grant please call ASK-GMD at 866-927-5646 to be directed to a Grants Management Specialist.

**Grants Operations POC:** The Grants Management Specialist shall be contacted to address all financial and administrative grant business matters for this grant award. If you have any questions regarding your grant please call ASK-GMD at 866-927-5646 to be directed to a specialist.

**ADDITIONAL REQUIREMENTS (IF APPLICABLE) (max 8000 characters)**

Any questions pertaining to your award package, please contact your GPD Grants Management Specialist: Katrice Hagen at [Katrice.Hagen@fema.dhs.gov](mailto:Katrice.Hagen@fema.dhs.gov).

## Agreement Articles



# FEMA

U.S. Department of Homeland Security  
Washington, D.C. 20472

## AGREEMENT ARTICLES

### STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) Grants

**GRANTEE:** City of Homer Volunteer Fire Department

**PROGRAM:** Staffing for Adequate Fire and Emergency Response (SAFER) - Hiring

**AGREEMENT NUMBER:** EMW-2015-FH-00814

**AMENDMENT NUMBER:**

## TABLE OF CONTENTS

Article I	Assurances, Administrative Requirements and Cost Principles
Article II	Acknowledgement of Federal Funding from DHS
Article III	Activities Conducted Abroad
Article IV	Age Discrimination Act of 1975
Article V	Americans with Disabilities Act of 1990
Article VI	Best Practices for Collection and Use of Personally Identifiable Information (PII)
Article VII	Title VI of the Civil Rights Act of 1964
Article VIII	Civil Right Act of 1968
Article IX	Copyright
Article X	Debarment and Suspension
Article XI	Drug-Free Workplace Regulations
Article XII	Duplication of Benefits
Article XIII	Energy Policy and Conservation Act
Article XIV	Reporting Subawards and Executive Compensation
Article XV	False Claims Act and Program Fraud Civil Remedies
Article XVI	Federal Debt Status
Article XVII	Fly America Act of 1974
Article XVIII	Hotel and Motel Safety Act of 1990
Article XIX	Limited English Proficiency (Civil Rights Act of 1964, Title VI)
Article XX	Lobbying Prohibitions
Article XXI	Non-supplanting Requirement
Article XXII	Patents and Intellectual Property Rights
Article XXIII	Procurement of Recovered Materials
	Contract Provisions for Non-federal Entity Contracts under

Article XXIV	Federal Awards
Article XXV	SAFECOM
Article XXVI	Terrorist Financing E.O. 13224
Article XXVII	Title IX of the Education Amendments of 1972 (Equal Opportunity in Education Act)
Article XXVIII	Trafficking Victims Protection Act of 2000
Article XXIX	Rehabilitation Act of 1973
Article XXX	USA Patriot Act of 2001
Article XXXI	Use of DHS Seal, Logo and Flags
Article XXXII	Whistleblower Protection Act
Article XXXIII	DHS Specific Acknowledgements and Assurances
Article XXXIV	System of Award Management and Universal Identifier Requirements
Article XXXV	Animal Welfare Act of 1966
Article XXXVI	Protection of Human Subjects
Article XXXVII	Incorporation by Reference of Notice of Funding Opportunity
Article XXXVIII	Acceptance of Post Award Changes
Article XXXIX	Prior Approval for Modification of Approved Budget
Article XL	Disposition of Equipment Acquired Under the Federal Award

**I. Assurances, Administrative Requirements and Cost Principles**

Recipients of DHS federal financial assistance must complete OMB Standard Form 424B Assurances - Non-Construction Programs. Certain assurances in this document may not be applicable to your program, and the awarding agency may require applicants to certify additional assurances. Please contact the program awarding office if you have any questions.

The administrative requirements and cost principles that apply to DHS award recipients originate from:

2 C.F.R. Part 200, Uniform Administrative Requirement, Cost Principles, and Audit Requirements for Federal Awards, as adopted by DHS at 2 C.F.R. Part 3002.

**II. Acknowledgement of Federal Funding from DHS**

All recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with Federal funds.

**III. Activities Conducted Abroad**

All recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

**IV. Age Discrimination Act of 1975**

All recipients must comply with the requirements of the *Age Discrimination Act of 1975* (42 U.S.C. § 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving Federal financial assistance.

**V. Americans with Disabilities Act of 1990**

All recipients must comply with the requirements of Titles I, II, and III of the *Americans with Disabilities Act*, which prohibits recipients from discriminating on the basis of disability in the

operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12101-12213).

**VI. Best Practices for Collection and Use of Personally Identifiable Information (PII)**

All recipients who collect PII are required to have a publically-available privacy policy that describes what PII they collect, how they use the PII, whether they share PII with third parties, and how individuals may have their PII corrected where appropriate.

Award recipients may also find as a useful resource the DHS Privacy Impact Assessments: Privacy Guidance and Privacy template respectively.

**VII. Title VI of the Civil Rights Act of 1964**

All recipients must comply with the requirements of Title VI of the *Civil Rights Act of 1964* (42 U.S.C. § 2000d et seq.), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. Implementing regulations for the Act are found at 6 C.F.R. Part 21 and 44 C.F.R. Part 7.

**VIII. Civil Rights Act of 1968**

All recipients must comply with Title VIII of the Civil Rights Act of 1968, which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (42 U.S.C. § 3601 et seq.), as implemented by the Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units-i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)-be designed and constructed with certain accessible features (see 24 C.F.R. § 100.201).

**IX. Copyright**

All recipients must affix the applicable copyright notices of 17 U.S.C. §§ 401 or 402 and an acknowledgement of Government sponsorship (including award number) to any work first produced under Federal financial assistance awards, unless the work includes any information that is otherwise controlled by the Government (e.g., classified information or other information subject to national security or export control laws or regulations).

**X. Debarment and Suspension**

All recipients must comply with Executive Orders 12549 and 12689, which provide protection against waste, fraud and abuse by debarring or suspending those persons deemed irresponsible in their dealings with the Federal government.

**XI. Drug-Free Workplace Regulations**

All recipients must comply with the *Drug-Free Workplace Act of 1988* (41 U.S.C. § 701 et seq.), which requires that all organizations receiving grants from any Federal agency agree to maintain a drug-free workplace. DHS has adopted the Act's implementing regulations at 2 C.F.R Part 3001.

**XII. Duplication of Benefits**

Any cost allocable to a particular Federal award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other Federal awards to overcome fund deficiencies, to avoid restrictions imposed by Federal statutes, regulations, or terms and conditions of the Federal awards, or for other reasons. However, this prohibition would not preclude the non-Federal entity from shifting costs that are allowable under two or more Federal awards in

accordance with existing Federal statutes, regulations, or the terms and conditions of the Federal awards.

### XIII. Energy Policy and Conservation Act

All recipients must comply with the requirements of 42 U.S.C. § 6201 which contain policies relating to energy efficiency that are defined in the state energy conservation plan issues in compliance with this Act.

### XIV. Reporting Subawards and Executive Compensation

#### a. Reporting of first-tier subawards.

1. *Applicability.* Unless you are exempt as provided in paragraph d. of this award term, you must report each action that obligates \$25,000 or more in Federal funds that does not include Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5) for a subaward to an entity (see definitions in paragraph e. of this award term).

2. *Where and when to report.*

i. You must report each obligating action described in paragraph a.1. of this award term to <http://www.fsrs.gov>.

ii. For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)

3. *What to report.* You must report the information about each obligating action that the submission instructions posted at <http://www.fsrs.gov> specify.

#### b. Reporting Total Compensation of Recipient Executives.

1. *Applicability and what to report.* You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if-

i. the total Federal funding authorized to date under this award is \$25,000 or more;

ii. in the preceding fiscal year, you received-

(A) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

(B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

iii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

2. *Where and when to report.* You must report executive total compensation described in paragraph b.1. of this award term:

- i. As part of your registration profile at <https://www.sam.gov>.
- ii. By the end of the month following the month in which this award is made, and annually thereafter.

**c. Reporting of Total Compensation of Subrecipient Executives.**

1. *Applicability and what to report.* Unless you are exempt as provided in paragraph d. of this award term, for each first-tier subrecipient under this award, you shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if-

i. in the subrecipient's preceding fiscal year, the subrecipient received-

(A) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

(B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and

ii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

2. *Where and when to report.* You must report subrecipient executive total compensation described in paragraph c.1. of this award term:

- i. To the recipient.
- ii. By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month of October of a given year (*i.e.*, between October 1 and 31), you must report any required compensation information of the subrecipient by November 30 of that year.

**d. Exemptions**

If, in the previous tax year, you had gross income, from all sources, under \$300,000, you are exempt from the requirements to report:

i. Subawards,

and

ii. The total compensation of the five most highly compensated executives of any subrecipient.

**e. Definitions. For purposes of this award term:**

1. *Entity* means all of the following, as defined in 2 CFR part 25:

- i. A Governmental organization, which is a State, local government, or Indian tribe;
- ii. A foreign public entity;
- iii. A domestic or foreign nonprofit organization;
- iv. A domestic or foreign for-profit organization;
- v. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.

2. *Executive* means officers, managing partners, or any other employees in management positions.

3. *Subaward*:

- i. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
- ii. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. \_\_\_ .210 of the attachment to OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations").
- iii. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.

4. *Subrecipient* means an entity that:

- i. Receives a subaward from you (the recipient) under this award; and
- ii. Is accountable to you for the use of the Federal funds provided by the subaward.

5. *Total compensation* means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):

- i. *Salary and bonus.*
- ii. *Awards of stock, stock options, and stock appreciation rights.* Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.
- iii. *Earnings for services under non-equity incentive plans.* This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.
- iv. *Change in pension value.* This is the change in present value of defined benefit and actuarial pension plans.
- v. *Above-market earnings on deferred compensation which is not tax-qualified.*

vi. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000.

**XV. False Claims Act and Program Fraud Civil Remedies**

All recipients must comply with the requirements of 31 U.S.C. §3729 which set forth that no recipient of federal payments shall submit a false claim for payment. See also 38 U.S.C. § 3801-3812 which details the administrative remedies for false claims and statements made.

**XVI. Federal Debt Status**

All recipients are required to be non-delinquent in their repayment of any Federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. See OMB Circular A-129 and form SF-424B, item number 17 for additional information and guidance.

**XVII. Fly America Act of 1974**

All recipients must comply with Preference for U.S. Flag Air Carriers: (air carriers holding certificates under 49 U.S.C. § 41102) for international air transportation of people and property to the extent that such service is available, in accordance with the *International Air Transportation Fair Competitive Practices Act of 1974* (49 U.S.C. § 40118) and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942.

**XVIII. Hotel and Motel Fire Safety Act of 1990**

In accordance with Section 6 of the *Hotel and Motel Fire Safety Act of 1990*, 15 U.S.C. §2225a, all recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with Federal funds complies with the fire prevention and control guidelines of the *Federal Fire Prevention and Control Act of 1974*, as amended, 15 U.S.C. §2225.

**XIX. Limited English Proficiency (Civil Rights Act of 1964, Title VI)**

All recipients must comply with the *Title VI of the Civil Rights Act of 1964* (Title VI) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. Providing meaningful access for persons with LEP may entail providing language assistance services, including oral interpretation and written translation. In order to facilitate compliance with Title VI, recipients are encouraged to consider the need for language services for LEP persons served or encountered in developing program budgets. Executive Order 13166, *Improving Access to Services for Persons with Limited English Proficiency* (August 11, 2000), requires federal agencies to issue guidance to recipients, assisting such organizations and entities in understanding their language access obligations. DHS published the required recipient guidance in April 2011, *DHS Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons*, 76 Fed. Reg. 21755-21768, (April 18, 2011). The Guidance provides helpful information such as how a recipient can determine the extent of its obligation to provide language services; selecting language services; and elements of an effective plan on language assistance for LEP persons. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance <https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited> and additional resources on <http://www.lep.gov>.

**XX. Lobbying Prohibitions**

All recipients must comply with 31 U.S.C. §1352, which provides that none of the funds provided under an award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an

officer or employee of Congress, or an employee of a Member of Congress in connection with any Federal action concerning the award or renewal.

**XXI. Non-supplanting Requirement**

All recipients who receive awards made under programs that prohibit supplanting by law must ensure that Federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-Federal sources. Where federal statutes for a particular program prohibits supplanting, applicants or recipients may be required to demonstrate and document that a reduction in non-Federal resources occurred for reasons other than the receipt of expected receipt of Federal funds.

**XXII. Patents and Intellectual Property Rights**

Unless otherwise provided by law, recipients are subject to the Bayh-Dole Act, Pub. L. No. 96-517, as amended, and codified in 35 U.S.C. § 200 et seq. All recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from financial assistance awards are in 37 C.F.R. Part 401 and the standard patent rights clause in 37 C.F.R. § 401.14.

**XXIII. Procurement of Recovered Materials**

All recipients must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired by the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

**XXIV. Contract Provisions for Non-federal Entity Contracts under Federal Awards**

**a. Contracts for more than the simplified acquisition threshold set at \$150,000.**

All recipients who have contracts exceeding the acquisition threshold currently set at \$150,000, which is the inflation adjusted amount determined by Civilian Agency Acquisition Council and the Defense Acquisition Regulation Council as authorized by 41 U.S.C. §1908, must address administrative, contractual, or legal remedies in instance where contractors violate or breach contract terms and provide for such sanctions and penalties as appropriate.

**b. Contracts in excess of \$10,000.**

All recipients that have contracts exceeding \$10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.

**XXV. SAFECOM**

All recipients who receive awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

**XXVI. Terrorist Financing E.O. 13224**

All recipients must comply with U.S. Executive Order 13224 and U.S. law that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. It is the legal responsibility of recipients to ensure compliance with the E.O. and laws.

**XXVII. Title IX of the Education Amendments of 1972 (Equal Opportunity in Education Act)**

All recipients must comply with the requirements of Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.), which provides that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance. Implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19

**XXVIII. Trafficking Victims Protection Act of 2000**

All recipients must comply with the requirements of the government-wide award term which implements Section 106(g) of the *Trafficking Victims Protection Act (TVPA) of 2000*, as amended (22 U.S.C. § 7104). This is implemented in accordance with OMB Interim Final Guidance, *Federal Register*, Volume 72, No. 218, November 13, 2007. Full text of the award term is located at 2 CFR § 175.15.

**XXIX. Rehabilitation Act of 1973**

All recipients of must comply with the requirements of Section 504 of the *Rehabilitation Act of 1973*, 29 U.S.C. § 794, as amended, which provides that no otherwise qualified handicapped individual in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. These requirements pertain to the provision of benefits or services as well as to employment.

**XXX. USA Patriot Act of 2001**

All recipients must comply with requirements of the *Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT Act)*, which amends 18 U.S.C. §§ 175-175c. Among other things, the USA PATRIOT Act prescribes criminal penalties for possession of any biological agent, toxin, or delivery system of a type or in a quantity that is not reasonably justified by a prophylactic, protective, bona fide research, or other peaceful purpose.

**XXXI. Use of DHS Seal, Logo and Flags**

All recipients must obtain DHS's approval prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

**XXXII. Whistleblower Protection Act**

All recipients must comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C § 2409, 41 U.S.C. § 4712, and 10 U.S.C. § 2324, 41 U.S.C. §§ 4304 and 4310.

**XXXIII. DHS Specific Acknowledgements and Assurances**

All recipients must acknowledge and agree-and require any sub-recipients, contractors, successors, transferees, and assignees acknowledge and agree-to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff.

1. Recipients must cooperate with any compliance review or complaint investigation conducted by DHS.
2. Recipients must give DHS access to and the right to examine and copy records, accounts, and other documents and sources of information related to the grant and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations and other applicable laws or program guidance.
3. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.
4. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.
5. If, during the past three years, the recipient has been accused of discrimination on the grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status, the recipient must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements to the DHS awarding office and the DHS Office of Civil Rights and Civil Liberties.
6. In the event any court or administrative agency makes a finding of discrimination on grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status against the recipient, or the recipient settles a case or matter alleging such discrimination, recipients must forward a copy of the complaint and findings to the DHS Component and/or awarding office.

The United States has the right to seek judicial enforcement of these obligations.

#### **XXXIV. System of Award Management and Universal Identifier Requirements**

##### **A. Requirement for System of Award Management**

Unless exempted from this requirement under 2 CFR 25.110, you as the recipient must maintain the currency of your information in the SAM until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that you review and update the information at least annually after the initial registration, and more frequently if required by changes in your information or another award term.

##### **B. Requirement for unique entity identifier**

If authorized to make subawards under this award, you:

1. Must notify potential subrecipients that no entity (see definition in paragraph C of this award term) may receive a subaward from you unless the entity has provided its unique entity identifier to you.
2. May not make a subaward to an entity unless the entity has provided its unique entity identifier to you.

**C. Definitions**

For purposes of this award term:

1. *System of Award Management (SAM)* means the Federal repository into which an entity must provide information required for the conduct of business as a recipient. Additional information about registration procedures may be found at the SAM Internet site (currently at <http://www.sam.gov>).

2. *Unique entity identifier* means the identifier required for SAM registration to uniquely identify business entities.

3. *Entity*, as it is used in this award term, means all of the following, as defined at 2 CFR part 25, subpart C:

- a. A Governmental organization, which is a State, local government, or Indian Tribe;
- b. A foreign public entity;
- c. A domestic or foreign nonprofit organization;
- d. A domestic or foreign for-profit organization; and
- e. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.

4. *Subaward*:

- a. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
- b. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see 2 CFR 200.330).
- c. A subaward may be provided through any legal agreement, including an agreement that you consider a contract.

5. *Subrecipient* means an entity that:

- a. Receives a subaward from you under this award; and
- b. Is accountable to you for the use of the Federal funds provided by the subaward.

**XXXV. Animal Welfare Act of 1966**

All recipients of financial assistance will comply with the requirements of the Animal Welfare Act, as amended (7 U.S.C. §2131 et seq.), which requires that minimum standards of care and treatment be provided for vertebrate animals bred for commercial sale, used in research, transported commercially, or exhibited to the public. Recipients must establish appropriate policies and procedures for the humane care and use of animals based on the Guide for the Care and Use of Laboratory Animals and comply with the Public Health Service Policy and Government Principles Regarding the Care and Use of Animals.

**XXXVI. Protection of Human Subjects**

All recipients of financial assistance will comply with the requirements of the Federal regulations at 45 CFR Part 46, which requires that recipients comply with applicable provisions/law for the protection of human subjects for purposes of research. Recipients must also comply with the requirements in DHS Management Directive 026-04, Protection of Human Subjects, prior to implementing any work with human subjects. For purposes of 45 CFR Part 46, research means a systematic investigation, including research, development, testing, and evaluation, designed to develop or contribute to general knowledge. Activities that meet this definition constitute research for purposes of this policy, whether or not they are conducted or supported under a program that is considered research for other purposes. The regulations specify additional protections for research involving human fetuses, pregnant women, and neonates (Subpart B); prisoners (Subpart C); and children (Subpart D). The use of autopsy materials is governed by applicable State and local law and is not directly regulated by 45 CFR Part 46.

**XXXVII. Incorporation by Reference of Notice of Funding Opportunity**

The Notice of Funding Opportunity for this program is hereby incorporated into your award agreement by reference. By accepting this award, the recipient agrees that all allocations and use of funds under this grant will be in accordance with the requirements contained in the Notice of Funding Opportunity.

**XXXVIII. Acceptance of Post Award Changes**

In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award. If you have questions about these procedures, please contact the AFG Help Desk at 1-866-274-0960, or send an email to [firegrants@dhs.gov](mailto:firegrants@dhs.gov).

**XXXIX. Prior Approval for Modification of Approved Budget**

Before making any change to the DHS/FEMA approved budget for this award, you must request prior written approval from DHS/FEMA where required by 2 C.F.R. § 200.308. For awards with an approved budget greater than \$150,000, you may not transfer funds among direct cost categories, programs, functions, or activities without prior written approval from DHS/FEMA where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget DHS/FEMA last approved. You must report any deviations from your DHS/FEMA approved budget in the first Federal Financial Report (SF-425) you submit following any budget deviation, regardless of whether the budget deviation requires prior written approval.

**XL. Disposition of Equipment Acquired Under the Federal Award**

When original or replacement equipment acquired under this award by the recipient or its sub-recipients is no longer needed for the original project or program or for other activities currently or previously supported by DHS/FEMA, you must request instructions from DHS/FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. § 200.313.

**FEDERAL EMERGENCY MANAGEMENT AGENCY  
OBLIGATING DOCUMENT FOR AWARD/AMENDMENT**

1. AGREEMENT NO. EMW-2015-FH-00814  
 2. AMENDMENT NO. 0  
 3. RECIPIENT NO. 92-0030963  
 4. TYPE OF ACTION AWARD  
 5. CONTROL NO. WX02376N2016T

6. RECIPIENT NAME AND ADDRESS  
 City of Homer Volunteer Fire Department  
 491 E Pioneer Ave  
 Homer  
 Alaska, 99603-7624  
 7. ISSUING OFFICE AND ADDRESS  
 Grant Programs Directorate  
 500 C Street, S.W.  
 Washington DC, 20472  
 POC: Tiffany Butler 202-646-3745  
 8. PAYMENT OFFICE AND ADDRESS  
 FEMA, Financial Services Branch  
 500 C Street, S.W., Room 723  
 Washington DC, 20472

9. NAME OF RECIPIENT PROJECT OFFICER  
 Jennifer Carroll  
 PHONE NO. 9044353101  
 10. NAME OF PROJECT COORDINATOR  
 Catherine Patterson  
 PHONE NO. 1-866-274-0960

11. EFFECTIVE DATE OF THIS ACTION  
 11-FEB-17  
 12. METHOD OF PAYMENT  
 SF-270  
 13. ASSISTANCE ARRANGEMENT  
 Cost Sharing  
 14. PERFORMANCE PERIOD  
 From:11-FEB-17 To:10-FEB-19  
 Budget Period  
 From:30-MAR-16 To:01-OCT-16

15. DESCRIPTION OF ACTION  
 a. (Indicate funding data for awards or financial changes)

PROGRAM NAME ACRONYM	CFDA NO.	ACCOUNTING DATA (ACCS CODE) XXXX-XXX-XXXXXX-XXXX- XXXX-XXXX-X	PRIOR TOTAL AWARD	AMOUNT AWARDED THIS ACTION + OR (-)	CURRENT TOTAL AWARD	CUMULATIVE NON- FEDERAL COMMITMENT
SAFER	97.083	2016-F5-C211-P4310000- 4101-D	\$0.00	\$248,421.00	\$248,421.00	\$0.00
TOTALS			\$0.00	\$248,421.00	\$248,421.00	\$0.00

b. To describe changes other than funding data or financial changes, attach schedule and check here.  
 N/A  
 16a. FOR NON-DISASTER PROGRAMS: RECIPIENT IS REQUIRED TO SIGN AND RETURN THREE (3) COPIES OF THIS DOCUMENT TO FEMA (See Block 7 for address)

SAFER recipients are not required to sign and return copies of this document. However, recipients should print and keep a copy of this document for their records.

16b. FOR DISASTER PROGRAMS: RECIPIENT IS NOT REQUIRED TO SIGN  
 This assistance is subject to terms and conditions attached to this award notice or by incorporated reference in program legislation cited above.

17. RECIPIENT SIGNATORY OFFICIAL (Name and Title)  
 N/A  
 DATE N/A  
 18. FEMA SIGNATORY OFFICIAL (Name and Title)  
 Rosalie Vega  
 DATE 09-AUG-16



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

3 City Clerk/  
4 PARC Advisory Commission

5 **RESOLUTION 16-091**

6  
7 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,  
8 APPROVING AND ACCEPTING THE DONATION FROM PAUL MACKIE  
9 OF A CARVED OPAL STONE SCULPTURE TITLED 'BOOKWORM' BY  
10 ARTIST ODRAF NKOMO TO BE PLACED AT THE LIBRARY.

11  
12 WHEREAS, Paul Mackie, local resident, would like to donate a carved opal stone  
13 sculpture titled 'Bookworm' to the Library; and

14  
15 WHEREAS, 'Bookworm' is sculpted by Artist Odraf Nkomo, from Chitungwiza,  
16 Zimbabwe, a fast-rising star on the Zimbabwean sculpting scene, whose works have been  
17 exhibited internationally; and

18  
19 WHEREAS, The sculpture is fitting to be displayed at the Library as it depicts a person  
20 reading a book.

21  
22 NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, approves  
23 and accepts the donation from Paul Mackie of a carved opal stone sculpture titled  
24 'Bookworm' by Artist Odraf Nkomo to be placed at the Library.

25  
26 PASSED AND ADOPTED by the Homer City Council this 12<sup>th</sup> day of September, 2016.

27  
28 CITY OF HOMER

29  
30  
31 \_\_\_\_\_  
32 MARY E. WYTHE, MAYOR

33  
34 ATTEST:

35  
36 \_\_\_\_\_  
37 JO JOHNSON, MMC, CITY CLERK

38  
39 Fiscal Note: N/A





# MUNICIPAL ART COLLECTION GIFT PROPOSAL APPLICATION

PLEASE TYPE OR PRINT CLEARLY AND MAKE YOUR RESPONSES COMPLETE AND THOROUGH.

DATE 5/12/16  
CONTACT PERSON Paul Mackie TITLE \_\_\_\_\_  
ORGANIZATION IF APPLICABLE \_\_\_\_\_  
ADDRESS 2661 Sterling Hwy CITY Homer STATE AK ZIP 99603  
PHONE 907-299-5466 FAX \_\_\_\_\_ CELL \_\_\_\_\_  
EMAIL prmtaa@hotmail.com

TELL US WHY YOU WISH TO DONATE THIS ARTWORK TO THE CITY OF HOMER? Thought it would look good in library

## PROPOSED ARTWORK

TITLE OF ARTWORK 'Bookworm'  
ARTIST(S) NAME Odraf. Nkomo  
YEAR COMPLETED approx 2001 DIMENSIONS 18" w x 9" d x 16" tall, approx 170lbs  
MATERIALS USED TO CREATE ARTWORK opal stone

## PHYSICAL DESCRIPTION OF THE PROPOSED PIECE-

big giant head reading book

## NARRATIVE DESCRIPTION OF THE PROPOSED ARTWORK - TELL US THE STORY BEHIND THE PIECE OR SIGNIFICANCE-

IS THE PROPOSED PIECE ONE OF A KIND? yes IS THE PIECE PART OF A SERIES, LIMITED OR OTHERWISE? no  
IF SO, AN EDITION OF HOW MANY? \_\_\_\_\_ IS THE PIECE COMPLETED? \_\_\_\_\_ IF NOT WHEN IS THE  
EXPECTED COMPLETION DATE? \_\_\_\_\_  
WHAT IS THE CURRENT CONDITION OF THE PIECE? excellent

PROPOSED SITE OR LOCATION

DO YOU HAVE A SITE(S) IN MIND FOR THE PLACEMENT OF THE ARTWORK? IF SO WHERE? Library

IS THIS A CITY OWNED PROPERTY IF NOT WHO OWNS THE PROPERTY? \_\_\_\_\_

WHAT IS THE RATIONALE FOR SELECTING THIS/ THESE LOCATION(S)? 'bookworm' - just makes sense!

ARE YOU AWARE OF ANY PERMITS OR PERMISSIONS THAT MAY BE REQUIRED? \_\_\_\_\_

TECHNICAL SPECIFICATIONS

DESCRIBE HOW THE ARTWORK IS CONSTRUCTED OR MADE PLEASE INCLUDE ANY DOCUMENTATION AT THE END OF  
THIS APPLICATION. carved opal stone sculpture

HOW IS THE ARTWORK TO BE PROPERLY INSTALLED? \_\_\_\_\_

DOES THE PIECE REQUIRE ELECTRICITY, PLUMBING OR OTHER UTILITY HOOKUPS? \_\_\_\_\_

WHO WILL BE INSTALLING THE ARTWORK? \_\_\_\_\_



RESTRICTIONS

ARE THERE ANY KNOWN COVENANTS, REQUIREMENTS OR RESTRICTIONS THAT COME WITH THE PIECE? Ø

WHAT EXPECTATIONS DO YOU HAVE FOR THE CITY OF HOMER IN ACCEPTING THIS ARTWORK? What it is displayed in library

COMMUNITY INVOLVEMENT

WAS THERE ANY COMMUNITY OR USER INVOLVEMENT IN SELECTING THE RECOMMENDED LOCATION? Ø

PLEASE INCLUDE ANY LETTER(S) OF SUPPORT FOR THE PROJECT OR PROPOSED DONATION.

APPLICANT MUST SUBMIT THE FOLLOWING SUPPORTING DOCUMENTATION WITH THIS APPLICATION.

- AN RESUME OR BIO FROM THE ARTIST WHO CREATED OR WILL CREATE THE ARTWORK
- FIVE TO TEN IMAGES OF PAST WORK FROM THE ARTIST. THESE CAN BE PHOTOGRAPHS
- THREE TO FIVE CLEAR IMAGES OF THE PROPOSED ARTWORK
- SCALE DRAWING/ MODEL OF THE PROPOSED ARTWORK
- IF YOU HAVE A SITE(S) IN MIND PLEASE INCLUDE PHOTO AND DESCRIPTION OF THE SITE(S) AND A SCALED DRAWING OF THE PROPOSED ARTWORK IN THE RECOMMENDED LOCATION.
- A COPY OF A FORMAL APPRAISAL IF AVAILABLE
- TECHNICAL SPECIFICATIONS, MAINTENANCE MANUAL OR DRAWINGS/ RECOMMENDATION FROM STRUCTURAL ENGINEER

APPLICATIONS ARE TO BE SUBMITTED TO:

THE CITY OF HOMER  
CITY CLERK'S OFFICE  
491 E. PIONEER AVENUE  
HOMER, AK 99603

OR YOU MAY SUBMIT VIA FAX AT 907-235-3143 TO SUBMIT VIA EMAIL PLEASE SEND TO [clerk@ci.homer.ak.us](mailto:clerk@ci.homer.ak.us)  
IF YOU HAVE ANY QUESTIONS PLEASE FEEL FREE TO CONTACT THE CLERK'S OFFICE AT 235-3130.

## Certificate of Authenticity

**TITLE** Bookworm  
**ARTIST** Odraf Nkomo  
**MEDIUM** Opal Stone  
**ITEM** 020470

Zuva Gallery, Incorporated, does hereby certify  
the authenticity of this original work of art.

Signature   
Title   
Date 12/03/02

### Odraf Nkomo

**Born in Chitungwiza, Zimbabwe in 1971, Odraf Nkomo is a fast-rising star on the Zimbabwean sculpting scene. He learned to sculpt from the legendary Moses Masaya.**

**His work is bold and refined. He prefers to work in Zimbabwe's hardest stones, including Springstone, Cobalt and Opal Stone. A deep understanding of his native Shona culture provides the inspiration for many of Nkomo's finest work. He has exhibited at the National Gallery of Zimbabwe since 1994. He has also exhibited internationally in Amsterdam, Brussels, Paris, London, Auckland, Sydney, Hong Kong, New York, Boston, Portland, Los Angeles and Tokyo. Several world famous artists in Zimbabwe, including Tonderai Marezva and Lincon Muteta, count Nkomo among the most promising talents in Zimbabwe. Zuva believes very strongly that Nkomo has what it takes to become an international sculpting legend. We look forward to helping to advance this artist's career by featuring his finest work.**

**ZUVA GALLERY, INC.**

34505 N. SCOTTSDALE RD  
SUITE F-6  
Scottsdale AZ 85262

Phone: (480) 488-6000  
Fax: (480) 488-6000  
Toll Free: (800) 721-9882

**RECEIPT**

**Date** 12/03/2002

**Sale #** 5266

**Sold To** Paul Mackie  
2661 Sterling Highway  
Homer, AK 99603  
(907) 235-4058

**Ship To**  
2661 Sterling Highway  
Homer, AK 99603  
(907) 235-4058

**ITEMS SOLD:**

Page: 1

020470 Book worm 1 \$975.00  
Nkomo, Odraf 16 x 20 x 10 170 lbs

Shipping Shipping 1 \$398.00  
None, None of None

**Payment: Visa** 12/03/2002 12:09:02 \$1,373.00

<b>NON TAXABLE:</b>	\$398.00	<b>TOTAL DUE:</b>	\$1,373.00
<b>TAXABLE:</b>	\$975.00	<b>AMT PAID:</b>	\$1,373.00
<b>TAX:</b>	\$0.00	<b>BALANCE:</b>	\$0.00

Thank you very much for your purchase. Please note that Zuva Gallery, Inc. does not offer refunds. If you are not fully satisfied with your purchase, we do provide the option of exchange or gallery credit for 7 days from the date of the original sale.

Please note that we pack each shipment very carefully, but occasionally items do get damaged in shipping. In the event that you receive a damaged item, it is important that you retain all of the packing materials for insurance purposes. Should you experience any problems, please call us immediately upon receipt so that we can promptly address the situation. Thank you!





**CITY OF HOMER  
HOMER, ALASKA**

City Manager

**RESOLUTION 16-092**

A RESOLUTION OF THE HOMER CITY COUNCIL AMENDING THE  
DRUG FREE WORKPLACE POLICY.

WHEREAS, Illegal drug use for purposes of the Drug Free Workplace Act is defined by reference to federal, rather than state law; and

WHEREAS, Federal law does not authorize an employee's marijuana use in violation of this policy for any reason; and

WHEREAS, The Drug Free Workplace Policy should be clarified so that each employee is accountable under the policy regardless of his/her marijuana use under state law; and

NOW, THEREFORE, BE IT RESOLVED that the Homer City Council hereby amends the written Drug Free Workplace Policy.

PASSED AND ADOPTED by the Homer City Council this 12<sup>th</sup> day of September, 2016.

CITY OF HOMER

\_\_\_\_\_  
MARY E. WYTHE, MAYOR

ATTEST:

\_\_\_\_\_  
JO JOHNSON, MMC, CITY CLERK

Fiscal Note: N/A



## DRUG FREE WORKPLACE POLICY

On August 13, 1990 the City of Homer passed Resolution 90-56 establishing policies in conformance with the Drug-Free Workplace Act of 1988. The City of Homer will maintain a Drug-Free Workplace, and issues the following directive to all employees:

The unlawful manufacturing, distributing, dispensing, possessing, or using of a Controlled Substance is prohibited and will not be tolerated in any City workplace. The City's policy is designed to maintain a safe, healthful, and productive work environment, and any employee affected by an addiction or dependency on Controlled Substances are strongly urged to seek assistance through the appropriate community health services.

"Controlled Substance" or "Drug" for purposes of this policy means a Controlled Substance listed in schedules I through V of Section 202 of the Controlled Substances Act (21 U.S.C. § 812), and as further defined by federal regulations (21 C.F.R. 1308.11 – 1308.15). This list includes, but is not limited to, marijuana, heroin, PCP, cocaine and amphetamines. The use of marijuana for medical purposes or any other purpose, even if permitted by State law, does not render marijuana a legal Drug, nor will such use be considered a legitimate medical explanation for a positive Drug test result for marijuana.

Any employee convicted of a Drug violation for an action occurring in a City workplace shall notify his/her supervisor within five (5) days after such conviction. The City will take appropriate personnel action (in accordance with its Personnel Rules and Regulations) against employees so convicted within thirty (30) days after receiving notification.

Compliance with this directive is a condition of employment. Disciplinary action up to and including discharge for cause will be used as necessary in implementing this directive.

All City Department Managers and supervisors shall be responsible for ensuring that their employees are made aware of this directive.

---

I have received, read, and understand the City of Homer Drug-Free Workplace policy.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature



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

3 City Clerk/Parks, Art,  
4 Recreation and Culture  
5 Advisory Commission

6 **RESOLUTION 16-094**

7  
8 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,  
9 APPROVING THE CITY OF HOMER PARKS, ART, RECREATION AND  
10 CULTURE ADVISORY COMMISSION BYLAWS TO PRESCRIBE ITS  
11 DUTIES AND RESPONSIBILITIES, AND PROVIDE FOR THE  
12 TRANSITION FROM THE FORMER PUBLIC ARTS COMMITTEE AND  
13 PARKS AND RECREATION ADVISORY COMMISSION.  
14

15 WHEREAS, The Public Arts Committee and the Parks and Recreation Advisory  
16 Commission having similar responsibilities to advise the City Manager and City Council  
17 regarding cultural, educational, entertainment and recreational activities and facilities to  
18 enhance the health and wellness of the community were combined; and  
19

20 WHEREAS, The Administrative Guidelines of the former Public Arts Committee and the  
21 Bylaws of the former Parks and Recreation Advisory Commission were edited and combined  
22 to form the new combined commission's bylaws; and  
23

24 WHEREAS, The Parks, Art, Recreation and Culture Advisory Commission (PARCAC)  
25 introduced, discussed and approved the draft bylaws at the regular meetings of June 16 and  
26 August 18, 2016.  
27

28 NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, approves  
29 the Parks, Art, Recreation and Culture Advisory Commission Bylaws to prescribe its duties  
30 and responsibilities and provide for the transition from the former Public Arts Committee and  
31 the Parks and Recreation Advisory Commission.  
32

33 PASSED AND ADOPTED by the Homer City Council this 12<sup>th</sup> day of September, 2016.  
34

35 CITY OF HOMER  
36  
37

38 \_\_\_\_\_  
39 MARY E. WYTHE, MAYOR

40 ATTEST:

41  
42  
43 \_\_\_\_\_  
44 JO JOHNSON, MMC, CITY CLERK

45 Fiscal Note: N/A

**Added** Deleted language stricken through.]



# City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

Office of the City Clerk

491 East Pioneer Avenue  
Homer, Alaska 99603

[clerk@cityofhomer-ak.gov](mailto:clerk@cityofhomer-ak.gov)

(p) 907-235-3130

(f) 907-235-3143

## Memorandum 16-141

TO: MAYOR WYTHE AND CITY COUNCIL  
FROM: PARKS, ART, RECREATION AND CULTURE ADVISORY COMMISSION  
THRU: RENEE KRAUSE, CMC, DEPUTY CITY CLERK  
DATE: AUGUST 31, 2016  
SUBJECT: COMBINED COMMISSION BYLAWS

---

At the regular meetings on June 16 and August 18, 2016 the Commission reviewed and moved for final approval of their new bylaws representing the combined commission and to forward to City Council for acceptance and approval.

Following is the excerpts of those two meetings:

*June 16, 2016 Regular Meeting Minutes*

*NEW BUSINESS*

*B. Parks, Art, Recreation and Culture Advisory Commission Draft Bylaws*

*Chair Steffy read the title into the record noting that all the previous Parks and Recreation Bylaws and incorporating the Public Arts Committee Administrative Guidelines. Staff noted that there were no funds remaining in the Public Arts Reserve Account. Deputy City Clerk Krause informed the commissioners on the brief history of the Administrative Guidelines, the Municipal Art Collection Catalogue which will have a place on the city website.*

*Commissioners discussed and expressed the following questions and concerns:*

- Participating 100% in the cultural aspects of the commissions meetings*
- Making sure that the vacancies are filled with someone from the Art related community*
- Funding for Public Art through the 1% for Art Program on the Public Safety Building*
- There is a local preference that is state wide not specifically Homer, but art selected is more of project specific*
- Committee Structures for Art Selection is outlined in the Bylaws*
- Commissioners will be able to serve on committees and Deputy City Clerk will also staff those selection committees and the Selection Committee will make the decisions and or selections*
- Locations within a project are recommended however there is freedom granted to the artists to select other areas "outside the box"; any Request for Proposal encourages incorporating artistic expression within the architectural aspects of the project such as doors, counters, flooring, etc.*

*ASHMUN/LOWNEY – MOVED TO ADOPT AND FORWARD FOR SECOND AND FINAL READING AT AUGUST 18, 2016 REGULAR MEETING.*

*There was no discussion.*

*VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.*

*Motion carried.*

*August 18, 2016 Regular Meeting Minutes  
PENDING BUSINESS  
C. Final Draft Commission Bylaws Review and Approval*

*Chair Steffy read the title into the record.*

*ASHMUN/ARCHIBALD - MOVED TO APPROVE THE DRAFT BYLAWS.*

*There was a brief discussion.*

*VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.*

*Motion carried.*

Recommendation  
Approve the Draft Bylaws of the Parks, Art, Recreation and Culture Advisory Commission

**HOMER PARKS, ART, RECREATION AND CULTURE ADVISORY COMMISSION (PARCAC)  
BYLAWS**

The Commission is established to act in an advisory capacity to the City Manager and the City Council on the problems and development of parks and recreation facilities; public beaches and trails; support of the arts; acquisition, maintenance and disposition of works of art; land use and future development related to parks and recreation facilities and administration of the public arts fund established by HCC 18.07.090 and those duties and powers as set forth in Chapter 2.60 of the Homer City Code

The Commission's jurisdiction is limited to the area within the city boundaries except for those extra territorial interests, such as trails and city properties, subject to city jurisdiction.

The Commission consists of nine members; up to three members may be residents from outside the city limits, preference shall be given to City resident applicants.

Members will be appointed by the Mayor for three-year terms (except to complete terms) subject to confirmation by the City Council.

One Homer area High School student selected by his or her student body can serve as a consulting member of the Commission in addition to the nine appointed members, and may attend and participate in all meetings as a consultant, but shall have no vote.

There will be regular monthly meetings February through June and August through November of the Commission and permanent records or minutes shall be kept of the proceedings. The minutes will record the vote of each member upon every question. Every decision shall be filed in the office of the City Clerk and shall be public record open to inspection.

**HISTORY**

The By-laws were passed by the Commission on August 18, 2016 and approved by the City Council on September 12, 2016, and shall be in effect and govern the procedures of the Commission.

The duties and responsibilities of the Commission are:

A. Act in advisory capacity to the City Manager and the City Council on matters involving:

1. City parks
2. Recreation facilities
3. Public beaches and trails
4. Support of the arts
5. Acquisition, maintenance and disposition of works of art
6. Land use and future development related to parks and recreation facilities
7. The administration of the public arts fund established by HCC 18.07.090

B. Consider any specific proposal, problem or project as directed by the City Council.

C. Perform the functions prescribed in HCC Chapter 18.07 related to funding works of art in public spaces.

D. Further development and awareness of the arts in the City.

E. Solicit donations of money and property in support of its duties under this section. Donations of money to be deposited into separate fund designated for parks, art, recreation or cultural purposes. Donations of property shall be accepted by deed or other conveyance subject to the approval of the City Council and shall be held or disposed of for parks, art, recreation or cultural purposes as the Council may direct.

The Commission may make recommendations to the Council for the disposition of money or property so received.

**BY-LAWS**

A. To abide by existing Alaska State Law, Borough Code of Ordinance, where applicable, and Homer Municipal Code;

B. To abide by Robert's Rules of Order, current edition, in so far as this treatise is consistent with Homer City Code.

C. **REGULAR MEETINGS:**

1. February through June and August through November on the third Thursday of the month at 5:30 p.m.
2. Items will be added to the agenda upon request of staff, through the Chair or upon approval by the Chair and in the absence of the Chair, the Vice Chair. Agenda deadline is the Wednesday of the week preceding the meeting date at 5:00 p.m.

3. Removing items from the published agenda will be by consensus of the Commission. No items may be added once the agenda has been published and distributed.
4. Commissioners will give staff or Chair a minimum of two weeks notice or as soon as possible regarding their potential absence from a meeting.
5. A Quorum is required to conduct a meeting of the commission.
6. Meetings will be conducted in the Cowles Council Chambers or alternative location as designated or required.

**D. COMMITTEES**

1. Committees will be formed upon approval of City Council.
2. The Chair shall appoint committees for such specific purposes as the business of the Commission may require. Committee membership shall include at least two Commissioners. Other Committee members may be appointed from the public.
3. One Committee member shall be appointed Chair and be responsible for creating an agenda and working with the Deputy City Clerk in regards to establishing meeting dates so they may be advertised in accordance with Alaska State Law and Homer City Code.
4. One Committee member shall be appointed responsible for furnishing summary notes of all Committee meetings to the Deputy City Clerk.
5. Committees shall meet in accordance with Commission bylaws and Robert's Rules.
6. All committees shall make a progress report at each Commission meeting.
7. No committee shall have other than advisory powers.
8. Per Roberts Rules, upon giving a final report, the Committee is disbanded.

**E. COMMISSION MEETING PUBLIC COMMENT/TESTIMONY AND AUDIENCE COMMENT TIME LIMITS**

1. The meeting Chair shall note for the audience's benefit that there is a three minute time limit each time there is a place in the agenda for public comment/testimony or audience comments.
2. Any individual wishing to address the Commission shall adhere to a three minute time. It is the responsibility of the Chair to announce under Public Comments, Public testimony on public hearing items and Audience Comments that there is a 3 minute time.
3. Time limits may be adjusted by the 2 minutes up or down with the concurrence of the body in special circumstances only such as agenda content and public attendance.

**F. SPECIAL MEETINGS:**

1. Called by Chair or majority of the Commission conducted only upon approval of Council.

**G. DUTIES AND POWERS OF THE OFFICERS:**

1. A Chair and Vice-Chair shall be selected annually (November meeting) by the appointive members.
2. The Chair shall preside at all meetings of the Commission, call special meetings in accordance with the by-laws, sign documents of the Commission, see that all actions and notices are properly taken, and summarize the findings of the Commission for the official record.
3. The Vice-Chair shall perform all duties and be subject to all responsibilities of the Chair in his/her absence, disability or disqualification of office.
4. The Vice-Chair will succeed the Chair if he/she vacates the office before the term is completed, to complete the unexpired term. A new Vice-Chair shall be elected at the next regular meeting.

**H. MOTIONS TO RECONSIDER:**

1. Notice of reconsideration shall be given to the Deputy City Clerk and copied to the Chair or Vice-Chair, if the Chair is unavailable, within forty-eight hours from the time the original action was taken.
2. A member of Commission who voted on the prevailing side on any issue may move to reconsider the Commission's action at the same meeting or at the next regular meeting of the body provided the above 48-hour notice has been given.
3. Consideration is only for the original motion to which it applies.

**I. CONFLICT OF INTEREST:**

1. A member or the Commission shall disqualify himself/herself from participating in any official action in which he/she has a substantial financial interest.

2. Should the Commission member not move to disqualify himself/herself after it has been established that he/she has a substantial financial interest, the Commission may move to disqualify that member by a majority vote of the body.

**J. QUORUM; VOTING:**

1. Five Commission members shall constitute a quorum.
2. Five affirmative votes are required for the passage of a resolution or motion.
3. Voting will be by verbal vote, the order to be rotated. The final vote on each resolution or motion is a recorded roll call vote.
4. The City Manager, Mayor and High School student shall serve as consulting members of the Commission but shall have no vote.

**K. CONSENSUS:**

1. The Commission may, from time to time, express its opinion or preference concerning a subject brought before it for consideration. Said statement, representing the will of the body and meeting of the minds of the members, may be given by the presiding officer as the consensus of the body as to that subject without taking a motion and roll call vote.

**L. ABSTENTIONS:**

1. All Commission members present shall vote unless the Commission, for special reasons, permits a member to abstain.
2. A motion to excuse a member from voting shall be made prior to the call for the question to be voted upon.
3. A member of the Commission requesting to be excused from voting may make a brief, oral statement of the reasons for the request and the question of granting permission to abstain shall be taken without further debate.
4. A member may not be permitted to abstain except upon the unanimous consensus of members present.
5. A member may not explain a vote, may not discuss the question while the roll call vote is being taken and may not change his/her vote thereafter.

**M. VACANCIES:**

1. A Commission appointment is vacated under the following conditions and upon the declaration of vacancy by the Commission.
2. The Commission shall declare a vacancy when the person appointed:
  - A. fails to qualify to take office within 30 days after his/her appointment;
  - B. resigns and the resignation is accepted;
  - C. is physically or mentally unable to perform the duties of his/her office;
  - D. misses three consecutive regular meetings without notice unless excused; or
  - E. is convicted of a felony or of an offense involving a violation of his/her oath of office.

**N. GENERAL ORDER OF BUSINESS:**

NAME OF BODY	DATE OF MEETING
PHYSICAL LOCATION OF MEETING	DAY OF WEEK AND TIME OF MEETING
HOMER, ALASKA	MEETING ROOM

NOTICE OF MEETING  
REGULAR MEETING AGENDA

1. CALL TO ORDER
2. APPROVAL OF AGENDA
3. PUBLIC COMMENTS REGARDING ITEMS ON THE AGENDA. (3 MINUTE TIME LIMIT)
4. RECONSIDERATION
5. APPROVAL OF MINUTES or CONSENT AGENDA.
6. VISITORS (Chair set time limit not to exceed 20 minutes) (Public may not comment on the visitor or the visitor's topic until audience comments.) No action may be taken at this time.
7. STAFF & COUNCIL REPORT/COMMITTEE REPORTS/BOROUGH REPORTS (Chair set time limit not to exceed 5 minutes.)
8. PUBLIC HEARING (3 MINUTE TIME LIMIT)

9. PENDING BUSINESS
10. NEW BUSINESS
11. INFORMATIONAL MATERIALS (NO ACTION MAY BE TAKEN ON THESE MATTERS, THEY MAY BE DISCUSSED ONLY).
12. COMMENTS OF THE AUDIENCE (3 MINUTE TIME LIMIT)
13. COMMENTS OF THE CITY STAFF (not required) (Staff report may be at this time in the agenda.)
14. COMMENTS OF THE COUNCILMEMBER (If one is assigned)
15. COMMENTS OF THE CHAIR (May be combined with COMMENTS OF THE COMMISSION/BOARD since the Chair is a member of the Commission/Board.)
16. COMMENTS OF THE COMMISSION
17. ADJOURNMENT/NEXT REGULAR MEETING IS SCHEDULED FOR \_\_\_\_\_ note any worksessions, special meetings, committee meetings etc. All meetings scheduled to be held in the Homer City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska. (Sometimes the meeting is scheduled for the Conference Room)

O. **PROCEDURE FOR CONSIDERATION OF AGENDA ITEMS:**

The following procedure will normally be observed pursuant to Robert's Rules:

1. A motion is made to discuss the item OR to approve the staff recommendation. The item may then be discussed, amended or voted on.
2. If there are questions of staff or an appropriate audience member, a Commissioner may request permission from the Chair to ask the question. The Chair, upon with consensus approval, may grant the request.

P. **BYLAWS AMENDED:**

The bylaws may be amended at any meeting of the Commission by a majority plus one vote of the members present, provided that notice of proposed amendment is given to each member in writing. The proposed amendment shall be introduced at one meeting and action shall be taken at the next commission meeting.

Q. **TELECONFERENCE:**

The preferred procedure for Commission meeting is that all members be physically present at the designated time and location within the City for the meeting. However, physical presence may be waived by the Chair or Commission and a member may participate in a meeting by Teleconference when it is not essential to the effective participation or the conduct of business at the meeting. A quorum must be present.

A Commission member participating by teleconference shall be deemed to be present at the meeting for all purposes. In the event the Chair participates telephonically, the Vice-Chair shall run the meeting.

1. Teleconference procedures.
  - A. A Commission member who cannot be physically present for a regularly scheduled meeting shall notify the Deputy City Clerk at least five days prior to the scheduled time for the meeting of his/her intent to appear by telephonic means of communication.
  - B. The Deputy City Clerk shall notify the Commission members three days prior to the scheduled time for the Commission meeting of Commission members intending to appear by teleconference.
  - C. The means used to facilitate a teleconference meeting of the Commission must enable each Commission member appearing telephonically to clearly hear all other Commission members and members of the public attending the meeting as well as be clearly heard by all other Commission members and members of the public.
  - D. The Deputy City Clerk shall note in the attendance record all Commission members appearing telephonically.

## 1% FOR THE ARTS PROGRAM

The State has recognized through the enactment of AS 35.27.010, and the City of Homer hereby recognizes by the enactment of Ordinance 02-25(A), Chapter 18.07, the responsibility of government to foster the development of culture and the arts through the purchase or commissioning of works of art for municipal buildings and facilities. It is therefore declared to be municipal policy that a portion of appropriations for capital expenditures for municipal buildings and facilities be devoted to the acquisition of works of art to be permanently placed or incorporated in such buildings or facilities.

### Definitions

The following words, terms and phrases, when used, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

"Art" and "work of art" mean all forms of original creations of visual art, including but not limited to the following:

1. Sculptures: in the round, bas relief, high relief, mobile, fountain, kinetic or electronic, in any material or combination of materials.
2. Painting: all media, including portable and permanently affixed works, such as murals.
3. Graphic arts: printmaking and drawing.
4. Mosaics.
5. Photography.
6. Crafts: in clay, fiber and textiles, wood, metal, plastics and other materials.
7. Calligraphy.
8. Mixed media: any combination of forms or media, including collage

"Construction, remodeling or renovation of municipal buildings and facilities" means any capital improvement projects paid for wholly or in part by the municipality to build, rebuild or improve any decorative or commemorative structure, park or parking facility or any building.

"Total cost of construction, remodeling or renovation" means the total allotted funding for the subject project at the time of award of contract, exclusive of the costs of land acquisition, site investigation, and environmental clean-up or remediation. (Ord. 02-25(A), 2002.)

The Parks, Art, Recreation and Culture Advisory Commission shall be responsible for the following:

- A. Determine the dollars allocated for art within the budget of each eligible project;
- B. Name a Selection Committee for each project;
- C. Develop and monitor policies related to the selection and installation processes;
- D. Develop plans that insure the preservation of the art collection;

### Procedures for the 1% for the Arts Program

#### Eligible Projects

1. Upon approval of the City budget, the City Manager will provide a copy of the capital improvement budget to the Commission notating all projects he/she believes to be eligible for the 1% for Art Program.
2. Eligible projects include remodeling, renovation, new construction to municipal buildings or facilities when the cost of the project exceeds \$250,000.
3. Staff will update the Commission at least quarterly regarding any new capital improvement projects City Council has approved and will indicate whether the City Manager believes the 1% for Art Program is applicable.

#### Project Budget

1. 1% of the project cost will be allocated for the purchase of art, with a minimum project value of \$250,000 and a maximum of \$7,000,000. Therefore, the minimum budget is \$2,500 and the maximum is \$70,000. The budget may be increased by the addition of private funds or donations from non-city public funds.
2. Project cost is defined as the cost of the original contract awarded, excluding land acquisition, site investigation, environmental cleanup or remediation. Subsequent change orders and amendments to the contract do not increase or decrease the amount of funding available for artwork.

3. The art budget will include all costs associated with design, construction, installation, and acquisition of works of art.

#### Selection Committee

1. The Commission will submit to the Council for its approval members of a new Selection Committee for each eligible project. Appointments will be made as early as possible in the construction process to encourage integration of art into the architecture of the building and design of the outdoor spaces.
2. A Selection Committee will be composed of at least five (5) members, including
  - a. One member(s) from the Commission,
  - b. One Artist
  - c. One member from the architectural/design team
  - d. One member from the user department
  - e. Director of building in question or his/her designated representative.

The scope of the project may require the appointment of additional members.

3. The Deputy City Clerk for the Commission will also assist the Selection Committee. This will facilitate clear communication and cooperation between the two advisory bodies.
4. Diversity. The Commission will specifically include members of the community who share a commitment to the goals of the 1% for Art Program yet represent the diverse citizenry in our community.
5. Responsibilities of the Selection Committee
  - a. Selection Committee members will suggest the most suitable locations for artwork within the building or on the site, often in discussion with the architect or chief designer. It is also appropriate to allow artists to submit proposals for locations not identified by the committee.
  - b. The committee will organize interaction between the design team and artists to ensure that artists are sufficiently briefed about the project opportunities and restrictions. The goal is to generate top quality, responsive proposals.
  - c. Carefully review each eligible submission. This will frequently be a multi-step process, with time between meetings for personal reflection.
  - d. If necessary, a specific member of the committee or the Deputy City Clerk may be directed to discuss modifications to a specific proposal with the artist. All such discussions shall be confidential, and members must exercise care so a specific artist does not construe such discussion as acceptance of work.
  - e. Prepare list of Recommended Artwork for the named project and a short list of runners-up, if possible. (Occasionally 1st choice work will not be available and this process may preclude the need to reconvene the jury.)
  - f. Selection Committee Chair will be present when the Resolution is before Council for final approval and award. Responses to Council questions may include a brief summary of the selection process, including number of submittals, names of the selection committee members and other information that encourages final acceptance by City Council members.
  - g. Deputy City Clerk will notify all selected artists of their award and thank all participants.
  - h. All participants, including Committee members and all artists who submitted proposals will be offered a formal opportunity to comment on the process. The Commission will receive these comments.

NOTE: The entire selection process must be handled confidentially. No decisions are final until approved by City Council and final contracts are negotiated with the artists. (Reso. 10-80, 2011.)

#### **ADDITIONAL OVERSIGHT UNDER THE 1% PROGRAM**

##### 1. Requests for Proposals (RFP)

The Selection Committee with the assistance of the Deputy City Clerk will prepare an RFP for each eligible project. (See sample in Exhibit A). The Clerk's Office will circulate the RFP as required by City code under the City's Procurement Policy. Packets of additional information that describes the project will be available in City Clerk's Office and on the City's website. It will include the brochure, "Special Considerations for Art in Public Places" (See Exhibit B)

## 2. Establishing Selection Criterion

- a. Each member of the Selection Committee will be provided with a complete RFP, including the "Special Considerations" brochure. Members will be asked to remember these considerations in their art selections.
- b. The Selection Committee will be provided with an Evaluation Checklist (see Exhibit C).
- c. The Selection Committee may specify that certain projects will show a preference for art by local or Alaskan artists.

## 3. Legal Considerations.

The Selection Committee and the Parks, Art, Recreation and Culture Advisory Commission are liaisons between artists and the City, the principals in this program. These guidelines will clarify the understanding between them:

- a. Ownership of the Art: All art purchased under the 1% for Art Ordinance will be owned by the City of Homer.
- b. Artist's Rights: Public artwork and art concepts will not be altered, modified, removed or moved from a site which is integral to the concept for the work without prior notice to the artist. If the City's best and reasonable efforts to contact the artist have failed, the City may proceed without such notice.
- c. Artist's Promise to the City of Homer: The art is unique and original and does not infringe upon any copyright. Neither the art nor a duplicate has been accepted for sale elsewhere. The art is free and clear of any liens. The fabricated and installed art will be free of defects in material and craftsmanship. Maintenance requirements have been accurately described;

## 4. Contract with an Artist:

The City of Homer will enter into a contract with each artist whose work is selected for inclusion in a City project. It will address description of the project, payment schedule, payment of special engineering or installation costs, due date. (See sample in Exhibit D). (Reso. 10-80, 2011.)

## **ACCESSION POLICY**

To establish an orderly and consistent process for reviewing artwork for acceptance into the Municipal Art Collection ensuring that the collection is comprised of artwork of the highest quality.

### Definition

Accession is to accept artwork in to the Municipal Art Collection

### Policy

1. Accession procedures insure that the interests of all concerned parties are represented including the Parks, Art, Recreation and Culture Advisory Commission, the Public, the Artist, the Arts Community and the City of Homer.
2. Artwork shall be distinctive artistic merit and aesthetic quality and will enhance the diversity of the Municipal Art Collection.
3. Artwork shall be appropriate in and for its site, scale, material, form, and content for both its immediate and general social and physical environment.
4. Artwork shall be reasonably durable against theft, vandalism, weather, and excessive maintenance costs.
5. Accession implies the responsibility to preserve, protect, and display the artwork for public benefit.
6. Accession implies a work's permanency within the Municipal Art Collection, providing that the work retains its physical integrity, identity and authenticity.
7. Artwork will be acquired without restrictions as to its future use and disposition except as provided in contracts with artists.
8. Artwork will be accessioned into the City of Homer's Municipal Art Collection only upon completion of all facets of the Commissioning or purchasing contract and final approval of City Council.

9. Each accessioned work into the Municipal Art Collection will be documented to the fullest extent possible, including artist's last known address and when available photograph.

10. The artist's signed contract or release transferring title for the artwork and clearly defining the rights and responsibilities of all parties will accompany every accessioned work and shall be in the documented records of the work.

11. In the case of interagency or inter-local agreements a copy of the agreement and signatures of all parties will be kept in the office of the City Clerk.

12. Accession results from projects and purchases generated as part of the Municipal Art program except in case of donations which will be reviewed in accordance with the City of Homer Public Arts Committee policy on gifts and if accepted will be accessioned pursuant to this accession policy. (Reso. 10-80, 2011.)

## **GIFT POLICY**

### **Purpose**

To identify a procedure and criteria for the Parks, Art, Recreation and Culture Advisory Commission to review proposed gifts of artwork.

### **Definition**

Gifts are personal or real property that is donated or bequeathed with or without restrictions to the City of Homer for actual artwork, property for placement or funds for the acquisition of artwork.

### **Policy**

1. The Parks, Art, Recreation and Culture Advisory Commission will review all proposed gifts as defined above and will evaluate the suitability of proposed gifts and make recommendations to the Homer City Council in accordance with Homer City Code which allows acceptance of donations.
2. Each Proposed gift will be reviewed for the following:
  - a. Aesthetic Quality – the proposed gift has significant aesthetic merit.
  - b. Appropriateness of Chosen Site or Location – scale of artwork is appropriate for the site including relationship between the artwork and the site and obstacles of the site.
  - c. Restrictions from the Donor – any restrictions must be clearly identified and may be a factor in determining whether to accept a gift.
  - d. Originality of Artwork – artworks must be one of a kind or part of an original series reproductions of originals are not considered eligible for acceptance.
  - e. Relationship to the Collection as a Whole – the Public Arts Committee is committed to creating a diverse collection of art. The proposed gift must be compatible with the Municipal Art Collection without being over represented.
  - f. Technical Feasibility – the realistic ability for the proposed project to be built and installed as proposed in the selected location.
  - g. Technical Specifications – the Public Arts Committee must review the actual work if available or a scale drawing and or model consisting of site plans and elevations describing the following:
    1. Surrounding site conditions if applicable
    2. Dimensions
    3. Materials and finishes
    4. Colors
    5. Electrical, Plumbing, or other utility requirements
    6. Construction and installation method
    7. Additional support material such as text verbally describing the artwork and specifications, models, or presentation drawings by a licensed engineer may be required.
  - h. Budget – cost to manage the project, prepare the site, deliver and or install the work, funds for signage/recognition, and any other cost should be disclosed by the donor in a budget. The Commission will determine if the costs are accurate and realistic and that the donor has clearly delineated responsibility for all costs associated with the project.
  - i. Timeline – expected timeline for donation or installation should be proposed by the donor. The Commission will determine if the timeline is realistic.
  - j. Durability – expected lifetime and staying power of the material used to create the artwork especially if set in the out of doors or in a non-archival exhibition setting and exposed to the elements.

k. Warranty – the donor agrees to be responsible for a warranty period of one (1) year from the date of final installation of the artwork to insure the integrity of the material, fabrication and installation when installed in or on a city owned facility or property.

l. Vandalism and Safety – the artwork will not be prone to vandalism or pose a safety hazard.

m. Maintenance and Preservation – donor's agreement to provide a technical and maintenance record including a plan for routine care with estimated costs. The donor must indicate if there are any unusual or ongoing costs to maintain artwork.

3. Donors proposing gifts will be informed of the importance of the above criteria in the Public Arts Committee consideration.

4. The Parks, Art, Recreation and Culture Advisory Commission will have final authority through the City Manager to review and recommend to Homer City Council to accept or reject the donated artwork.

5. All gifts that are recommended for acceptance will only be accessed into the Municipal Art Collection pursuant to the Accession Policy. (Reso. 10-80, 2011.)

## **PROCEDURE TO PROPOSE A DONATION OF ARTWORK TO THE CITY OF HOMER**

The Parks, Art, Recreation and Culture Advisory Commission is charged with the responsibility of evaluating the suitability of a proposed artwork and making recommendation to the City Council as to whether or not to accept it as a gift. If accepted, the donated work becomes the responsibility of the City of Homer, which will inventory, insure, maintain and repair it as required by Homer City Code and Alaska State Law.

### **Definition**

*"Gifts"* are personal or real property that is donated, devised or bequeathed with or without restrictions to the City of Homer. Gifts can be actual artwork, property for placement of artwork or funds for the acquisition of artwork.

*"Gift Policy"* is the policy that identifies the procedure and criteria for reviewing proposed gifts of artwork to the City of Homer.

*"Accession Policy"* is the policy that defines an orderly and consistent process for reviewing artwork for acceptance into the Municipal Art Collection insuring that the collection is comprised of artwork of the highest quality. (Reso. 10-80, 2011.)

### **Process**

The Parks, Art, Recreation and Culture Advisory Commission will review all proposed gifts according to the Gift Policy. They will evaluate the suitability of the proposed gifts and make recommendations to the Homer City Council through the City Manager.

In order to provide the Commission with the information necessary to evaluate the proposed artwork in accordance with the Gift Policy and Accession Policy the potential donor or donor's representative must complete the Gift Proposal Application and submit to the City of Homer, City Clerk's Office. (Reso. 10-80, 2011.)

### **Presentation to the Parks, Art, Recreation and Culture Advisory Commission**

If applicable the donor will be scheduled to present his or her proposal to the Commission at the next regular meeting. The donor is expected to present the actual artwork or model or scale drawings of the proposed piece. If it is not possible depending on the artwork a photograph may be accepted upon approval of a majority vote of the Commission.

The Parks, Art, Recreation and Culture Advisory Commission will review the proposal, consider the presentation and make a recommendation at the meeting. If the proposal materials do not give the Commission enough information to make an educated recommendation they may request to postpone recommendation until further information is provided by the donor.

## **PRESERVATION OF THE MUNICIPAL ART COLLECTION**

### **1. Registry**

The City's art collection will be catalogued and a registry maintained. Each entry will include

- a. Name and contact information for the artist
- b. Title of the work, date created, dimensions
- c. Photographs of the work
- d. The artist's cleaning and maintenance recommendation;
- e. An artist's statement regarding the work, if possible.
- f. An identification number \_\_\_\_\_ (year installed), \_\_\_\_\_ consecutive number (for example: 2006-#21). This number will also be affixed to the piece of art or to its label.
- g. Exact location of the artwork.
- h. Techniques and materials used in creating the artwork.

The registry will be bound and stored in the City Clerk's Office. The City will also provide an official label for each piece of art that will be consistent in style and material. Information contained will reflect the following:

- Color Photo of artwork
- Artist Name(s)
- Title of Artwork
- Year Completed/Date
- Medium Used
- Size/Dimensions
- Location
- Physical Description of the piece
- Short Summary about the Artist
- Summary Comment on the artwork

### **Inspection and Maintenance of Artwork**

All building and grounds supervisors will be instructed to inform the Deputy City Clerk if vandalism is observed or the artwork requires maintenance.

All cleaning and maintenance will follow the instructions provided by the artist.

If the artwork requires extensive repairs, the City will make a good-faith effort to obtain advice from the artist. If no information is forthcoming, the City may proceed with its best practice.

## **DE-ACCESSIONING PURCHASED AND DONATED ITEMS**

The City has the responsibility for conserving the collection, and because the disposal of artworks may have serious implications for the artists, removing the items from the collection should be a deliberate and seldom-used procedure. It is the policy of the City not to dispose of works simply because they are not currently in fashion and not to dispose of works whose worth might not yet be recognized.

Purchased or donated items which have been accepted into the Municipal Art Collection will be de-accessioned only at the direction of the City Council, which shall consider the recommendations and comments of the Parks, Art, Recreation and Culture Advisory Commission, Staff and any public comment received.

The City will comply with all laws pertaining to de-accessioning of art items. If documents provide for de-accessioning, such documents will determine the method and manner of the de-accessioning.

Examples of situations where de-accessioning would be considered include:

- a. The item(s) has deteriorated beyond a reasonable means of conservation or in deteriorating, has lost its usefulness.
- b. The authenticity, attribution, or genuineness of the item(s) is determined to be false or fraudulent.
- c. The item(s) is redundant or is a duplicate that has no value as part of a series.
- d. The item(s) is located in an area where jurisdiction will be transferred to another entity or is made inaccessible to the public.

The Parks, Art, Recreation and Culture Advisory Commission may recommend any of the following courses of action as a result of a deaccessioning review. The Commission shall not be limited to these courses of action and may suggest new methods as may be demanded by a particular set of circumstances:

- a. Relocate the work of art. This course of action shall be given highest priority
- b. Remove the work from display and maintain in a safe storage
- c. Yearly City Surplus Sale
- d. Private sale
- e. Exchange for another work by the artist
- f. Gifting the piece to a non-profit organization
- g. Recycling

Destruction of the item(s) may be considered where the physical condition of the work is severely deteriorated or will be irreparably damaged by the de-accessioning process.

In appropriate instances, appraisals of the item(s) to be de-accessioned will be sought from outside sources.

Encouraging Additional Public and Private Art in Public Spaces, and Promoting Public Awareness and Appreciation for the Municipal Art Collection

Ordinance 02-25(A) encourages the addition of private money into the public art program. Any art purchased with such funds will be owned 100% by the City of Homer and the City will have responsibility for selection, installation, maintenance and repairs.

The Parks, Art, Recreation and Culture Advisory Commission will be a resource for business owners who wish to include art in their business location.

Parks, Art, Recreation and Culture Advisory Commission will endeavor to obtain buy-in from affected city departments and a wide variety of governmental and non-governmental organizations, as required, to ensure the successful implementation of the public art policy.

The Commission will work to establish partnerships with private funders to help the art policy proponents work with and advise patrons who are funding public-art projects privately. This will help guarantee that these projects meet a set of agreed-upon requirements and fulfill the goals and vision set forth in this policy.

The Parks, Art, Recreation and Culture Advisory Commission will identify alliance opportunities with institutions, organizations, and the public. Partner with them to publicize and discuss how public art can help further the mission of their specific organization.

Raise support among the press to help the fundraising efforts to educate and inform the public about the many different types of public art, and the wealth and ability of the local arts community.

Keep the information flowing about the progress of any public art initiatives started.

Public Arts Committee, with the assistance of users, will plan an installation ceremony upon completion of each project. Costs for this event will be from the annual PAC budget or underwritten by donors. Public Arts Committee will plan events and promotional tools that invite residents and visitors to enjoy the City of Homer art collection. These might include walking tour maps, guest lectures, on-line catalogue, etc. (Reso. 10-80, 2011.)

## **FUNDING FOR THE MUNICIPAL ART COLLECTION**

A public art fund is established in accordance with Homer City Code 18.07.090, Public Art Fund, as a separate, interest bearing account in the city general fund to receive money for the public art program from the following sources:

1. Funds for public art fees received from private development.

2. Funds donated to the city for public art.
3. Other funds appropriated by the City Council for public art.

Money in the public art fund shall be used solely to pay the costs of selecting, commissioning, acquiring, installing, maintaining, public education regarding, administrating, removing and insuring the works of public art, and any other expense related thereto.

Interest earned on money in the public art fund shall be deposited in the public art fund.

The public art fund is administered by the city with the advice of the Parks, Art, Recreation and Culture Advisory Commission.

The Parks, Art, Recreation and Culture Advisory Commission shall prepare a plan annually for expenditures from the public art fund for approval by the city council. (Ord.09-51(A), §1, 2009.)

Encourage the addition of private money into the public art program. Any art purchased with such funds will be owned 100% by the City of Homer and the City will have responsibility for selection, installation, maintenance and repairs. (Ord. 02-25(A), 2002.)

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

3 City Clerk/  
4 Public Works Director

5 **RESOLUTION 16-095**

6  
7 A RESOLUTION OF THE HOMER CITY COUNCIL AWARDING THE  
8 CONTRACT FOR THE CONSTRUCTION OF THE KACHEMAK DRIVE  
9 (PHASE III) WATER AND SEWER IMPROVEMENT PROJECT TO THE  
10 FIRM OF SOUTHCENTRAL CONSTRUCTION, INC. OF ANCHORAGE,  
11 ALASKA, IN THE AMOUNT OF \$912,488.00 AND AUTHORIZING THE  
12 CITY MANAGER TO EXECUTE THE APPROPRIATE DOCUMENTS.  
13

14 WHEREAS, In accordance with the Procurement Policy and the associated grant and  
15 loan requirements the Invitation to Bid was advertised in the Homer News on August 4 and  
16 11, 2016, the Peninsula Clarion on August 7, 2016, sent to two in-state and one Washington  
17 state plans rooms, and posted on the Clerk's home page; and  
18

19 WHEREAS, Bids were due on September 1, 2016 and four bids were received; and  
20

21 WHEREAS, Southcentral Construction, Inc. of Anchorage, Alaska, was found to be the  
22 lowest responsive bidder; and  
23

24 WHEREAS, The work is funded by an Alaska Department of Environmental  
25 Conservation (ADEC) grant and Homer Accelerated Water and Sewer Program (HAWSP)  
26 funds; financed through an Environmental Protection Agency (EPA) low interest loan; and  
27

28 WHEREAS, The low bid is within the project budget approved by the ADEC and the City  
29 Council.  
30

31 WHEREAS, This award is not final until written notification is received by the firm from  
32 the City of Homer.  
33

34 NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, hereby  
35 awards the contract for the Kachemak Drive (Phase III) Water and Sewer Improvement project  
36 to the firm of Southcentral Construction, Inc. of Anchorage, Alaska, in the amount of  
37 \$912,488.00 and authorizes the City Manager to execute the appropriate documents  
38 necessary to complete this project.  
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40 PASSED AND ADOPTED by the Homer City Council this 12<sup>th</sup> day of September, 2016.  
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CITY OF HOMER

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MARY E. WYTHE, MAYOR

ATTEST:

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JO JOHNSON, MMC, CITY CLERK

Fiscal Note: Water Portion - 215-0003 (\$518,515)  
Sewer Portion - 215-0002 (\$393,973)



## Memorandum 16-142

To: Katie Koester, City Manager  
From: Carey Meyer, PW Director  
Date: September 6, 2016  
Subject: **Award of Construction Contract  
Kachemak Drive (Phase III) Water and Sewer Improvements**

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On September 1, 2016 bids were received for the Kachemak Drive (Phase III) Water and Sewer Improvements project. This work was advertised in the Homer News – August 4 and 11, 2016; and in the Peninsula Clarion – August 7, 2016. Procurement procedures were in accordance with the City’s procurement regulations and the associated grant and loan conditions.

This project consists of the construction of 4500 LF of water main and 4500 LF of sewer main along the last portion of Kachemak Drive not served by public water and sewer.

Four responsive bids were received from qualified firms. The bid results were evaluated and the results are as follows.

Responsive Bidder’s Names	Amount
<b>Southcentral Construction, Inc.</b>	<b>\$ 912,488.00</b>
Clark Management	\$ 1,190,388.50
Herndon Construction LLC	\$ 1,078,570.85
Alaska Excavating	\$ 2,106,924.50
Engineer’s Estimate	\$ 1,485,300.00

The City’s 5% local bidder’s preference does not apply.

The low bid is within the project budget approved by the City Council. Public Works expects the work to commence this summer and be complete by November 15.

### **Recommendation:**

City Council pass a resolution awarding the construction contract for the Kachemak Drive (Phase III) Water and Sewer Improvements project in the amount of \$912,488 to Southcentral Construction, Inc. of Anchorage, Alaska, and authorizing the City Manager to execute all appropriate documents necessary to complete this project.

(Fiscal Note – the Kachemak Drive (Phase III) Water and Sewer Improvements Project - Water #215-0003; Sewer #215-0002)

**Kachemak Drive (Phase III) Water and Sewer Improvements  
Bid Results September 1st 2016**

Clark Manangement

South Central Inc.

Herdon Construction LLC

Alaska Excavating

ITEM NO.	SPEC NO.	BID ITEM DESCRIPTION	UNIT	QUANTITY	UNIT BID PRICE	TOTAL BID PRICE						
1	101	Mobilization and Demobilization	Lump Sum	1	\$14,000.00	\$14,000.00	\$35,500.00	\$35,500.00	\$37,459.92	\$37,459.92	\$44,000.00	\$44,000.00
2	102	Construction Surveying	Lump Sum	1	\$3,000.00	\$3,000.00	\$6,700.00	\$6,700.00	\$3,850.00	\$3,850.00	\$7,000.00	\$7,000.00
3	103	Traffic Maintenance	Lump Sum	1	\$15,000.00	\$15,000.00	\$7,000.00	\$7,000.00	\$49,500.00	\$49,500.00	\$18,000.00	\$18,000.00
4	202	Clearing and Grubbing	Lump Sum	1	\$7,500.00	\$7,500.00	\$5,560.00	\$5,560.00	\$49,742.00	\$49,742.00	\$22,000.00	\$22,000.00
5	204	Trench Excavation/Native Backfill	Linear Foot	4,373	\$8.00	\$34,984.00	\$20.00	\$87,460.00	\$3.78	\$16,529.94	\$22.00	\$96,206.00
6	204	Disposal of Unsuitable Material	Cubic Yard	275	\$10.00	\$2,750.00	\$12.00	\$3,300.00	\$5.50	\$1,512.50	\$20.00	\$5,500.00
7	205	Imported Fill (Type II)	Cubic Yard	300	\$25.00	\$7,500.00	\$20.00	\$6,000.00	\$31.90	\$9,570.00	\$25.00	\$7,500.00
8	205	Imported Fill (Type III)	Cubic Yard	300	\$27.50	\$8,250.00	\$20.00	\$6,000.00	\$31.90	\$9,570.00	\$33.00	\$9,900.00
9	211	Class B Bedding	Cubic Yard	155	\$12.00	\$1,860.00	\$22.00	\$3,410.00	\$28.93	\$4,484.15	\$37.50	\$5,812.50
10	220	Prepare & Implement SWPPP	Lump Sum	1	\$7,000.00	\$7,000.00	\$7,500.00	\$7,500.00	\$11,264.00	\$11,264.00	\$2,000.00	\$2,000.00
11	602	F&I Water Main (12-inch, HDPE, SDR 11)	Linear Foot	4,373	\$94.00	\$411,062.00	\$30.00	\$131,190.00	\$66.77	\$291,985.21	\$90.00	\$393,570.00
12	603	F&I 12-inch Gate Valve, Valve Box and Marker	Each	7	\$4,185.00	\$29,295.00	\$3,770.00	\$26,390.00	\$4,854.18	\$33,979.26	\$9,800.00	\$68,600.00
13	604	F&I Fire Hydrant Assembly (10' Bury)	Each	8	\$11,625.00	\$93,000.00	\$7,720.00	\$61,760.00	\$9,430.00	\$75,440.00	\$13,290.00	\$106,320.00
14	604	F&I Fire Hydrant Assembly - Pile Supported	Each	2	\$15,785.00	\$31,570.00	\$9,490.00	\$18,980.00	\$13,878.21	\$27,756.42	\$17,900.00	\$35,800.00
15	606	F&I 1" Water Service (Short Side)	Each	8	\$2,251.00	\$18,008.00	\$1,860.00	\$14,880.00	\$2,401.40	\$19,211.20	\$7,700.00	\$61,600.00
16	606	F&I 1" Water Service (Long Side)	Each	20	\$4,245.00	\$84,900.00	\$4,000.00	\$80,000.00	\$3,099.28	\$61,985.60	\$12,000.00	\$240,000.00
17	704	F&I 4" Thick Insulation Board	LF	145	\$21.00	\$3,045.00	\$13.00	\$1,885.00	\$6.93	\$1,004.85	\$4.00	\$580.00
18	708	Seeding (Type II)	1000 Sq Ft	200	\$140.00	\$28,000.00	\$75.00	\$15,000.00	\$154.00	\$30,800.00	\$330.00	\$66,000.00
<b>Grand Total Water</b>						<b>\$800,724.00</b>		<b>\$518,515.00</b>		<b>\$735,645.05</b>		<b>\$1,190,388.50</b>

**Sewer Main Improvements**

ITEM NO.	SPEC NO.	BID ITEM DESCRIPTION	UNIT	QUANTITY	UNIT BID PRICE	TOTAL BID PRICE	UNIT BID PRICE	TOTAL BID PRICE	UNIT BID PRICE	TOTAL BID PRICE	UNIT BID PRICE	TOTAL BID PRICE
1	101	Mobilization and Demobilization	Lump Sum	1	\$14,000.00	\$14,000.00	\$33,000.00	\$33,000.00	\$2,200.00	\$2,200.00	\$55,000.00	\$55,000.00
2	102	Construction Surveying	Lump Sum	1	\$3,000.00	\$3,000.00	\$6,700.00	\$6,700.00	\$4,620.00	\$4,620.00	\$7,000.00	\$7,000.00
3	103	Traffic Maintenance	Lump Sum	1	\$21,000.00	\$21,000.00	\$7,000.00	\$7,000.00	\$23,663.20	\$23,663.20	\$12,000.00	\$12,000.00
4	202	Clearing and Grubbing	Lump Sum	1	\$2,000.00	\$2,000.00	\$1,110.00	\$1,110.00	\$16,947.70	\$16,947.70	\$12,000.00	\$12,000.00
5	204	Trench Excavation/Native Backfill	Linear Foot	150	\$20.00	\$3,000.00	\$49.00	\$7,350.00	\$72.53	\$10,879.50	\$75.00	\$11,250.00
6	204	Disposal of Unsuitable Material	Cubic Yard	100	\$4.00	\$400.00	\$12.00	\$1,200.00	\$5.50	\$550.00	\$20.00	\$2,000.00
7	205	Imported Fill (Type II)	Cubic Yard	150	\$24.50	\$3,675.00	\$20.00	\$3,000.00	\$31.90	\$4,785.00	\$25.00	\$3,750.00
8	205	Imported Fill (Type III)	Cubic Yard	75	\$28.00	\$2,100.00	\$20.00	\$1,500.00	\$31.90	\$2,392.50	\$33.00	\$2,475.00
9	211	Class B Bedding	Cubic Yard	50	\$75.00	\$3,750.00	\$22.00	\$1,100.00	\$28.93	\$1,446.50	\$37.50	\$1,875.00
10	220	Prepare & Implement SWPPP	Lump Sum	1	\$7,000.00	\$7,000.00	\$7,500.00	\$7,500.00	\$2,200.00	\$2,200.00	\$2,500.00	\$2,500.00
11	230	Furnish & Install New ARV Station - Complete	Lump Sum	1	\$10,808.00	\$10,808.00	\$7,500.00	\$7,500.00	\$13,096.67	\$13,096.67	\$18,000.00	\$18,000.00
12	602	F&I Sewer Main (2-inch, HDPE, SDR 11)	Linear Foot	832	\$42.36	\$35,243.52	\$44.00	\$36,608.00	\$39.62	\$32,963.84	\$123.00	\$102,336.00
13	602	F&I Sewer Main (3-inch, HDPE, SDR 11)	Linear Foot	3400	\$45.15	\$153,510.00	\$52.00	\$176,800.00	\$39.62	\$134,708.00	\$78.00	\$265,200.00
14	603	F&I 2" Sewer Clean Out	Each	1	\$7,139.00	\$7,139.00	\$4,300.00	\$4,300.00	\$4,433.92	\$4,433.92	\$9,100.00	\$9,100.00
15	603	F&I 3" Sewer Clean Out	Each	3	\$7,378.00	\$22,134.00	\$4,530.00	\$13,590.00	\$4,704.02	\$14,112.06	\$11,000.00	\$33,000.00
16	604	F&I 2" Sewer Valve	Each	1	\$1,434.00	\$1,434.00	\$1,250.00	\$1,250.00	\$1,734.56	\$1,734.56	\$11,000.00	\$11,000.00
17	604	F&I 3" Sewer Valve	Each	3	\$1,593.00	\$4,779.00	\$1,400.00	\$4,200.00	\$1,888.33	\$5,664.99	\$14,200.00	\$42,600.00
18	604	Terminal Flushing Station	Each	1	\$3,981.00	\$3,981.00	\$4,440.00	\$4,440.00	\$2,856.15	\$2,856.15	\$12,500.00	\$12,500.00
19	606	F&I 1 1/4" Sewer Service (Long Side)	Each	8	\$3,795.00	\$30,360.00	\$4,300.00	\$34,400.00	\$3,364.95	\$26,919.60	\$18,000.00	\$144,000.00
20	606	F&I 1 1/4" Sewer Service (Short Side)	Each	20	\$2,685.00	\$53,700.00	\$2,000.00	\$40,000.00	\$1,722.08	\$34,441.60	\$8,200.00	\$164,000.00
21	708	Seeding (Type II)	1000 Sq Ft	15	\$140.00	\$2,100.00	\$95.00	\$1,425.00	\$154.00	\$2,310.00	\$330.00	\$4,950.00
<b>Grand Total Sewer</b>						<b>\$385,113.52</b>		<b>\$393,973.00</b>		<b>\$342,925.79</b>		<b>\$916,536.00</b>
<b>Total Project Cost</b>						<b>\$1,185,837.52</b>		<b>\$912,488.00</b>		<b>\$1,078,570.84</b>		<b>\$2,106,924.50</b>



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

3 City Manager

4 **RESOLUTION 16-096**

5  
6 A RESOLUTION OF THE HOMER CITY COUNCIL APPROVING A  
7 JOINT AGREEMENT BETWEEN THE CITY OF HOMER AND GLOBAL  
8 SUSTAINABLE FISHERIES OF ALASKA (GSFA) FOR THE PURPOSES  
9 OF GSFA OBTAINING A GRANT FROM THE U.S. DEPARTMENT OF  
10 COMMERCE AND ECONOMIC DEVELOPMENT ADMINISTRATION  
11 FOR PROJECT FUNDS FOR ESTABLISHING A HIGH QUALITY  
12 SEAFOOD PROCESSING COMPANY WITHIN THE CITY OF HOMER.

13  
14 WHEREAS, Global Sustainable Seafoods of Alaska (GSFA) has applied for an Economic  
15 Adjustment Program grant in the amount of \$1.6 million from the U.S. Department of  
16 Commerce and Economic Development Administration (EDA) to build a 10,780 square foot,  
17 single-story fish processing facility and, using flash-freezing technology, will export frozen  
18 fish to Japan and the Lower 48; and

19  
20 WHEREAS, If successful, this program could revolutionize seafood production and  
21 broaden Homer's economic opportunities; and

22  
23 WHEREAS, GSFA has submitted a lease application to the City for two lots on the  
24 corner of Fish Dock Road and Homer Spit Road: Lot 9-A and 10-A for the purpose of building  
25 this fish processing facility; and

26  
27 WHEREAS, Resolution 16-086 awarded to Global Sustainable Fisheries of Alaska a 20-  
28 year lease with two, five-year options for Lot 9-A and Lot 10-A, Homer Spit Replat 2006, with a  
29 base rent of \$36,133.00 per year and authorized the City Manager to move forward with lease  
30 negotiations and execute the appropriate documents; and

31  
32 WHEREAS, The City understands that as the land owner of Lots 9-A and 10-A, as well as  
33 the lessor to GSFA, the City is involved with the grant process as co-applicant; and

34  
35 WHEREAS, GSFA will be treated like any other lease with the City of Homer and the  
36 terms and conditions of the Joint Agreement limit the liability and responsibility of the City  
37 strictly to land owner.



## **JOINT AGREEMENT**

BETWEEN THE CITY OF HOMER, ALASKA &  
GLOBAL SUSTAINABLE FISHERIES OF ALASKA

### **1. PARTIES & PURPOSE OF AGREEMENT**

The JOINT AGREEMENT (“Agreement”) between the City of Homer, an Alaska municipal corporation (“City”), whose address is 491 East Pioneer Avenue, Homer, Alaska 99603, and Global Sustainable Fisheries of Alaska, a State of Alaska Non-Profit Corporation (“GSFA”), whose address is 2140 N. Willow Drive, Wasilla, Alaska 99654, is being entered into for the purpose of GSFA to own and operate a business on land that belongs to the City.

In order to operate that business, GSFA will enter into a lease agreement with the City that has similar terms and conditions to all other land leases held by the City on the Homer Spit. GSFA’s proposed use of the City-owned property is to operate a seafood, meat, and plant processing facility using “Cells Alive System” (CAS) technology for preservation; for a storage facility for products for shipment; and to provide training to their partners who operate satellite locations in rural Alaskan communities/villages. Per the lease agreement, GSFA shall not use or improve the property for any purpose other than as described in GSFA’s proposal without the City’s written consent.

### **2. PROJECT OWNERSHIP & RESPONSIBILITIES**

GSFA will own and operate the EDA project. As such, GSFA will be responsible for construction, operation, and maintenance of the facility, complying with all local, state and federal laws during the life span of the project. The property the EDA project is on is owned by the City and leased to GSFA for 20 years with two, 5-year options to renew. At that time, GSFA can petition the City of Homer to enter into a new lease agreement.

Per the lease agreement terms, one year before the expiration of the lease, the City and GSFA shall determine if the improvements to the property are structurally sound and in good condition or are ineligible for transfer to the City. If the improvements are eligible to remain, GSFA shall leave such improvements intact with all components, including without limitation doors, windows, and plumbing, electrical and mechanical fixtures and systems, in good condition and ready for use or occupancy. GSFA shall execute, acknowledge, and deliver to the City a proper instrument in writing, releasing and quitclaiming to the City all of GSFA’s interest in such improvements. If the improvements are ineligible, GSFA shall remove all improvements constructed by GSFA before the expiration of the lease.

### **3. PARTY RESPONSIBILITIES**

- i. GSFA will be responsible for filing all EDA project reports.

- ii. All EDA funds will be disturbed directly to GSFA.
- iii. GSFA will be responsible for bidding, award, and management of constructing a building, estimated at 10,000 to 12,000 square foot, on drilled piling foundation for a single-story fish processing facility.
- iv. GSFA is solely responsible for any local match required by EDA.
- v. The City of Homer holds title to the land required for implementation of the EDA grant.

**4. GENERAL PROVISIONS**

The City and GSFA both understand that they will be bound by the EDA grant application forms and award documents that they execute and the applicable statutes and regulations, and that both parties agree to individually submit the EDA required application materials.

Upon execution of this agreement, it shall be submitted to the EDA.

If any changes to this agreement are made, EDA will be notified as soon as possible.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first set forth above.

**CITY OF HOMER**

By: \_\_\_\_\_  
Katie Koester, City Manager

Date: \_\_\_\_\_

**GLOBAL SUSTAINABLE FISHERIES OF ALASKA**

By: \_\_\_\_\_  
Patrick Pletnikoff, Chair

Date: \_\_\_\_\_



# City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

Office of the City Clerk

491 East Pioneer Avenue  
Homer, Alaska 99603

[clerk@cityofhomer-ak.gov](mailto:clerk@cityofhomer-ak.gov)

(p) 907-235-3130

(f) 907-235-3143

## Memorandum 16-144

TO: MAYOR WYTHE AND HOMER CITY COUNCIL

FROM: MELISSA JACOBSEN, CMC, DEPUTY CITY CLERK

DATE: SEPTEMBER 7, 2016

SUBJECT: CONFIRMATION OF ELECTION JUDGES FOR THE CITY OF HOMER OCTOBER 4, 2016 REGULAR ELECTION

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Pursuant to Homer City Code Sections 4.20.010 and 4.35.010 the Election Judges are approved by City Council and the Canvass Board is confirmed by the City Council. Election Central Judges and Absentee Voting Officials are appointed by the City Clerk and require no approval or confirmation of the City Council.

### **Homer No. 1**

Jane Swain, Chair  
Maryann Lyda  
Chris Bowden  
Theresa Dubber

### **Homer No. 2**

Alice Krivitsky, Chair  
Pauline Benson  
Bernadette Gradney  
Bernadine Barnes

### **Canvass Board**

Maryann Lyda  
Theresa Dubber

**Recommendation:** Confirm the appointment of the Canvass Board and approve the appointment of the Election Judges for the October 4, 2016 City of Homer Regular Election.

Fiscal Note: Polling Place - \$10.50/hr. Chairs, \$10.00/hr. Judges, 12-18 hrs. \$12.50/hr. Canvass Board 2-4 hours or until done.

Account: 100.0102.5101-5107



# VISITORS



# Two Important Projects

*for the hospital, and the community*

## Homer Medical Center Expansion

Built 30 years ago, Homer Medical Center has outgrown its existing 5,000-square-foot space. Multiple staff share office space designed for one, there are challenges with storage and patient flow, and our ability to add new providers is capped. There is no more space left to add more providers.

Even with the clinic open six days a week, and evening hours twice a week, existing patients can wait weeks to be seen, and dozens are on the new patient waiting list.

Over **9,000 residents, more than 60% of the service area**, relied on Homer Medical for care in the last two years, in addition to more than 1,000 visitors. This is double the number of patients the clinic was designed for decades ago.

The 5,700 square foot expansion will include:

- Seven additional exam rooms
- Additional consult area, specialty procedure room, office space, lab and imaging space
- An expanded, secure med room
- Conference room for care coordination and education

The project includes renovations to the existing building, including a new roof, expanded waiting room, improved parking, and enlarged lab and imaging area.

This will allow for:

- More immediate availability of appointments and quicker access to care
- Access to the business office staff under the same roof
- Savings by elimination of lease payment currently paid for the billing office space
- Patient Centered Medical Home practices, such as visits with health educators and more regular wellness exams
- On-site lab testing, and additional imaging services

The project will go out for bid in September, with an anticipated completion date of summer 2017.

## Operating Room

### Air Handling/Ventilation System

There is an immediate need to replace the air handling, ventilation and air conditioning in South Peninsula Hospital's operating rooms. The current units are 40 years old and utilize outdated technologies which do not meet today's standards. The current system does not provide sufficient control of room temperature, humidity levels, and air exchange for the number of surgeries, people and equipment utilizing the rooms.

The number of surgeries has more than doubled in the last fifteen years, **growing from 750 in 1999 to more than 1,500 in 2015.**

We serve an aging community, and residents require greater medical attention. Thus, numerous new surgeries and procedures are being offered in the OR. This adds people, equipment and usage to these very small rooms on a regular basis.

In addition, record-breaking outdoor temperatures are adding stress to an old air conditioning system already struggling to perform. Several surgical cases were postponed in 2016 when the temperature and humidity exceeded the levels deemed safe for patient care.

It will take time to develop the replacement system. We need the best, most efficient, affordable system that will last for decades and cause the least amount of disruption to install. The design should be complete by the end of the year. Construction should begin by January, with the new system running by summer, 2017.



# One Important Vote

The estimated cost of the Homer Medical expansion is \$3 million, and the operating room air handling system is \$1.8 million. Using general obligation bonds, rather than other forms of financing, will save up to \$300,000 for the projects. General obligation bonds require a vote of the community, but are the least expensive form of financing.

Approval of Proposition 2 on the **October 4th ballot in the regular election** would authorize general obligation bonds to fund these projects. **Based on existing property assessments**, the \$4.8 million bond debt should not change the mill rate and **will not raise property taxes.**



ANNOUNCEMENTS  
PRESENTATIONS  
BOROUGH REPORT  
COMMISSION REPORTS



# *Mayor's Proclamation*

National Estuaries Week  
September 17 - 24, 2016

WHEREAS, Kachemak Bay, Cook Inlet, the Gulf of Alaska, and all other estuaries are integral to the State of Alaska; and

WHEREAS, Estuaries are unique coastal environments that support more life per square inch than any other ecosystem on Earth, providing habitat for countless species of fish, shellfish, birds, and marine mammals; and

WHEREAS, National Estuaries Week is an annual celebration of the vibrant coastal areas where rivers meet the sea; celebrating this time presents an opportunity to learn more about these coastal ecosystems and how Alaska's citizens can help to protect them; and

WHEREAS, Estuaries provide numerous protection benefits to coastal populations, acting as a first line of defense against storms, rising sea levels, and the effects of a changing climate as well as a natural water filtration system; and

WHEREAS, Protecting our local fish habitats and populations will benefit Alaska's commercial fishing industries which generate over \$5 billion annually and support over 78,000 jobs, and whose harvest is 21% comprised of estuarine-dependent species; and

WHEREAS, Alaska's living resources are the second most productive in the nation in terms of contribution to GDP from employment; and Alaska's coastal boroughs generated over \$52 billion in GDP in 2013, over 85% of the state's total GDP; and

WHEREAS, Protecting and restoring our estuaries is vital to our local and national economy because they sustain the fisheries that feed America, ensure outdoor recreational opportunities for current and future generations, reduce the costly impacts of natural hazards, and support local jobs which cannot be exported.

NOW, THEREFORE, I, Beth Wythe, Mayor, do hereby proclaim the week of September 17 – 24, 2016 as:

## NATIONAL ESTUARIES WEEK

in the City of Homer, Alaska, and encourage all Alaskans to take part in the festivities and to learn more about our local estuaries and their importance to our economy and quality of life.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of the City of Homer, Alaska, on this 12<sup>th</sup> day of September, 2016.

CITY OF HOMER

---

MARY E. WYTHER, MAYOR

ATTEST:

---

JO JOHNSON, MMC, CITY CLERK





July 22, 2016

Office of the Governor  
P.O. Box 110001  
Juneau, AK 99811-0001

Dear Governor Walker:

The Kachemak Bay Research Reserve is part of the National Estuarine Research Reserve System and managed jointly by the U.S. National Oceanic and Atmospheric Administration and the University of Alaska, Alaska Center for Conservation Science. KBRR's mission is to enhance understanding and appreciation of the Kachemak Bay estuary and adjacent waters to ensure that these ecosystems remain healthy and productive. It does this in partnership with the Kachemak Bay Research Reserve Community Council. Members of the Community Council are volunteers and agency representatives who bring a community voice to discussions in support of the KBRR research and education programs.

On behalf of our mission, the KBRR Community Council would like to request that you proclaim that the State of Alaska recognize September 17 - 24, 2016 as National Estuaries Week. This week represents the nation's largest annual event to promote the importance of estuaries and the need to protect them while providing an excellent opportunity for the state of Alaska to demonstrate its support for special places like Kachemak Bay, Cook Inlet, and the Gulf of Alaska, among others.

We would be honored if you would sponsor an official proclamation to recognize September 17 - 24, 2016 as National Estuaries Week.

National Estuaries Week is a terrific opportunity to learn more about estuaries and the perfect excuse to spend time exploring the Alaskan coast with family and friends. During this week, local communities throughout the country, including those in Alaska, celebrate estuaries through volunteering at restoration events, enjoying outdoor activities, and educating others on the importance of these unique ecosystems.

By making National Estuaries Week an official celebration in Alaska, you will be joining several other governors who are working towards the same effort. Your proclamation will lend official recognition of the ecological, economic, and aesthetic value of Alaska's coasts.

Attached you will find draft proclamation language. Should you require any additional

*Enhance understanding and appreciation of the Kachemak Bay estuary and adjacent waters to ensure that these ecosystems remain healthy and productive*

information to process this request, please do not hesitate to contact me. Thank you for your consideration and we look forward to hearing from your office.

Completed proclamations may be mailed to the address given above.

Thank you.



George Matz  
Chair, KBRR Community Council  
geomatz@alaska.net

cc.

Jessica Shepherd, Manager, Kachemak Bay Research Reserve  
Matt Carlson, Director Alaska Center for Conservation Science, University of Alaska Anchorage  
Sam Cotton, Commissioner, Alaska Department of Fish and Game.

# *Mayor's Proclamation*

*National Senior Center Month  
September 2016*

WHEREAS, Older Americans are significant members of our society, investing their wisdom and experience to help enrich and better the lives of younger generations; and

WHEREAS, The Homer Senior Center and Nutrition Program has acted as a catalyst for mobilizing the creativity, energy, vitality, and commitment of the older residents of the Southern Kenai Peninsula; and

WHEREAS, Through a wide array of services, programs, and activities, the Homer Senior Center and Nutrition Program empowers older adults to contribute to their own health and well-being and the well-being of their fellow citizens of all ages; and

WHEREAS, The Homer Senior Center and Nutrition Program in the City of Homer affirm the dignity, self-worth, and independence of older persons by facilitating their decisions and actions; tapping their experiences, skills, and knowledge; and enabling their continued contributions to the community; and

WHEREAS, The Homer Senior Center and Nutrition Program provides opportunities for seniors to stay active and healthy, continue learning, share experiences, and stay connected with friends and community members.

NOW, THEREFORE, I, Mary E. Wythe, Mayor of the City of Homer, do hereby proclaim September 2016 as:

## **NATIONAL SENIOR CENTER MONTH**

and encourage all residents to recognize the importance and the many contributions of the Homer Senior Center and Nutrition Program and the special contributions of the senior center participants and the special efforts of the staff and volunteers who work every day to enhance the well-being of the older adults in our community.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND CAUSED THE Seal of the City of Homer, Alaska, to be affixed this 12<sup>th</sup> day of September, 2016.

CITY OF HOMER

\_\_\_\_\_  
MARY E. WYTHE, MAYOR

ATTEST:

\_\_\_\_\_  
JO JOHNSON, MMC, CITY CLERK



Alaska Municipal League Trip Report for Councilman Zak  
August 15 to 19, 2016

The constitutional budget reserve will be completely depleted in FY 18. After that, Alaska's current revenue structure will produce approximately \$1.5 billion in unrestricted general funds (UGF), assuming oil price returns to \$55/bbl.

We have to deal with the State fiscal crisis; otherwise the opportunity will go away. No one is big enough to solve this by themselves. Together we need to develop a comprehensive fix to get stable. We need a revenue plan, which takes us to a sustainability plan (**see attachment 1 Sustainability Plan**). It is going to take the restructuring of the permanent fund, revenue generating taxes, elimination of oil tax credits, as well as controlled spending. We have got to stop burning the rafters to stay warm.

Pat Pitney's no action plan budget is not the Alaskan we want to live in (**see attachment 2 No Action Plan**). The cost shift to communities would be significant.

- The budget would be one-third of the current FY 17 budget and only one-quarter of the FY 15 budget.
- Local education employment would fall from the current 24,400 to an estimated 10,000 statewide.
- School funding would be reduced to 32% of the current \$1.25 billion, dropping to \$400 million.
- Medicaid and other health formula funding would be reduced by 25% to maintain as much federal coverage as possible.
- All other health programs would be shut down, privatized, or significantly reduced. These include senior benefits, childcare benefits, homeless assistance, victim's assistance, housing programs, pioneer homes, health clinics, public health labs, etc.

The magnitude of a revenue plan, smaller, leaner, tighter, fewer programs, smaller capital budgets but this has to be a revenue plan. We cannot be dependent on the State to fund our local governments. If we do not we will see a decrease in School Bonding, a decrease of PERs/ TERs support from the state. It is up to use now to educate the citizens. We could face retroactive requirements to pay for bonds.

Cost shifting without a revenue plan will result in greater failure. In Homer we are more fortunate in that we have a diversified economy. If the State does not raise revenues, raising revenues will get pushed to the communities to address the State budget issues.

This year the Mayor is going to need to interact with other Mayors from Alaska to share with the Heroin epidemic (**see attachment 3 Drug Bust Wasilla**). Six weeks in the hospital to cure an infection from a dirty needle.

Our bond rating is heading for the toilet, as we have not addressed our fiscal deficit. There are some grant funding opportunities such as medicare reform

### PERs and TRS Liability

Power point is available on the AML Website.

Information sheet from AML

22% of payroll of municipalities

12.5% of payroll of school districts

If the State stops paying on these then it will go to the municipalities.

There are bills the State needs to pay vs. shifting it to the municipalities.

Also, there is a 4% rate of growth of PER's obligation.

If you eliminate the cap it will transfer the risks to the employers.

If the rate of return goes below 4% then the costs associated with termination of positions that they currently have to pay.

Define term GASB 68

Slide, last year 53.91% this year portion of the total liability to report will be 78.89%

PERS overall, there are one in six Alaskans in either PERS or TERS. Unless you're a borough or a city school district then you also have TERS.

TRS 24% non-certificated

PERs 76%

Employees who worked in 1970's to 90's it is like a retirement. Up until 2-001 we thought we had enough to pay. But then poor stock market more of an unfunded liability. State made a large deposit in 2014. Not enough money in the bank to pay out the benefits in the future.

Poor returns in 2001 and 2002 in the Stock market.

2006 closing off the defined benefit program and all new employees being in the defined benefit program.

2008 22% capped for PERS and 12.56% for TRS.

In 2008 the State acknowledge we had an unfunded liability, and we realized we had a problem. There was an agreement the state had responsibility. The employer agreed to pay 22% and 12.5% and the State agreed to pay above the 22% and the 12.5% liability and the State accepted this. This cannot change. Larry Simmons even though they call this on behalf of payment, a key part of the negotiations this was not important part of a compromise reach in 2008, and also the length of the amortization was another agreement. It was supposed to be amortized by 2030.

The 12.5% for TERS was because in 2008, that was the state was taking 100% for the past employees.

The debt at the time went with the rate. Some were paying more as for instance at the time Fairbanks had grown to 39%. The 22% was the sweet spot and with revenue sharing most municipalities thought they could deal with it. In 2008/2009 the burden on the state increased. The amount the State had to pay kept climbing. 2B to PERS and 1B to TERS stopped the climbing.

Large pay down occurred in 2014.

2008 legislation set a payroll floor so if you laid off or ceased to function, if the payroll dropped below the 2008 floor you would still have to pay for the unfunded liability of those positions. Biggest example of this is the University of Alaska, they had to write a check for 1,000,000 dollars for employees they did not have

2014 also extended the amortization by 9 years (refinanced the mortgage).

\* We do not want to have to ask if we create this job or eliminate a job do we have to pay? We want the flexibility to allocated local resources.

PRS and TRS we got predictability

Five things that impact unfunded liability:

1. Investment Returns 1% increase results in 9% of payroll, if the risk of 22% cap goes away the risk is on the municipalities.
2. Payroll size
3. Contribution Rates
- 4.
5. Mortality

Department of Corrections:

Community jails taking a hit.

SB 91

Cynthia Franklin

How we are going to work Ballot Measure 2

AMCO

Nine articles of regulation. Four types in the statute.

Cultivation

Product manufacturing

Testing facilities, and

Retail Stores

Stalling? He has not been falling the progress, as there are no dispensaries.

Dispensaries exit in other States.

Article 1 – Local Control Provisions

Article 2 – is how you get out – local option rules

These nine came from the Ballot measure

Local governments have local control, set the time place manner, you can be stricter then the state ordinance but you cannot make is less strict (i.e. closeness to schools). You have a lot of room to strict them up.

Cultivation licenses:

1. Standard – No canopy limit
2. Limited - 500 feet canopy limit

20 Active Cultivation Licenses

Added an expiration data, as licenses are set up to renew on a fiscal year.

Marijuana license renews annually,

Website has a lit of received applications. Licenses are listed by status.

Active means operating, there has been an inspection and your operating. We have to get an investigative team out to every one of them.

At the AMCO website is a list of those municipalities that have opted out.

100 to 200 applications, we have to have legally grown marijuana but the crops are not ready and there is nothing to sale. Washington retail stores opened before there was anything to sell. Most likely will be October. All products are kept behind the counter. No one can have more then 1 oz. Ballot measure 2 said it is legal when you have one ounce or less. A criminal amount if over an ounce.

Local control can control time place manner. You might want to get rid of wax and shatter.

Testing facilities are not labs, but this is another license.

We do not have medical marijuana – Raven evolved for what was already here. We did not get the brief from the voters to put products on shelves for medical users.

**Aug 29<sup>th</sup>** at the Atwood building for a presentation to government and bankers tracking system to learn about Fran Well which is the tracking system. There may be some view through. There will also be a WebEx and we will blanket you with the email. Putting this on with the Division of banking and securities. We are trying to get the businesses banked.

They have to track their plants in Metric otherwise they will loose their license. Much more likely to have diversion in as opposed to diversion out. We are never going to get rid of black market product but we can make a dent in it.

SB165 signed on July 6<sup>th</sup> 90 days we will send in the fingerprint cards.

Cynthia has a tool for summary suspension.

[Amco.localgovernmentonly@alaska.gov](mailto:Amco.localgovernmentonly@alaska.gov)

Local government specialist who can liaison with us. This is an education position.

Senior Centers

Clubs

Handlers

Ray Gillespie - Whether management responsibilities of the ARM board be transferred to the PFD board? AML believes this may increase the administrative costs. Local government has a seat on the ARM board; if it goes to the PFD board they will not consider local government.

John Harris – what is happening in Juneau next year?

John's perspective

The election changed things a bit; at least one or two of the republican caucus were removed. If both of those go down that is two members of the republican caucus that will not be causing.

In the Senate a new winner Mr. Wilson won the primary in Wasilla taking over from Senator Huggins. Gridlock may continue next year. The Governor is frustrated as the State is on the verge of doing away with the Constitutional Budget Reserve and if it is gone the only think left is the Permanent Fund Earnings Reserve. If we do not do something that does add revenue to the General fund then we are going to see the same think from the Governor. The Governor does not want the Constitutional Budget Reserve to go below a Billion dollars. In another year if they do not reduce what they are taking it will be eliminated. And it would be gone. So the only other pot of money is the Earnings Reserve Account.

The Senate dealt with it, but the House could not get it out of the House Finance Committee. What should make it easier is that if we keep cutting the budgets there will be more and more bleed. Trying to run a government t on a  $\frac{3}{4}$  vote is assigned. Von Imhoff won using the PFD, incumbent went down not using the Earnings of the Permanent fund.

When you start looking at reductions in police, fire, sooner or later the public will pay that bill. What we will see the year, a budget. There is a movement afoot to get some funds out their other then just for streets.  $\frac{3}{4}$  votes to get a budget approved is a tough thing to do.

Do not promise anything that you cannot deliver.

Local Government

After the budget issue is how are you going to fund the budget. The restructuring of the Permanent Fund. If you do not restructure it the dividend will be gone. Once the CBR is done. Once the earnings reserve is gone the dividend will be a thing of the past. If the money is gone the Statute is gone.

Other taxes looked at this year, none of them generate much interest. Income and sales each a couple 00M  
When you run a 4 Billion deficit sooner or later there is an issue.

A lot of politics involved as each requires a c.4 votes. Probably the sooner the better when it not an election year. This year the Governor and the legislature will try to work on them this year. A lot of legislatures think the municipalities do not pay enough.

Municipal Revenue Sharing is an easy target. You're not going to have a choice but to increase taxes. This is something they have to think about as well.

The enhanced 911 system is a surcharge on telephone bills. A glitch in the law makes it difficult on how to run. We are looking for it to be easier for municipalities to spend money.

Most of the legislatures on the Republican side are more interested in a Sales Tax as opposed to an income tax. .

Senior Citizen Tax Exemption, is it right to tell municipalities that you have to give an exemption. Ray – The Senior Citizen tax exemption hope we revisit this. Long held that AML opposed. Eliminate part of the exemption, legislatures give the local option exemption but in order to this we are going to increase your PERs rate. That was never the intent to make a trade. This is no longer politically a good, we pulled back on that we want to make this; we don't want to pick a fight with seniors.

The senior exemption is a mandated expense. They do not understand the issue but the problem is a good part of the legislature does not understand this. The cost is up to 36M this year and it is going up at about 6% per year. This is going to increase to a huge balloon that we cannot afford anymore. Everyone else is taxed more as the others have to pick up what grandma gets paid. Other issue is the school true and fair value – taking out the exemption will make you pay more then you gain, as you have to pay more for schools.

Today low value of oil as well as the low amount coming through the line. The budget increased dramatically over a five or six year period. The cost of Education and the Health and Social Services budget, mostly the Medicaid.



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## **ALASKA MUNICIPAL LEAGUE**

### **SUSTAINABILITY PLAN**

The Alaska Municipal League appointed a committee of interested local elected and appointed officials tasked with the goal of helping to identify available options through a municipal perspective that will allow our State to remain financially healthy. As local elected officials, we are adamant that local governments are in great need of stability and predictability, a luxury that we do not have at the present time.

We believe that the leaders of our State, as they find ways to lower the cost of government, must also identify ways in which our State can raise revenues. Cuts can only accomplish a portion of the answer to our problems and cuts without restraint will have a serious impact on the credit rating of our state and will cause massive economic dislocation issues. The choices made by the Legislature and the Administration will have a huge impact on the viability of municipalities.

Local governments have only three ways in which to raise revenue:

- Taxation (sales/property)
- Fees
- Revenue passed down from the federal or state government

As the revenues from the federal or state government decrease, the gap must be filled through taxation and/or an increase in fees.

While we agree with the Governor that our fiscal situation is an "opportunity" to rethink how we spend money, local governments must still provide basic and essential services to their citizens.

We have discussed our findings at great length. While many of the revenue options are painful, we believe it is time to make the decisions that will bring us back to the path that will allow Alaska to remain a viable, inviting, safe and healthy state in which to live. Alaska's municipalities are ready and willing to step up and be part of the solution rather than part of the problem. While we believe decisions to address this situation must be made immediately, we believe the actions themselves can be spread over a number of years in order to soften the effects to some degree.



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## ALASKA MUNICIPAL LEAGUE

### SUSTAINABILITY COMMITTEE RECOMMENDATIONS

#### Endowment/Permanent Fund

- Imperative to protect corpus of Permanent Fund;
- Support and move to Permanent Fund Board's position on Endowment Fund or similar approach that sustainability utilizes earnings;
- Continue to ensure growth of the permanent fund, continue to inflation proof, and set a minimum floor on the Permanent Fund Dividend;
- Continue to pay permanent fund dividends without a cap while enabling an adjustable Percent of Market Value (POMV) or other sustainable system that allows a portion of permanent fund dividend earnings to support state government, benefitting all Alaskans.
- Using part of the permanent fund dividend payout, as one piece of a larger balanced and sustainable state fiscal plan, is now a necessary consideration;
- Action on a comprehensive state fiscal plan is required in the 2016 legislative session

#### Income Tax

- Income tax captures out-of-state employees
- Income leaving state is 20% of total Alaska income
- Income tax is deductible from Federal Income Tax
- Income Tax gives Alaska residents skin-in-the-game

#### Sales Tax

- This would be last choice of Alaska's municipalities
- Would erode tax base and simply shift revenue from one entity to another
- We believe it should remain a local government power
- Municipalities will, however, not take it off the table and agree to work on solutions revolving around Sales Tax

#### Other Revenues

- School Tax
- Collatorization of Assets is too risky
- Consider adjusting oil tax credits

A successful solution to our financial challenges involves shared sacrifices from Alaskans, resources industries and in finding government efficiencies.



## ALASKA MUNICIPAL LEAGUE

### RESOLUTION #2016-01

#### **A RESOLUTION URGING THE ALASKA LEGISLATURE TO ADOPT A SUSTAINABLE BUDGET PLAN FOR FY2017 AND BEYOND; WHILE GIVING SERIOUS CONSIDERATION TO THE SUSTAINABILITY PLAN SUBMITTED BY THE ALASKA MUNICIPAL LEAGUE.**

**WHEREAS**, due to the drop in the price of oil, coupled with the decreased amount of oil in the pipeline, the State of Alaska has found itself with a \$3.5 billion gap in its budget for FY16; and

**WHEREAS**, last year, the Legislature alleviated some of the problem by severely cutting the capital budget; and

**WHEREAS**, substantial cuts were also made to the operating budget; and

**WHEREAS**, cutting either of those budgets as a sole means to solving our fiscal challenge will only serve to push our state into an economic recession; and

**WHEREAS**, the majority of the Legislature continues to feel that the solution is more government cuts; and

**WHEREAS**, historically the Legislature has felt the solution is more government cuts; and

**WHEREAS**, the President of the Alaska Municipal League created an ad hoc committee to address this issue from the perspective of local government; and

**WHEREAS**, this committee is cognizant of the fact that municipalities must have a sustainable commitment from the Legislature in order for municipalities to remain sustainable; and

**WHEREAS**, despite a fiscal challenge, municipalities must continue to provide basic and essential services; and

**WHEREAS**, with these facts in mind, the AML Sustainability Committee has developed a plan from the perspective of local government; and

**WHEREAS**, AML believes that the leaders of our state should immediately adopt changes to not only lower the cost of government, but move quickly to raise revenues; and

**WHEREAS**, at the same time, Alaska's local governments realize we must understand the state and/or federal government will no longer continue to fund local government as before; and

**WHEREAS**, as more responsibilities are passed down to the subdivisions of the state during this fiscal challenge, we must be given the "tools" to allow that to happen.

**NOW, THEREFORE BE IT RESOLVED** that the Alaska Municipal League urges the Alaska Legislature to adopt a sustainable budget plan for FY 2017 and beyond; while giving serious consideration to the Sustainability Plan submitted by the Alaska Municipal League.

**PASSED AND APPROVED** by the Alaska Municipal League on this 20<sup>th</sup> day of November, 2015.

*Bob Harcharek*

Signed: \_\_\_\_\_  
Bob Harcharek, President, Alaska Municipal League

Attest: *Kathie Wasserman*  
\_\_\_\_\_  
Kathie Wasserman, Executive Director, Alaska Municipal League

STATE CAPITOL  
P.O. Box 110001  
Juneau, AK 99811-0001  
907-465-3500  
fax: 907-465-3532



550 West Seventh Avenue, Suite 1700  
Anchorage, AK 99501  
907-269-7450  
fax 907-269-7461  
www.GovAlaska.Gov  
Governor@Alaska.Gov

Governor Bill Walker  
STATE OF ALASKA

July 25, 2016

Ms. Katie Koester  
City Manager  
491 East Pioneer Avenue  
Homer, AK 99603

Dear Ms. Koester:

I appreciate your letter regarding our proposed Sales Tax legislation and its potential impact on the City of Homer and other Alaskan municipalities. I want to clarify that our proposed bill, introduced for the 5<sup>th</sup> Special Session (HIB/SB 5004), would not reduce the ability for a community to collect its existing taxes.

Last fall my Administration realized balancing the budget was not going to be possible with only cuts and restructuring of the Permanent Fund. Other tax revenues, to include a broad-based component, were going to be required. Our internal analysis resulted in the introduction of an individual income tax over the other broad-based options. The reasons for this were described in committee by the Department of Revenue as the following:

- 1) Sales taxes have traditionally been an important revenue source for Alaskan municipalities. We expected that there would be significant concern (as expressed in your letter) with the State also using this tax;
- 2) The cornerstone of any fiscal plan will likely reduce Permanent Fund Dividends. The reduction has a regressive impact, because lower income Alaskans lose a larger share of their income than higher income Alaskans. In contrast, an income tax is inherently more progressive, taking a larger share from the highest income households. Taken together, these two measures had the most balanced impact across all income levels.
- 3) Retail prices vary widely across Alaska, thus a fixed percentage sales tax would disproportionately impact shoppers in rural, higher-cost areas of the state.

Unfortunately, our income tax proposals did not receive serious consideration during the 2016 legislative sessions. Some legislators indicated they wanted to compare our income tax proposals side-by-side with a sales tax option. So, for the fifth special session, we provided them one.

The bill we introduced was structured in large part on HIB 293 from the 23<sup>rd</sup> Legislature in 2003. This bill made it through two House committees before stalling, and it incorporated input from the



## City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

OFFICE OF THE GOVERNOR  
MAILROOM

491 East Pioneer Avenue  
Homer, Alaska 99603

JUL 18 2016

(p) 907-235-8121

(f) 907-235-3140

July 15, 2016

Governor Bill Walker  
State of Alaska  
PO Box 110001  
Juneau, AK 99801

RE: State Sales Tax

Dear Governor Walker,

The City of Homer would like to take this opportunity to express how important sales tax revenue is to our community. Homer shoppers pay 7.5% sales tax (4.5% City of Homer and 3% Kenai Peninsula Borough) making Homer one of the highest sales tax rates in the State. Sales tax makes up over 70% of our tax revenue. The City of Homer's population is a little over 5,000. However, we serve as the hub for over a 30 mile radius. The City could not provide the services it does without contributions from non-residents through sales tax. These area residents use our roads, library, parks, and many other services. For the most part, they are happy to contribute their share to the services they enjoy. The City does not tax non-prepared food year round; only during the peak summer months (June-August).

The City understands the need to take immediate and decisive action to solve the state's fiscal crisis and was one of the first municipalities to pass a resolution to the Alaska State Legislature to pass a balanced, sustainable, and predictable state budget for the future (Resolution 16-007). However, when weighing fiscal options, please consider the impact of state sales tax on smaller communities who have a reduced tax base and depend on sales tax dollars to provide essential services.

Sincerely,

Katie Koester  
City Manager

CC:

John Hozey, Deputy Chief of Staff Office of the Governor  
Senator Gary Stevens  
Representative Paul Seaton

## A View of Alaska's Budget Choices if ...

...there is no action by the Legislature or if only the permanent fund restructure (SB128) is passed but no taxes

**Governor Walker's plan balances the state's budget within two years through a combination of continued spending cuts, sustainable use of permanent fund earnings, and modest tax increases.**

Absent legislative action to implement the components necessary for the balanced and sustainable budget, below are two budget scenarios showing what a state budget would be when Alaska is faced with reducing spending to meet available revenue. One is the "No Action Plan" and requires a state budget of \$1.5 billion revenue. This revenue level assumes an optimistic \$55/bbl price of oil, increasing over time to offset production declines. The other is the "SB128 but No Tax Plan" and assumes a budget of \$3.4 billion, \$1.5 billion current revenue at \$55/bbl plus \$1.9 billion, the amount expected if SB128 passes the legislature, but no other revenue measures. The CBR will be completely depleted in FY18 without new revenue measures. In FY19, Alaska could be facing these scenarios.

### No Action Plan:

The CBR will be completely depleted in FY18. After that, Alaska's current revenue structure will produce approximately \$1.5 billion in unrestricted general funds (UGF), assuming oil price returns to \$55/bbl. Petroleum based tax and royalty at \$55/bbl produce about \$950 million and all other taxes; corporate, excise, fees, and investment income, are \$550 million. Table 1. on page 3, shows an example of what the budget by agency would need to be to fit within the available \$1.5 billion revenue. Below are observations and impacts of a \$1.5 billion spending:

- The budget would be one-third of the current FY17 budget and only one-quarter of the FY15 budget.
- Most government agency operating budgets would be 10 to 20% of current levels, a level similar to state spending experienced in the late 1960's.
- School funding would be reduced to 32% of the current \$1.25 billion, dropping to \$400 million.
- Local education employment would fall from the current 24,400 to an estimated 10,000 statewide.
- The Alaska Performance Scholarship and Power Cost Assistance would end in FY19.

- Medicaid and other health formula funding would be reduced by 25% to maintain as much federal coverage as possible.
- All other health programs would be shut down, privatized, or significantly reduced. These include senior benefits, child care benefits, homeless assistance, victim's assistance, housing programs, pioneer homes, health clinics, public health labs, etc.
- Fish and Game, Environmental Conservation, and Natural Resources combined would have \$18 million in operating revenue compared to \$134 million total in FY17. This represents less than 10% of the FY15 funding level.
- Transportation's operating budget would be less than \$40 million compared to the \$218 million. Road maintenance and ferry service would end for some segments and be significantly curtailed on others. Many of the 240 state maintained airports would be closed, and the rest would have reduced operations.
- The legislature would have a budget of \$11.6 million compared to the current \$64 million 15% of FY15. The current budget is just over \$1M per legislator, it would drop to \$193,000 per legislator.
- There would be no 'on behalf' retirement payments, no school debt reimbursement, and no community revenue sharing, shifting all those costs to local governments.
- There would be no rural school construction funding or rural school maintenance.
- Most prisons would be closed, and prisoners either released early or send to out of state facilities as a result of funding at 25% of current level.
- Public safety would be 25% of current level, leaving most areas without trooper presence.
- The capital budget would be less than \$20 million costing the state federal highway match funding.
- AVTEC and most University campuses would loss all state funding. Any campuses remaining campuses would receive one-third or less of current revenue.
- Up to 50% of state and university facilities would need to be sold or shuttered.
- State Library and Museum facilities would operate only at the level that could be sustained by earned revenue and fund raising.
- State employment would drop by an estimated 12,000 employees (25,000 total, ~13,000 UGF funded, cut 70% of UGF employees, and cut 25% of state employees on other fund sources due to lack of matching funds).
- The drop in state and education employment plus the reduction in Medicaid would precipitate significant reduction in health care spending compounding overall state job losses.
- The amount spent for the Permanent Fund Dividend would nearly match the total state budget.

**Table 1. Budget Choices Alaska Would Face at \$1.5B (in thousands)**

Revenue Level	1.5 Billion			
	FY2017 Budget	Total Budget	Percent of FY2017	Percent of FY2015
Basic Administration (Gov, Admin, Revenue)	\$ 120,066	\$ 21,611.9	18%	14%
Legislature	\$ 64,676	\$ 11,641.7	18%	15%
Courts	\$ 106,614	\$ 19,190.4	18%	17%
Transportation	\$ 218,336	\$ 38,890.8	18%	14%
Education (Formula)	\$ 1,248,790	\$ 400,000.0	32%	30%
Education (Non Form)	\$ 35,694	\$ 5,000.0	14%	9%
Capital	\$ 96,137	\$ 17,304.7	18%	3%
DNR&Fish&Game&DEC	\$ 134,474.8	\$ 17,481.7	13%	9%
All Other Government Functions	\$ 102,580.4	\$ 13,335.5	13%	7%
Debt	\$ 182,192	\$ 90,693.9	50%	41%
Retirement on Behalf Payments	\$ 134,419	\$ -	0%	0%
State Employer Share of Retirement	\$ -	\$ 40,124.4		
Oil & Gas Credits	\$ 32,000	\$ -	0%	0%
Corrections	\$ 266,372	\$ 66,593.0	25%	22%
Public Safety	\$ 156,255	\$ 39,063.6	25%	23%
H&SS Medicaid and Other Formula	\$ 724,131	\$ 543,097.9	75%	63%
H&SS Operations and Grants	\$ 354,214	\$ 99,761.1	28%	26%
Transfers / REAA / Community Revenue	\$ 62,491	\$ -	0%	0%
University	\$ 324,884	\$ 76,209.0	23%	21%
<b>Total</b>	<b>\$ 4,364,324</b>	<b>\$ 1,500,000</b>	<b>34%</b>	<b>25%</b>

The cost shift to communities would be significant. Table 2. shows the impact of the cost shifting to communities of varying sizes assuming a total state budget of \$1.5 billion. As the largest community, Anchorage would face a \$332 million state revenue reduction, equating to 65% of Anchorage's current property tax revenue. This compared to the FY17 vetoes of \$14.8M.

**Table 2. Revenue Loss Communities Face with No Action Plan (in thousands)**

Community	Eliminate On Behalf Retirement Payments		Eliminate Urban School Debt Assistance	Fund K-12 Formula at \$400 million		Total at \$1.5 Billion Revenue
	(Muni)	(SD)	School Debt	Pupil Trans	Foundation	Total
Anchorage	\$ 4,828.6	\$ 37,993.9	\$ 44,852.8	\$ 15,630.3	\$ 229,034.0	\$ 332,339.6
Mat-Su	\$ 518.7	\$ 13,314.0	\$ 22,779.2	\$ 11,630.5	\$ 116,232.6	\$ 164,475.0
Juneau	\$ 928.1	\$ 4,075.8	\$ 12,302.3	\$ 2,134.8	\$ 25,735.9	\$ 45,176.7
Kodiak	\$ 266.5	\$ 1,873.4	\$ 5,515.5	\$ 1,407.9	\$ 18,526.4	\$ 27,589.7
Kake	\$ -	\$ 122.0	\$ -	\$ 19.9	\$ 1,272.8	\$ 1,414.7

*As long as 22% for PERS and 12.5% of TRS does not change  
 What percent of our local budget is PERS & TRS*

### **The SB128 but No Tax Plan:**

Alaska's current revenue structure will produce approximately \$1.5 billion in unrestricted general funds (UGF) if oil price returns to \$55/bbl. If the Senate Bill 128 (Permanent Fund Protection Act) is passed in its current form, state revenue will increase by ~\$1.9 billion and provide total UGF of \$3.4 billion. Table 3. on page 5, shows an example of what the budget would need to be to fit within \$3.4 billion revenue. Below are observations and impacts of a \$3.4 billion spending:

- The budget would be 78% of the current FY17 budget and just over half, 56%, of the FY15 budget.
- Most government agency operating budgets would be cut an additional 25% from the current levels and operate at 40-60% of the FY15 level.
- School funding would be reduced to 80% of the current \$1.25 billion, dropping to \$1.0 billion.
- Local education employment would see 3,000 to 5,000 fewer employees from the current 24,400.
- Medicaid and other health formula funding would be reduced by 10% to protect federal coverage.
- All other health programs would see an additional 25% reduction, impacting senior benefits, child care benefits, homeless assistance, victim's assistance, housing programs, pioneer homes, health clinics, public health labs, etc.
- Fish and Game, Environmental Conservation, and Natural Resources combined would have \$100 million in operating revenue compared to \$134 million total in FY17. This represents about 59% of the FY15 funding level. Higher fees for permitting and inspections would be expected.
- Transportations operating budget would be \$163 million compared to the \$218 million. Road maintenance and ferry service would be curtailed. Many of the 240 state maintained airports would be closed or have reduced operations.
- The legislature would have a budget of \$48.5 million compared to the current \$64 million over 60% of FY15. The current budget is just over \$1 million per legislator, it would drop to \$800,000 per legislator.
- There would be no 'on behalf' retirement payments, no school debt reimbursement, and no community revenue sharing shifting those costs to local governments.
- The Alaska Performance Scholarship and Power Cost Assistance will be reduced and eliminated within 5 years.
- There would be no rural school construction funding and minimal rural school maintenance.
- Corrections would be reduced an additional 10%. Two or possibly three prisons would be closed and some prisoners will be housed out of state.

- Public safety would be reduced an additional 10% from the current level, leaving some areas without trooper presence.
- The capital budget will remain at the minimal level to meet federal highway and other match requirements at \$100 million.
- University funding would be reduced another \$80 million likely forcing campus closures and possible divestitures to communities.
- Some state and university facilities would need to be sold or shuttered.
- State employment would drop by another 2,000 employees on top of the 2,100 fewer expected by the end of FY17.

**Table 3. Budget Choices Alaska Would Face at \$3.4B (in thousands)**

Revenue Level	FY2017 Budget	3.4 Billion		
		Total Budget	Percent of FY2017	Percent of FY2015
Basic Administration (Gov, Admin, Revenue)	\$ 120,065.9	\$ 90,049.4	75%	59%
Legislature	\$ 64,676.0	\$ 48,507.0	75%	62%
Courts	\$ 106,613.6	\$ 79,960.2	75%	71%
Transportation	\$ 218,336.1	\$ 163,752.1	75%	59%
Education (Formula)	\$ 1,248,789.9	\$ 1,000,000.0	80%	74%
Education (Non Form)	\$ 35,693.7	\$ 26,770.3	75%	47%
Capital	\$ 96,137.1	\$ 108,947.1	113%	18%
DNR&Fish&Game&DEC	\$ 134,474.8	\$ 100,856.1	75%	53%
All Other Governemnt Functions	\$ 102,580.4	\$ 76,935.3	75%	41%
Debt	\$ 182,191.9	\$ 90,693.9	50%	41%
Retirement on Behalf Payments	\$ 134,419.4	\$ -	0%	0%
State Employer Share of Retirement	\$ -	\$ 40,124.4		
Oil & Gas Credits	\$ 32,000.0	\$ 32,000.0	100%	5%
Corrections	\$ 266,372.0	\$ 239,734.8	90%	81%
Public Safety	\$ 156,254.5	\$ 140,629.1	90%	82%
H&SS Medicaid and Other Formula	\$ 724,130.5	\$ 651,717.5	90%	75%
H&SS Operations and Grants	\$ 354,213.7	\$ 265,660.3	75%	68%
Transfers / REAA / Community Revenue	\$ 62,491.0	\$ -	0%	0%
University	\$ 324,883.5	\$ 243,662.6	75%	66%
<b>Total</b>	<b>\$ 4,364,324.0</b>	<b>\$ 3,400,000.0</b>	<b>78%</b>	<b>56%</b>

Even at the increased \$3.4 billion budget level, the cost shift to communities would be significant. Table 4. On page 6, shows the impact of the cost shifting to communities of varying sizes assuming a total state budget of \$3.4 billion.

**Table 4. Revenue Loss Communities Face with the SB128 but No Tax Plan (in thousands)**

Community	Eliminate On Behalf Retirement Payments		Eliminate Urban School Debt Assistance	Fund K-12 Formula at \$1.0 billion		Total at \$3.4 Billion Revenue
	(Muni)	(SD)	School Debt	Pupil Trans	Foundation	Total
Anchorage	\$ 4,828.6	\$ 37,993.9	\$ 44,852.8	\$ 5,137.2	\$ 75,276.0	\$ 168,088.5
Mat-Su	\$ 518.7	\$ 13,314.0	\$ 22,779.2	\$ 3,822.6	\$ 38,201.9	\$ 78,636.3
Juneau	\$ 928.1	\$ 4,075.8	\$ 12,302.3	\$ 701.6	\$ 8,458.5	\$ 26,466.3
Kodiak	\$ 266.5	\$ 1,873.4	\$ 5,515.5	\$ 462.7	\$ 6,089.0	\$ 14,207.1
Take	\$ -	\$ 122.0	\$ -	\$ 6.5	\$ 418.3	\$ 546.9

Without a broad based statewide tax, these costs will likely be shifted to communities. Using the Mat-Su Borough as an example; the community would need to increase property taxes by 7 mills to cover this lost revenue if they wanted to maintain schools at the current level. If they chose not to maintain school funding, just the debt assistance and 'on behalf' retirement payments equates to an additional 3 mills. In addition to all the other services lost, a Mat-Su Borough resident with a \$200,000 home would pay \$600 to \$1,400 more in property tax; this is very similar to a 1% income tax yet does not include help from non-residents.

*State mandates the Property*





# PUBLIC HEARING(S)



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

**Ordinances 16-44(A) and 16-45(S)**

A **public hearing** is scheduled for **Monday, September 12, 2016** during a Regular City Council Meeting. The meeting begins at 6:00 p.m. in the Homer City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

**Ordinances 16-44(A) and 16-45(S) internet address:**  
<http://www.cityofhomer-ak.gov/ordinances>

**Ordinance 16-44(A)**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 17.04.190, Entitled "Deferment of Assessment Payments for Low Income Residents," by Permitting Assessment Deferral Applicants to Apply for a Deferral in Any Year an Applicant is Eligible for the Deferral Regardless of Whether or Not the Applicant Applied for Deferral in the Initial Year of Assessment. City Manager.

**Ordinance 16-45(S)**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2016 Operating Budget by Appropriating Funds in the Amount of \$30,000.00 From Port and Harbor Reserves to Purchase Twelve New LED Lights for the High Mast Light Pole #7 at the Harbor From Puffin Electric of Homer, Alaska, as a Sole Source Contract. City Manager/Port and Harbor Director.



All interested persons are welcome to attend and give testimony. Written testimony received by the Clerk's Office prior to the meeting will be provided to Council.

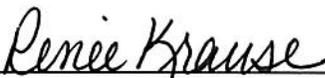
\*\* Copies of proposed Ordinances, in entirety, are available for review at Homer City Clerk's Office. Copies of the proposed Ordinances are available for review at City Hall, the Homer Public Library, and the City's homepage - <http://clerk.ci.homer.ak.us>. Contact the Clerk's Office at City Hall if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

Jo Johnson, MMC, City Clerk   
Publish: Homer News: September 8, 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 16-44(A)** Amending Homer City Code 17.04.190, Entitled "Deferment of Assessment Payments for Low Income Residents" by Permitting Assessment Deferment Applicants to Apply for a Deferral in Nay Year an Applicant is Eligible for the Deferral Regardless of Whether or Not the Applicant Applied for Deferral in the Initial Year of Assessment; **Ordinance 16-45(S)**, Amending the FY 2016 Operating Budget by Appropriating Funds in the Amount of \$30,000 from Port and Harbor Reserves to Purchase Twelve New LED Lights for the High Mast Light Pole #7 at the Harbor from Puffin Electric of Homer, Alaska , as a Sole Source Contract was distributed to the City of Homer kiosks located at City Clerk's Office, and the Homer Public Library on Wednesday August 24, 2016 and posted the same on City of Homer Website on Tuesday, August 23, 2016.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal of said City of Homer this 24th day of August, 2016.

  
\_\_\_\_\_  
Renee Krause, CMC, Deputy City Clerk



**ORDINANCE REFERENCE SHEET**  
**2016 ORDINANCE**  
**ORDINANCE 16-44**

An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 17.04.190, Entitled “Deferment of Assessment Payments for Low Income Residents,” by Permitting Assessment Deferral Applicants to Apply for a Deferral in Any Year an Applicant is Eligible for the Deferral Regardless of Whether or Not the Applicant Applied for Deferral in the Initial Year of Assessment.

Sponsor: City Manager

1. Council Regular Meeting August 22, 2016 Introduction
  - a. Memorandum 16-135 from City Clerk
2. Council Regular Meeting September 12, 2016 Public Hearing and Second Reading
  - a. Ordinance 16-44(A) as amended by Council August 22, 2016
  - b. Memorandum 16-135 from City Clerk





43 Finance Director ~~on or before the first payment is due~~, supported by documentation  
44 showing that the applicant meets the criteria in subsection (a) of this section. A  
45 person ~~requesting~~ ~~receiving~~ an assessment payment deferment ~~must file with the City~~  
46 ~~by April 15<sup>th</sup> of each subsequent year a new application proving eligibility as of~~  
47 ~~January 1<sup>st</sup> of that year in order to retain the exemption.~~ **the first year the**  
48 **assessment is levied must file an application for deferment** with the City **no more**  
49 **than 15 days after receiving the initial assessment. A person requesting an**  
50 **assessment payment deferment under this section in any year after the first year**  
51 **must file an application for deferment no later than** ~~by April 15<sup>th</sup> of each~~  
52 ~~subsequent~~ **of the year for which the deferment is sought.** ~~a new application.~~ **A**  
53 **person must file an application each year for which deferment is sought and shall**  
54 **be required to prove eligibility for deferment as of January 1<sup>st</sup> of each year for**  
55 **which a deferment is requested.** ~~proving eligibility as of January 1<sup>st</sup> of that year in~~  
56 ~~order to retain the exemption.~~ Within the same year the City for good cause shown  
57 may waive the claimant's failure to make timely application and approve the  
58 application as if timely filed.

59 c. Assessment payment deferments are subject to the availability of funds  
60 appropriated for that purpose. An application for an assessment payment deferment  
61 shall be submitted to the Council with a report from the Finance Director as to the  
62 availability of funds to appropriate for the deferment. Deferred assessments are  
63 funded from the following sources:

64 1. The appropriate utility operating fund for deferred water and sewer  
65 assessment payments.

66 2. The accelerated roads program fund for deferred road improvement  
67 assessment payments.

68 3. The source that the Council designates for other deferred assessment  
69 payments.

70 If funds for an assessment payment deferment are not available from the appropriate  
71 source, the Council may loan the necessary amount to the appropriate source from  
72 the general fund.

73 d. A person who receives an assessment payment deferment shall execute a deed of  
74 trust on the property subject to assessment, together with a promissory note payable  
75 to the City on demand, to secure the eventual payment of the deferred payment.

76 e. A deferred assessment payment shall be immediately due and payable upon the  
77 earlier to occur of the following events:

78 1. The sale or lease of the assessed property; or

79 2. The death of both the deferred assessment applicant and the applicant's  
80 surviving spouse, if any.

81  
82 Section 2. This ordinance shall be of a permanent and general character and shall be  
83 included in the City code.

84  
[**Bold and underlined added.** Deleted language stricken through.]

85 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this \_\_\_\_\_ day of  
86 \_\_\_\_\_, 2016.

87 CITY OF HOMER

88  
89  
90 \_\_\_\_\_  
91 MARY E. WYTHE, MAYOR

92  
93 ATTEST:

94  
95 \_\_\_\_\_  
96  
97 JO JOHNSON, MMC, CITY CLERK

98  
99  
100  
101 YES:

102 NO:

103 ABSTAIN:

104 ABSENT:

105  
106  
107 First Reading:

108 Public Hearing:

109 Second Reading:

110 Effective Date:

111  
112 Reviewed and approved as to form.

113  
114  
115 \_\_\_\_\_  
116 Mary K. Koester, City Manager

\_\_\_\_\_

Holly C. Wells, City Attorney

117  
118 Date: \_\_\_\_\_

Date: \_\_\_\_\_

119  
120  
121 Fiscal Note: N/A

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





# City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

Office of the City Clerk

491 East Pioneer Avenue  
Homer, Alaska 99603

[clerk@cityofhomer-ak.gov](mailto:clerk@cityofhomer-ak.gov)

(p) 907-235-3130

(f) 907-235-3143

## Memorandum 16-135

TO: MAYOR WYTHE AND THE HOMER CITY COUNCIL  
FROM: JO JOHNSON, CITY CLERK  
DATE: AUGUST 16, 2016  
SUBJECT: AMENDMENTS TO HOMER CITY CODE 17.04.190(B) DEFERRED ASSESSMENTS

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Ordinance 16-44 removes the requirement for a person to request deferment of an assessment on or before the first payment is due. The amendment allows a person to seek deferment of an assessment when the annual payment is due. The applicant must have an annual family income that is less than 125 percent of the current U.S. Health and Human Services Poverty Guidelines for Alaska.

The amendment provides consideration to a person who may fall into financial hardship while the assessment is pending. It allows a person to apply for a deferment of an assessment in subsequent years of the pending assessment instead of the first year.

All provisions of a deferment of assessment payments remain if the person:

1. Has an annual family income that is less than 125 percent of the current U.S. Health and Human Services Poverty Guidelines for Alaska;
2. Owns or has a life tenancy in the assessed property, and permanently resides in a single-family dwelling on the property; and
3. Is not determined by the City, after notice and hearing, to have been conveyed the property primarily for the purpose of obtaining the exemption.

An assessment payment deferment is subject to approval by the Council. A person receiving an assessment payment deferment must file with the City by April 15th of each subsequent year a new application proving eligibility as of January 1st of that year in order to retain the exemption. Assessment payment deferments are subject to the availability of funds appropriated for that purpose.

**RECOMMENDATION:**

Introduce Ordinance 16-44 to provide consideration to a person with a financial hardship to request a deferment of assessment in any year that the annual assessment is due.

**ORDINANCE REFERENCE SHEET**  
**2016 ORDINANCE**  
**ORDINANCE 16-45**

An Ordinance of the City Council of Homer, Alaska, Amending the FY 2016 Operating Budget by Appropriating Funds in the Amount of \$30,000.00 From Port and Harbor Reserves to Purchase Twelve New LED Lights for the High Mast Light Pole #7 at the Harbor.

Sponsor: City Manager/Port and Harbor Director

1. Council Regular Meeting August 22, 2016 Introduction
  - a. Memorandum 16-136 from Port and Harbor Director
  - b. Return on Investment (ROI) for High Mast Pole #7 provided by Puffin Electric
  - c. Photos of current and new LED Light Fixtures
  
2. Council Regular Meeting September 12, 2016 Public Hearing and Second Reading
  - a. Ordinance 16-45(S)
  - b. Memorandums 16-136 and 16-143 from Port and Harbor Director
  - c. Return on Investment (ROI) for High Mast Pole #7 provided by Puffin Electric
  - d. Photos of current and new LED Light Fixtures
  - e. AMA Adopts Community Guidance to Reduce the Harmful Human and Environmental Effects of High Intensity Street Lighting
  - f. Written public comments





43 Expenditure:

44 <u>Account</u>	<u>Description</u>	<u>Amount</u>
45	Twelve LED Lights for the High Mast	\$30,000.00
46	Light Pole #7	

47

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

50

51 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this \_\_\_\_\_ day of  
52 \_\_\_\_\_, 2016.

53 CITY OF HOMER

54  
55

56

57

\_\_\_\_\_  
MARY E. WYTHER, MAYOR

58

59 ATTEST:

60

61

62

\_\_\_\_\_  
63 JO JOHNSON, MMC, CITY CLERK

64

65 YES:

66 NO:

67 ABSTAIN:

68 ABSENT:

69

70 First Reading:

71 Public Hearing:

72 Second Reading:

73 Effective Date:

74

75 Reviewed and approved as to form:

76

77

\_\_\_\_\_  
78 Mary K. Koester, City Manager

79

80 Date: \_\_\_\_\_

\_\_\_\_\_  
Holly C. Wells, City Attorney

Date: \_\_\_\_\_



# City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

Port and Harbor

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Homer, AK 99603

[port@cityofhomer-ak.gov](mailto:port@cityofhomer-ak.gov)

(p) 907-235-3160

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## Memorandum 16-136

TO: MAYOR BETH WYTHE & HOMER CITY COUNCIL

THROUGH: KATIE KOESTER, CITY MANAGER

FROM: BRYAN HAWKINS, PORT DIRECTOR/HARBORMASTER

DATE: AUGUST 12, 2016

SUBJECT: APPROPRIATION FOR NEW LED LIGHTS FOR HIGH MAST LIGHT #7

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The Homer Harbor facility is primarily illuminated using 150' high mast light poles with 1000w high-pressure sodium lights. Although these fixtures have served us well up to now, they are expensive to operate in terms of energy costs. On the seven poles, we have 69 – 1000w lights. We estimate that all seven poles are operating an average of 12 hours per day, 365 days a year, with the costs broken down as follows:

$69\text{KW per hour} \times 12 \text{ hour per day} = 828 \text{ kilowatts use per day}$

$828\text{KW} \times 365 \text{ days a year} = 302,220 \text{ kilowatts per year}$

$302,220\text{KW} \times \$0.22 \text{ current per kilowatt current cost} = \$66,488.40 \text{ annual electricity costs}$

Plenty of motivation there to switch to something more efficient! Another reason for switching is the fact that most of the light fixtures in the high mast lights are almost 30 years old; even though they have been well maintained, they are showing significant wear and tear from all the years of being on the Homer Spit.

The Port and Harbor's plan has been to find the best replacement light fixture for all seven poles that will cut operation and maintenance costs, and that will stand the test of time on the Homer Spit. To begin our research, we teamed up with Puffin Electric for their expertise; they have turned area lighting into one of their specialties and have installed new high mast LED lamps in Dutch Harbor and have plans to install these same LED fixtures for the new harbor in Valdez. The biggest challenge with lighting on high mast lights is finding a replacement light fixture that will work as a direct replacement for LED that will work from that height of the poles. When LED's first came out, they were only recommending them to be installed on 40' street-level poles. After many years of research, Port and Harbor staff is now convinced that the LED technology has finally reached the 150' level.

We've done the homework to determine if these new LED lights will work for us. Last winter, Port and Harbor Staff laid out a large grid around pole #7, turned off all the other high mast lights, and using a light meter to measure foot candles of light we recorded the current light levels produced by this one pole. Those numbers were then fed into a new software program at Puffin Electric and a base was created that could then be used to compare new lighting

products against our old lights. This program also gives us the ability to fine tune our lights, which will help us to better direct the light to where it needs to go. Another improvement in the field of lighting systems has to do with glare reduction; the new lights come with visors that help direct the lights, reducing glare and light pollution, and will help improve our dark sky that we all enjoy. The new lights are also smaller in size, weigh less, and have simple wiring requirements. Port Maintenance Staff will be able to install the new lights so no specialists are required.

Port and Harbor is requesting an appropriation of \$30,000 to purchase 12 new LED lights for the high mast light pole #7. Once installed, we will re-run our ground test in order to confirm our levels of light are at least the same as what we had with the old light fixtures. Because of all the pre-purchase work and studies, we feel confident that this test will be successful and shall take us to the next logical step of upgrading the six other high mast lights around the Port and Harbor facility.

Attached is a breakdown ROI (return on investment) provided by Puffin Electric that shows a little over 4-year payback for our investment, which is a really great ROI in terms of energy efficiency upgrades.

**Recommendation:**

Adopt Ordinance 16-45, appropriating \$30,000 from the Port and Harbor Reserves for the purpose of purchasing 12 new LED lights for the high mast light #7. Once this initial purchase is made and successfully tested, it is Port and Harbor's intention to request another appropriation of approximately \$125,000 from Port and Harbor reserves in order to upgrade the remaining six high mast light poles around the Port and Harbor facility.

Attached: Puffin Electric's ROI Breakdown for High Mast Pole #7  
Photos of Current & New LED Light Fixtures

Fiscal Note: 456-0380 – \$30,000.00



## **Memorandum 16-143**

**TO:** Mayor Wythe and Homer City Council  
**FROM:** Bryan Hawkins, Port and Harbor Director / Harbormaster  
**THROUGH:** Katie Koester, City Manager  
**DATE:** September 7, 2016  
**SUBJECT:** Rehabbing the Port and Harbor High Mast Lights From High Pressure Sodium to LED

---

Memorandum 16-136 recommended a \$30,000 expenditure on a test project to change the lights on pole #7 from high pressure sodium to LED lights to prove the theory that LED technology has improved to the point that it can be used for high-level area lighting. As you know, this is a subject that has generated a lot of conversation around town. I too have received many calls to my office since our last meeting. Some came from industry professionals who question the suggestion to sole source the contract. They informed me that there are many lights on the market that could perform to the standard the Port and Harbor requires and they would appreciate the opportunity to compete for the work.

My original thought was that the technology needed to be proven at this height, which is why Ordinance 16-45(S) only authorizes a pilot project - switching out the light bulbs on one pole. However, I am convinced that the technology has jumped ahead to fill the need and that a competitive RFP for the entire project would ensure that the product meets the Port and Harbor's needs. Fixtures will be replaced on one pole and tested before all seven lights are replaced regardless.

My recommendation is to vote down Ordinance 16-45(S) and introduce a new ordinance at the September 26 meeting that funds the replacement of all high mast lighting and authorizes the City to issue a Request for Proposals for the project.

One hundred and fifty foot high mast poles are used all over the world because they are the most cost effective way of lighting expansive areas. A night drive on any highway or freeway showcases the same lights that we now are using down at the Harbor. They are good, but now we have a chance to upgrade to a higher quality and lower cost light making what was good even better.

### **Goals for the high mast light replacement project:**

- 1) Lower operating costs. LED lighting will use half the electricity of existing lights. Port and Harbor budgeted \$535,600/yr. for electricity in 2016. Projected savings of changing the highmast lights over to LED is \$33,000/yr., or 7% savings overall in electricity costs. These savings will net the Enterprise an impressive 4-year return on investment for the project.
- 2) Lower maintenance costs. The average life of a high pressure sodium bulb is 2 to 4 years. The life span of LED lights are about 20 years. This factor is not even considered in the ROI because it's too difficult to quantify, but less maintenance is certainly a positive factor.
- 3) Lower the City's carbon footprint.
- 4) Recognizing the importance of area lighting as it pertains to the City's most valuable asset, we will maintain or improve the level of lighting on the Spit for our customers.
- 5) Follow the guidelines laid out by AMA for outdoor lighting to reduce any potentially harmful human and environmental effects of high intensity street lighting.
- 6) Lower glare caused by undirected light by only considering dark sky compliant fixtures that will direct light to the ground with permanently affixed visors on the lights.

### **Recommendation:**

Vote down Ordinance 16-45(S). Approve a new Ordinance that authorizes funding to upgrade all seven highmast lights to LED lighting and directs staff to draft an RFP to advertise using the stated goals in this memo (Introduction September 26). Staff will develop grading criteria to compare proposals in both performance and costs. The estimated overall project cost is \$180,000. Staff recommends funding for the project to come from the Port and Harbor Reserves (456-380 GL).

Enc: AMA Press Release: "AMA Adopts Community Guidance to Reduce the Harmful Human and Environmental Effects of High Intensity Street Lighting" [www.ama-assn.org](http://www.ama-assn.org)

Location: **Homer Harbor High Mast Pole 7**

**ROI**

Variable	Units	1000 w HID	Apack F640A	Commentary
Fixture Cost	\$/fixture		\$2,148	
Fixture Requirement	# fixtures	12	12	
Gateway			\$0.00	
<b>Initial Capital Cost</b>	<b>Total \$</b>		<b>\$25,776</b>	
Mean Power Draw	watts/fixture	1,170	610	
Hourly Usage	hours/day	12	12	Average hours per day
Daily Usage	days/year	365	365	Days operation per year
Pole 7 Energy Useage	kWH/year	61,495	32,062	
Energy Unit Cost	\$/kWH	\$0.21	\$0.21	
<b>Annual Energy Cost</b>	<b>\$/year</b>	<b>\$12,914</b>	<b>\$6,733</b>	

**\$6,181** Annual Energy Cost Savings

**Replacement Payback**  
**4.17 Years**









HEART HEALTH

MIND & MOOD

PAIN

STAYING  
HEALTHY

CANCER

DISEASES &  
CONDITIONS

MEN'S HEALTH

WOMEN'S  
HEALTH

[Harvard Health Letter {http://www.health.harvard.edu/newsletters/harvard\\_health\\_letter/2012/may}](http://www.health.harvard.edu/newsletters/harvard_health_letter/2012/may)

## Blue light has a dark side

*Light at night is bad for your health, and exposure to blue light emitted by electronics and energy-efficient lightbulbs may be especially so.*

Until the advent of artificial lighting, the sun was the major source of lighting, and people spent their evenings in (relative) darkness. Now, in much of the world, evenings are illuminated, and we take our easy access to all those lumens pretty much for granted.

But we may be paying a price for basking in all that light. At night, light throws the body's biological clock—the circadian rhythm—out of whack. Sleep suffers. Worse, research shows that it may contribute to the causation of cancer, diabetes, heart disease, and obesity.

But not all colors of light have the same effect. Blue wavelengths—which are beneficial during daylight hours because they boost attention, reaction times, and mood—seem to be the most disruptive at night. And the proliferation of electronics with screens, as well as energy-efficient lighting, is increasing our exposure to blue wavelengths, especially after sundown.

### Daily rhythms influenced by light

Everyone has slightly different circadian rhythms, but the average length is 24 and one-quarter hours. The circadian rhythm of people who stay up late is slightly longer, while the rhythms of earlier birds fall short of 24 hours. Dr. Charles Czeisler of Harvard Medical School showed, in 1981, that daylight keeps a person's internal clock aligned with the environment.

### The health risks of night time light

Study after study has linked working the night shift and exposure to light at night to several types of cancer (breast, prostate), diabetes, heart disease, and obesity. It's not exactly clear why nighttime light exposure seems to be so bad for us. But we do know that exposure to light suppresses the secretion of melatonin, a hormone that influences circadian rhythms, and there's some experimental evidence (it's very preliminary) that lower melatonin levels might explain the association with cancer.

A Harvard study shed a little bit of light on the possible connection to diabetes and possibly obesity. The researchers put 10 people on a schedule that gradually shifted the timing of their circadian rhythms. Their blood sugar levels increased, throwing them into a prediabetic state, and levels of leptin, a hormone that leaves people feeling full after a meal, went down.

Even dim light can interfere with a person's circadian rhythm and melatonin secretion. A mere eight lux—a level of brightness exceeded by most table lamps and about twice that of a night light—has an effect, notes Stephen Lockley, a Harvard sleep researcher. Light at night is part of the reason so many people don't get enough sleep, says Lockley, and researchers have linked short sleep to increased risk for depression, as well as diabetes and cardiovascular problems.

### The power of the blues

While light of any kind can suppress the secretion of melatonin, blue light does so more powerfully. Harvard researchers and their colleagues conducted an experiment comparing the effects of 6.5 hours of exposure to blue light to exposure to green light of comparable brightness. The blue light suppressed melatonin for about twice as long as the green light and shifted circadian rhythms by twice as much (3 hours vs. 1.5 hours).

In another study of blue light, researchers at the University of Toronto compared the melatonin levels of people exposed to bright indoor light who were wearing blue-light-blocking goggles to people exposed to regular dim light without wearing goggles. The fact that the levels of the hormone were about the same in the two groups strengthens the hypothesis that blue light is a potent suppressor of melatonin. It also suggests that shift workers and night owls could perhaps protect themselves if they wore eyewear that blocks blue light. Inexpensive sunglasses with orange-tinted lenses block blue light, but they also block other colors, so they're not suitable for use indoors at night. Glasses that block out only blue light can cost up to \$80.

## Less-blue light

If blue light does have adverse health effects, then environmental concerns, and the quest for energy-efficient lighting, could be at odds with personal health. Those curlicue compact fluorescent lightbulbs and LED lights are much more energy-efficient than the old-fashioned incandescent lightbulbs we grew up with. But they also tend to produce more blue light.

The physics of fluorescent lights can't be changed, but coatings inside the bulbs can be so they produce a warmer, less blue light. LED lights are more efficient than fluorescent lights, but they also produce a fair amount of light in the blue spectrum. Richard Hansler, a light researcher at John Carroll University in Cleveland, notes that ordinary incandescent lights also produce some blue light, although less than most fluorescent lightbulbs.

## What you can do

- Use dim red lights for night lights. Red light has the least power to shift circadian rhythm and suppress melatonin.
- Avoid looking at bright screens beginning two to three hours before bed.
- If you work a night shift or use a lot of electronic devices at night, consider wearing blue-blocking glasses.
- Expose yourself to lots of bright light during the day, which will boost your ability to sleep at night, as well as your mood and alertness during daylight.

*Updated: September 2, 2015*

Originally published: May 2012

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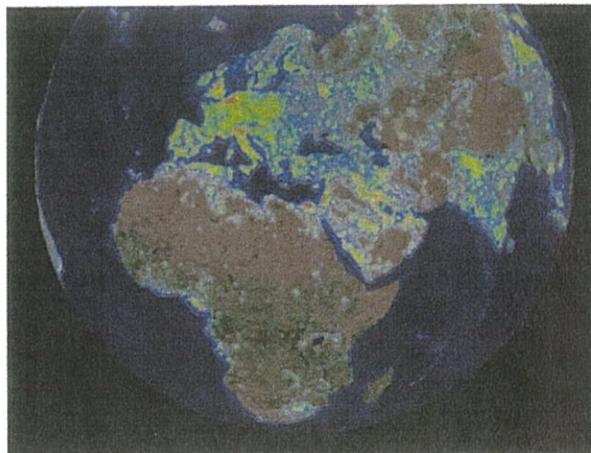
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journal *Science Advances*, is a welcome follow up to the 2001 “World Atlas” and is sure to benefit researchers across multiple disciplines.

Scott Feierabend, Executive Director of the International Dark-Sky Association, hailed the work as a major breakthrough, saying “the new atlas acts as a benchmark, which will help to evaluate the success or failure of actions to reduce light pollution in urban and natural areas.”



World Atlas overlaid on a map of Africa, Europe, and Asia. Credit: Dan Duriscoe

The atlas documents a world that is in many places awash with light. In Western Europe, only a few small areas remain where the night sky remains relatively unpolluted, including areas in Scotland, Sweden, Norway, and parts of Spain and Austria. In addition to a world map, researchers provide tables of each country and what fraction of its population live under highly light polluted skies.

The authors specifically examined the G20 countries, finding that in terms of area, Italy and South Korea are the most polluted, and Canada and Australia the least. Residents of India and Germany are most likely to be able to see the Milky Way from their home, while those in Saudi Arabia and South Korea are least likely.

According to the study’s authors, “humanity has enveloped our planet in a luminous fog that prevents most of Earth’s population from having the opportunity to observe our galaxy. This has a consequent potential impact on culture that is of unprecedented magnitude.”

### **Study Confirms IDA’s Stance on Outdoor Lighting and LEDs**

According to the study, street lighting and outdoor lighting retrofits using 4000K lamps ([IDA recommends](#) 3000K or below) could result in a 2.5 increase in light pollution. This is because sources with higher color temperatures are more polluting. The researchers warn that that unless blue-light emissions are restricted, the transition to LED technology is only going to exacerbate the problem (See the [IDA LED Practical Guide](#)).

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we stand on the cusp of a worldwide transition to LED technology” explained Falchi. “Unless careful consideration is given to LED color and lighting levels, this transition could unfortunately lead to a 2- to 3-fold increase in skyglow on clear nights.”

To decrease light pollution, the authors prescribe full shielding of lighting, using the minimum light needed for the tasks, shutting off or lowering light levels when not in use, decreasing the total installed flux and limiting “blue” light (light with higher color temperatures).

### **Technological Advances Make Research Possible**

Major advances over the 2001 atlas were possible thanks to a new satellite and to the recent development of inexpensive sky radiance meters. City lighting information for the atlas came from the American Suomi NPP satellite, which includes the first instrument intentionally designed to make accurate observations of urban lights from space. The atlas was calibrated using data from “Sky Quality Meters” at 20,865 individual locations around the world.

### **Citizen Scientists as Part of the Research Team**

Engagement of citizen scientists, including those participating in [Globe at Night](#), in collecting the calibration data was critical, according to Dr. Christopher Kyba, a study co-author and researcher at the GFZ German Research Centre for Geosciences.

“Citizen scientists provided about 20 percent of the total data used for the calibration, and without them we would not have had calibration data from countries outside of Europe and North America,” Kyba said.

Researchers from Italy, Germany, the USA, and Israel carried out the work, which was led by Fabio Falchi from the Italian Light Pollution Science and Technology Institute.

The authors of the paper are affiliated with the following institutions: Light Pollution Science and Technology Institute, U.S. National Oceanic and Atmospheric Administration, US National Park Service, GFZ German Research Centre for Geosciences, and the University of Haifa.

Access the free online version [here](#).



# REPORT OF THE COUNCIL ON SCIENCE AND PUBLIC HEALTH

CSAPH Report 2-A-16

Subject: Human and Environmental Effects of Light Emitting Diode (LED) Community Lighting

Presented by: Louis J. Kraus, MD, Chair

Referred to: Reference Committee E  
(Theodore Zanker, MD, Chair)

---

## 1 INTRODUCTION

2

3 With the advent of highly efficient and bright light emitting diode (LED) lighting, strong economic  
4 arguments exist to overhaul the street lighting of U.S. roadways.<sup>1-3</sup> Valid and compelling reasons  
5 driving the conversion from conventional lighting include the inherent energy efficiency and longer  
6 lamp life of LED lighting, leading to savings in energy use and reduced operating costs, including  
7 taxes and maintenance, as well as lower air pollution burden from reduced reliance on fossil-based  
8 carbon fuels.

9

10 Not all LED light is optimal, however, when used as street lighting. Improper design of the lighting  
11 fixture can result in glare, creating a road hazard condition.<sup>4,5</sup> LED lighting also is available in  
12 various color correlated temperatures. Many early designs of white LED lighting generated a color  
13 spectrum with excessive blue wavelength. This feature further contributes to disability glare, i.e.,  
14 visual impairment due to stray light, as blue wavelengths are associated with more scattering in the  
15 human eye, and sufficiently intense blue spectrum damages retinas.<sup>6,7</sup> The excessive blue spectrum  
16 also is environmentally disruptive for many nocturnal species. Accordingly, significant human and  
17 environmental concerns are associated with short wavelength (blue) LED emission. Currently,  
18 approximately 10% of existing U.S. street lighting has been converted to solid state LED  
19 technology, with efforts underway to accelerate this conversion. The Council is undertaking this  
20 report to assist in advising communities on selecting among LED lighting options in order to  
21 minimize potentially harmful human health and environmental effects.

22

## 23 METHODS

24

25 English language reports published between 2005 and 2016 were selected from a search of the  
26 PubMed and Google Scholar databases using the MeSH terms “light,” “lighting methods,”  
27 “color,” “photoc stimulation,” and “adverse effects,” in combination with “circadian  
28 rhythm/physiology/radiation effects,” “radiation dosage/effects,” “sleep/physiology,” “ecosystem,”  
29 “environment,” and “environmental monitoring.” Additional searches using the text terms “LED”  
30 and “community,” “street,” and “roadway lighting” were conducted. Additional information and  
31 perspective were supplied by recognized experts in the field.

32

## 33 ADVANTAGES AND DISADVANTAGES OF LED STREET LIGHTS

34

35 The main reason for converting to LED street lighting is energy efficiency; LED lighting can  
36 reduce energy consumption by up to 50% compared with conventional high pressure sodium (HPS)

1 lighting. LED lighting has no warm up requirement with a rapid “turn on and off” at full intensity.  
2 In the event of a power outage, LED lights can turn on instantly when power is restored, as  
3 opposed to sodium-based lighting requiring prolonged warm up periods. LED lighting also has the  
4 inherent capability to be dimmed or tuned, so that during off peak usage times (e.g., 1 to 5 AM),  
5 further energy savings can be achieved by reducing illumination levels. LED lighting also has a  
6 much longer lifetime (15 to 20 years, or 50,000 hours), reducing maintenance costs by decreasing  
7 the frequency of fixture or bulb replacement. That lifespan exceeds that of conventional HPS  
8 lighting by 2-4 times. Also, LED lighting has no mercury or lead, and does not release any toxic  
9 substances if damaged, unlike mercury or HPS lighting. The light output is very consistent across  
10 cold or warm temperature gradients. LED lights also do not require any internal reflectors or glass  
11 covers, allowing higher efficiency as well, if designed properly.<sup>8,9</sup>  
12

13 Despite the benefits of LED lighting, some potential disadvantages are apparent. The initial cost is  
14 higher than conventional lighting; several years of energy savings may be required to recoup that  
15 initial expense.<sup>10</sup> The spectral characteristics of LED lighting also can be problematic. LED  
16 lighting is inherently narrow bandwidth, with “white” being obtained by adding phosphor coating  
17 layers to a high energy (such as blue) LED. These phosphor layers can wear with time leading to a  
18 higher spectral response than was designed or intended. Manufacturers address this problem with  
19 more resistant coatings, blocking filters, or use of lower color temperature LEDs. With proper  
20 design, higher spectral responses can be minimized. LED lighting does not tend to abruptly “burn  
21 out,” rather it dims slowly over many years. An LED fixture generally needs to be replaced after it  
22 has dimmed by 30% from initial specifications, usually after about 15 to 20 years.<sup>1,11</sup>  
23

24 Depending on the design, a large amount blue light is emitted from some LEDs that appear white  
25 to the naked eye. The excess blue and green emissions from some LEDs lead to increased light  
26 pollution, as these wavelengths scatter more within the eye and have detrimental environmental  
27 and glare effects. LED’s light emissions are characterized by their correlated color temperature  
28 (CCT) index.<sup>12,13</sup> The first generation of LED outdoor lighting and units that are still widely being  
29 installed are “4000K” LED units. This nomenclature (Kelvin scale) reflects the equivalent color of  
30 a heated metal object to that temperature. The LEDs are cool to the touch and the nomenclature has  
31 nothing to do with the operating temperature of the LED itself. By comparison, the CCT associated  
32 with daylight light levels is equivalent to 6500K, and high pressure sodium lighting (the current  
33 standard) has a CCT of 2100K. Twenty-nine percent of the spectrum of 4000K LED lighting is  
34 emitted as blue light, which the human eye perceives as a harsh white color. Due to the point-  
35 source nature of LED lighting, studies have shown that this intense blue point source leads to  
36 discomfort and disability glare.<sup>14</sup>  
37

38 More recently engineered LED lighting is now available at 3000K or lower. At 3000K, the human  
39 eye still perceives the light as “white,” but it is slightly warmer in tone, and has about 21% of its  
40 emission in the blue-appearing part of the spectrum. This emission is still very blue for the  
41 nighttime environment, but is a significant improvement over the 4000K lighting because it  
42 reduces discomfort and disability glare. Because of different coatings, the energy efficiency of  
43 3000K lighting is only 3% less than 4000K, but the light is more pleasing to humans and has less  
44 of an impact on wildlife.  
45

#### 46 *Glare*

47

48 Disability glare is defined by the Department of Transportation (DOT) as the following:  
49

50 “Disability glare occurs when the introduction of stray light into the eye reduces the ability to  
51 resolve spatial detail. It is an objective impairment in visual performance.”

1 Classic models of this type of glare attribute the deleterious effects to intraocular light scatter in the  
 2 eye. Scattering produces a veiling luminance over the retina, which effectively reduces the contrast  
 3 of stimulus images formed on the retina. The disabling effect of the veiling luminance has serious  
 4 implications for nighttime driving visibility.<sup>15</sup>

5  
 6 Although LED lighting is cost efficient and inherently directional, it paradoxically can lead to  
 7 worse glare than conventional lighting. This glare can be greatly minimized by proper lighting  
 8 design and engineering. Glare can be magnified by improper color temperature of the LED, such as  
 9 blue-rich LED lighting. LEDs are very intense point sources that cause vision discomfort when  
 10 viewed by the human eye, especially by older drivers. This effect is magnified by higher color  
 11 temperature LEDs, because blue light scatters more within the human eye, leading to increased  
 12 disability glare.<sup>16</sup>

13  
 14 In addition to disability glare and its impact on drivers, many residents are unhappy with bright  
 15 LED lights. In many localities where 4000K and higher lighting has been installed, community  
 16 complaints of glare and a “prison atmosphere” by the high intensity blue-rich lighting are common.  
 17 Residents in Seattle, WA have demanded shielding, complaining they need heavy drapes to be  
 18 comfortable in their own homes at night.<sup>17</sup> Residents in Davis, CA demanded and succeeded in  
 19 getting a complete replacement of the originally installed 4000K LED lights with the 3000K  
 20 version throughout the town at great expense.<sup>18</sup> In Cambridge, MA, 4000K lighting with dimming  
 21 controls was installed to mitigate the harsh blue-rich lighting late at night. Even in places with a  
 22 high level of ambient nighttime lighting, such as Queens in New York City, many complaints were  
 23 made about the harshness and glare from 4000K lighting.<sup>19</sup> In contrast, 3000K lighting has been  
 24 much better received by citizens in general.

25  
 26 *Unshielded LED Lighting*

27  
 28 Unshielded LED lighting causes significant discomfort from glare. A French government report  
 29 published in 2013 stated that due to the point source nature of LED lighting, the luminance level of  
 30 unshielded LED lighting is sufficiently high to cause visual discomfort regardless of the position,  
 31 as long as it is in the field of vision. As the emission surfaces of LEDs are highly concentrated  
 32 point sources, the luminance of each individual source easily exceeds the level of visual  
 33 discomfort, in some cases by a factor of 1000.<sup>17</sup>

34  
 35 Discomfort and disability glare can decrease visual acuity, decreasing safety and creating a road  
 36 hazard. Various testing measures have been devised to determine and quantify the level of glare  
 37 and vision impairment by poorly designed LED lighting.<sup>20</sup> Lighting installations are typically  
 38 tested by measuring foot-candles per square meter on the ground. This is useful for determining the  
 39 efficiency and evenness of lighting installations. This method, however, does not take into account  
 40 the human biological response to the point source. It is well known that unshielded light sources  
 41 cause pupillary constriction, leading to worse nighttime vision between lighting fixtures and  
 42 causing a “veil of illuminance” beyond the lighting fixture. This leads to worse vision than if the  
 43 light never existed at all, defeating the purpose of the lighting fixture. Ideally LED lighting  
 44 installations should be tested in real life scenarios with effects on visual acuity evaluated in order to  
 45 ascertain the best designs for public safety.

46  
 47 *Proper Shielding*

48  
 49 With any LED lighting, proper attention should be paid to the design and engineering features.  
 50 LED lighting is inherently a bright point source and can cause eye fatigue and disability glare if it  
 51 is allowed to directly shine into human eyes from roadway lighting. This is mitigated by proper

1 design, shielding and installation ensuring that no light shines above 80 degrees from the  
 2 horizontal. Proper shielding also should be used to prevent light trespass into homes alongside the  
 3 road, a common cause of citizen complaints. Unlike current HPS street lighting, LEDs have the  
 4 ability to be controlled electronically and dimmed from a central location. Providing this additional  
 5 control increases the installation cost, but may be worthwhile because it increases long term energy  
 6 savings and minimizes detrimental human and environmental lighting effects. In environmentally  
 7 sensitive or rural areas where wildlife can be especially affected (e.g., near national parks or bio-  
 8 rich zones where nocturnal animals need such protection), strong consideration should be made for  
 9 lower emission LEDs (e.g., 3000K or lower lighting with effective shielding). Strong consideration  
 10 also should be given to the use of filters to block blue wavelengths (as used in Hawaii), or to the  
 11 use of inherent amber LEDs, such as those deployed in Quebec. Blue light scatters more widely  
 12 (the reason the daytime sky is “blue”), and unshielded blue-rich lighting that travels along the  
 13 horizontal plane increases glare and dramatically increases the nighttime sky glow caused by  
 14 excessive light pollution.

#### 15 16 POTENTIAL HEALTH EFFECTS OF “WHITE” LED STREET LIGHTING

17  
18 Much has been learned over the past decade about the potential adverse health effects of electric  
 19 light exposure, particularly at night.<sup>21-25</sup> The core concern is disruption of circadian rhythmicity.  
 20 With waning ambient light, and in the absence of electric lighting, humans begin the transition to  
 21 nighttime physiology at about dusk; melatonin blood concentrations rise, body temperature drops,  
 22 sleepiness grows, and hunger abates, along with several other responses.

23  
24 A number of controlled laboratory studies have shown delays in the normal transition to nighttime  
 25 physiology from evening exposure to tablet computer screens, backlit e-readers, and room light  
 26 typical of residential settings.<sup>26-28</sup> These effects are wavelength and intensity dependent,  
 27 implicating bright, short wavelength (blue) electric light sources as disrupting transition. These  
 28 effects are not seen with dimmer, longer wavelength light (as from wood fires or low wattage  
 29 incandescent bulbs). In human studies, a short-term detriment in sleep quality has been observed  
 30 after exposure to short wavelength light before bedtime. Although data are still emerging, some  
 31 evidence supports a long-term increase in the risk for cancer, diabetes, cardiovascular disease and  
 32 obesity from chronic sleep disruption or shiftwork and associated with exposure to brighter light  
 33 sources in the evening or night.<sup>25,29</sup>

34  
35 Electric lights differ in terms of their circadian impact.<sup>30</sup> Understanding the neuroscience of  
 36 circadian light perception can help optimize the design of electric lighting to minimize circadian  
 37 disruption and improve visual effectiveness. White LED streetlights are currently being marketed  
 38 to cities and towns throughout the country in the name of energy efficiency and long term cost  
 39 savings, but such lights have a spectrum containing a strong spike at the wavelength that most  
 40 effectively suppresses melatonin during the night. It is estimated that a “white” LED lamp is at  
 41 least 5 times more powerful in influencing circadian physiology than a high pressure sodium light  
 42 based on melatonin suppression.<sup>31</sup> Recent large surveys found that brighter residential nighttime  
 43 lighting is associated with reduced sleep time, dissatisfaction with sleep quality, nighttime  
 44 awakenings, excessive sleepiness, impaired daytime functioning, and obesity.<sup>29,32</sup> Thus, white LED  
 45 street lighting patterns also could contribute to the risk of chronic disease in the populations of  
 46 cities in which they have been installed. Measurements at street level from white LED street lamps  
 47 are needed to more accurately assess the potential circadian impact of evening/nighttime exposure  
 48 to these lights.

1 ENVIRONMENTAL EFFECTS OF LED LIGHTING

2

3 The detrimental effects of inefficient lighting are not limited to humans; 60% of animals are  
4 nocturnal and are potentially adversely affected by exposure to nighttime electrical lighting. Many  
5 birds navigate by the moon and star reflections at night; excessive nighttime lighting can lead to  
6 reflections on glass high rise towers and other objects, leading to confusion, collisions and  
7 death.<sup>33</sup> Many insects need a dark environment to procreate, the most obvious example being  
8 lightning bugs that cannot “see” each other when light pollution is pronounced. Other  
9 environmentally beneficial insects are attracted to blue-rich lighting, circling under them until they  
10 are exhausted and die.<sup>34,35</sup> Unshielded lighting on beach areas has led to a massive drop in turtle  
11 populations as hatchlings are disoriented by electrical light and sky glow, preventing them from  
12 reaching the water safely.<sup>35-37</sup> Excessive outdoor lighting diverts the hatchlings inland to their  
13 demise. Even bridge lighting that is “too blue” has been shown to inhibit upstream migration of  
14 certain fish species such as salmon returning to spawn. One such overly lit bridge in Washington  
15 State now is shut off during salmon spawning season.

16

17 Recognizing the detrimental effects of light pollution on nocturnal species, U.S. national parks  
18 have adopted best lighting practices and now require minimal and shielded lighting. Light pollution  
19 along the borders of national parks leads to detrimental effects on the local bio-environment. For  
20 example, the glow of Miami, FL extends throughout the Everglades National Park. Proper  
21 shielding and proper color temperature of the lighting installations can greatly minimize these types  
22 of harmful effects on our environment.

23

24 CONCLUSION

25

26 Current AMA Policy supports efforts to reduce light pollution. Specific to street lighting, Policy H-  
27 135.932 supports the implementation of technologies to reduce glare from roadway lighting. Thus,  
28 the Council recommends that communities considering conversion to energy efficient LED street  
29 lighting use lower CCT lights that will minimize potential health and environmental effects. The  
30 Council previously reviewed the adverse health effects of nighttime lighting, and concluded that  
31 pervasive use of nighttime lighting disrupts various biological processes, creating potentially  
32 harmful health effects related to disability glare and sleep disturbance.<sup>25</sup>

33

34 RECOMMENDATIONS

35

36 The Council on Science and Public Health recommends that the following statements be adopted,  
37 and the remainder of the report filed.

38

- 39 1. That our American Medical Association (AMA) support the proper conversion to community-  
40 based Light Emitting Diode (LED) lighting, which reduces energy consumption and decreases  
41 the use of fossil fuels. (New HOD Policy)
- 42
- 43 2. That our AMA encourage minimizing and controlling blue-rich environmental lighting by  
44 using the lowest emission of blue light possible to reduce glare. (New HOD Policy)
- 45
- 46 3. That our AMA encourage the use of 3000K or lower lighting for outdoor installations such as  
47 roadways. All LED lighting should be properly shielded to minimize glare and detrimental  
48 human and environmental effects, and consideration should be given to utilize the ability of  
49 LED lighting to be dimmed for off-peak time periods. (New HOD Policy)

Fiscal Note: Less than \$500

REFERENCES

1. Municipal Solid State Street Lighting Consortium. <http://www1.eere.energy.gov/buildings/ssl/consortium.html>. Accessed April 4, 2016.
2. Illuminating Engineering Society RP-8 – Guide to Roadway Lighting. <http://www.ies.org/> 2014. Accessed April 4, 2016.
3. LED Lighting Facts–A Program of the United States Department of Energy. <http://www.lightingfacts.com>. Accessed April 5, 2016.
4. Lin Y, Liu Y, Sun Y, Zhu X, Lai J, Heynderickz I. Model predicting discomfort glare caused by LED road lights. *Opt Express*. 2014;22(15):18056-71.
5. Gibbons RB, Edwards CJ. A review of disability and discomfort glare research and future direction. 18th Biennial TRB Visibility Symposium, College Station TX, United States, April 17-19, 2007.
6. Shang YM, Wang GS, Sliney D, Yang CH, Lee LL. White light–emitting diodes (LEDs) at domestic lighting levels and retinal injury in a rat model. *Environ Health Perspect*. 2014;122(3):269-76.
7. Lougheed T. Hidden blue hazard? LED lighting and retinal damage in rats. *Environ Health Perspect*. 2014;122(3):A81.
8. A Municipal Guide for Converting to LED Street Lighting, (<http://www1.eere.energy.gov/buildings/ssl/consortium.html>) 10/13/2013.
9. In depth: Advantages of LED Lighting. <http://energy.ltgovernors.com/in-depth-advantages-of-led-lighting.html>. Accessed April 5, 2016.
10. Silverman H. How LED Streetlights Work. HowStuffWorks.com. June 22, 2009. <http://science.howstuffworks.com/environmental/green-tech/sustainable/led-streetlight.htm>. Accessed April 7, 2016.
11. Jin H, Jin S, Chen L, Cen S, Yuan K. Research on the lighting performance of LED street lights with different color temperatures. *IEEE Photonics Journal*. 2015;24(6):975-78. <http://ieeexplore.ieee.org/stamp/stamp.jsp?arnumber=7328247>. Accessed April 7, 2016.
12. Morris N. LED there be light. Nick Morris predicts a bright future for LEDs. *Electrooptics.com*. <http://www.electrooptics.com/features/junjul06/junjul06leds.html>. Accessed April 7, 2016.
13. Mills MP. The LED illumination revolution. *Forbes Magazine*. February 27, 2008. [http://www.forbes.com/2008/02/27/incandescent-led-cfl-pf-guru\\_in\\_mm\\_0227energy\\_inl.html](http://www.forbes.com/2008/02/27/incandescent-led-cfl-pf-guru_in_mm_0227energy_inl.html). Accessed April 5, 2016.

14. Opinion of the French Agency for Food, Environmental and Occupational Health & Safety, October 19, 2010. <https://web.archive.org/web/20140429161553/http://www.anses.fr/Documents/AP2008sa0408EN.pdf>
15. U.S. Department of Transportation, Federal Highway Administration, 2005.
16. Sweater-Hickcox K, Narendran N, Bullough JD, Freyssinier JP. Effect of different coloured luminous surrounds on LED discomfort glare perception. *Lighting Research Technology*. 2013;45(4):464-75. <http://lrt.sagepub.com/content/45/4/464>. Accessed April 5, 2016.
17. Scigliano E. Seattle's new LED-lit streets Blinded by the lights. *Crosscut*. March 18, 2013. <http://crosscut.com/2013/03/streetlights-seattle-led/>. Accessed April 6, 2016.
18. Davis will spend \$350,000 to replace LED lights after neighbor complaints. CBS Local, Sacramento; October 21, 2014. <http://sacramento.suntimes.com/sac-news/7/138/6000/davis-will-spend-350000-to-replace-led-lights-after-neighbor-complaints>.
19. Chaban M. LED streetlights in Brooklyn are saving energy but exhausting residents. *NY Times*; March 23, 2015. [http://www.nytimes.com/2015/03/24/nyregion/new-led-streetlights-shine-too-brightly-for-some-in-brooklyn.html?\\_r=0](http://www.nytimes.com/2015/03/24/nyregion/new-led-streetlights-shine-too-brightly-for-some-in-brooklyn.html?_r=0). Accessed April 5, 2016.
20. Vos JJ. On the cause of disability glare and its dependence on glare angle, age and ocular pigmentation. *Clin Exp Optom*. 2003;86(6):363-70.
21. Stevens RG, Brainard GC, Blask DE, Lockley SW, Motta ME. Breast cancer and circadian disruption from electric lighting in the modern world. *CA Cancer J Clin*. 2014;64:207-18.
22. Evans JA, Davidson AJ. Health consequences of circadian disruption in humans and animal models. *Prog Mol Biol Transl Sci*. 2013;119:283-323.
23. Wright KP Jr, McHill AW, Birks BR, Griffin BR, Rusterholz T, Chinoy ED. Entrainment of the human circadian clock to the natural light-dark cycle. *Curr Biol*. 2013;23:1554-8.
24. Energy Savings Estimates of Light Emitting Diodes in Niche Lighting Applications. Building Technologies Program, Office of Energy Efficiency and Renewable Energy, U.S. Department of Energy. January 2011. [http://apps1.eere.energy.gov/buildings/publications/pdfs/ssl/nichefinalreport\\_january2011.pdf](http://apps1.eere.energy.gov/buildings/publications/pdfs/ssl/nichefinalreport_january2011.pdf). Accessed April 7, 2016.
25. Council on Science and Public Health Report 4. Light pollution. Adverse effects of nighttime lighting. American Medical Association, Annual Meeting, Chicago, IL. 2012.
26. Cajochen C, Frey S, Anders D, et al. Evening exposure to a light-emitting diodes (LED)-backlit computer screen affects circadian physiology and cognitive performance. *J Appl Physiol*. 2011;110:1432-8.
27. Chang AM, Aeschbach D, Duffy JF, Czeisler CA. Evening use of light-emitting eReaders negatively affects sleep, circadian timing, and next-morning alertness. *Proc Natl Acad Sci USA*. 2015;112:1232-7.

28. Gooley JJ, Chamberlain K, Smith KA, et al. Exposure to room light before bedtime suppresses melatonin onset and shortens melatonin duration in humans. *J Clin Endocrinol Metab.* 2011;96:E463-72.
29. Koo YS, Song JY, Joo EY, et al. Outdoor artificial light at night, obesity, and sleep health: Cross-sectional analysis in the KoGES study. *Chronobiol Int.* 2016;33(3):301-14.
30. Lucas RJ, Peirson SN, Berson DM, et al. Measuring and using light in the melanopsin age. *Trends Neurosci.* 2014;37:1-9.
31. Falchi F, Cinzano P, Elvidge CD, Keith DM, Haim A. Limiting the impact of light pollution on human health, environment and stellar visibility. *J Environ Manage.* 2011;92:2714-22.
32. Ohayon M, Milesi C. Sleep deprivation/insomnia and exposure to street lights in the American general population. American Academy of Neurology Annual Meeting. April 15-21, 2016. Vancouver, BC.
33. Pawson SM, Bader MK. Led lighting increases the ecological impact of light pollution irrespective of color temperature. *Ecological Applications.* 2014;24:1561-68.
34. Gaston K, Davies T, Bennie J, Hopkins J. Reducing the ecological consequences of night-time light pollution: Options and developments. *J Appl Ecol.* 2012;49(6):1256-66.
35. Salmon M. Protecting sea turtles from artificial night lighting at Florida's oceanic beaches. In: Rich C, Longcore T (eds.). *Ecological Consequences of Artificial Night Lighting.* 2006:141-68. Island Press, Washington, DC.
36. Rusenko KW, Mann JL, Albury R, Moriarty JE, Carter HL. Is the wavelength of city glow getting shorter? Parks with no beachfront lights record adult aversion and hatchling disorientations in 2004. Kalb H, Rohde A, Gayheart K, Shanker, K, compilers. 2008. *Proceedings of the Twenty-fifth Annual Symposium on Sea Turtle Biology and Conservation*, NOAA Technical Memorandum NMFS-SEFSC-582, 204pp. <http://www.nmfs.noaa.gov/pr/pdfs/species/turtlesymposium2005.pdf>
37. Rusenko KW, Newman R, Mott C, et al. Using GIS to determine the effect of sky glow on nesting sea turtles over a ten year period. Jones TT, Wallace BP, compilers. 2012. *Proceedings of the Thirty-first Annual Symposium on Sea Turtle Biology and Conservation.* NOAA Technical Memorandum NOAA NMFS-SEFSC-631:32p.

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**International Dark-Sky Association**

**Visibility, Environmental, and Astronomical  
Issues Associated with  
Blue-Rich White Outdoor Lighting**

May 4, 2010

**Visibility, Environmental, and Astronomical Issues  
Associated with Blue-Rich White Outdoor Lighting**

International Dark-Sky Association

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**Abstract**

Outdoor lighting is undergoing a substantial change toward increased use of white lighting sources, accelerated most recently by developments in solid-state lighting. Though the perceived advantages of this shift (better color rendition, increased “visual effectiveness” and efficiency, decreased overall costs, better market acceptance) are commonly touted, there has been little discussion of documented or potential environmental impacts arising from the change in spectral energy distribution of such light sources as compared to the high-pressure sodium technology currently used for most area lighting. This paper summarizes atmospheric, visual, health, and environmental research into spectral effects of lighting at night. The physics describing the interaction of light with the atmosphere is long-established science and shows that the increased blue light emission from white lighting sources will increase visible sky glow and detrimental effects on astronomical research through increased scotopic sensitivity and scattering. Though other fields of study are less mature, there is nonetheless strong evidence for additional potential negative impacts. Vision science, much of it the same research being used to promote the switch to white light sources, shows that such lighting also increases the likelihood of glare and interferes with the ability of the eye to adapt to low light levels a particular concern for older people. Most of the research evidence concerning adverse effects of lighting on human health concerns circadian rhythm disruptions and breast cancer. The blue portion of the spectrum is known to interfere most strongly with the human endocrine system mediated by photoperiod, leading to reduction in the production of melatonin, a hormone shown to suppress breast cancer growth and development. A direct connection has not yet been made to outdoor lighting, nor particularly to incidental exposure (such as through bedroom windows) or the blue component of outdoor lighting, but the potential link is clearly delineated. Concerning effects on other living species, little research has examined spectral issues; yet where spectral issues have been examined, the blue component is more commonly indicated to have particular impacts than other colors (e.g., on sea turtles and insects). Much more research is needed before firm conclusions can be drawn in many areas, but the evidence is strong enough to suggest a cautious approach and further research before a widespread change to white lighting gets underway.

## Introduction

A recent trend in outdoor lighting has been the shift toward widespread use of white light sources. While there has been a series of different and sometimes opposing trends in outdoor lighting, this one is driven by a synergy of aesthetics, improvements in lamp efficiency, reduced operating costs, and emerging developments in visibility science. It is, however, important to recognize that all white light sources are not the same: some radiate much more energy than others in the blue portions of the spectrum. Concurrent with the developments in human vision research, there is growing evidence for adverse impacts associated with wavelengths shorter than about 500 nm. While the bulk of research demonstrating the visibility advantages of white light has been generated within the lighting profession, a body of research literature showing some distinct adverse consequences is accumulating in other disciplines. This paper presents a brief synopsis of current science from the fields of epidemiology, astronomy, land conservation, and biology, as well as vision and lighting.

The spectral output of white light sources stands in contrast to the most common high-intensity discharge (HID) source used for area and roadway lighting for the last several decades, high-pressure sodium (HPS). Thus these sources represent a substantial change in outdoor lighting practice because they produce a larger amount of radiation in the bluer portions of the spectrum than HPS. Most HPS emission falls between 550 nm and 650 nm; the ratio of radiant output shorter than 500 nm to the total output in the visible spectrum (here defined as 400 nm to 650 nm) is 7%; for fluorescent (including induction fluorescent) and metal halide (MH) sources the ratio is about 20% to 30%; and for white LED sources this ratio is in the range of 20% to 50% (see Figure 1). LED manufacturers have indicated that the ratio is expected to be less as LED technology develops and, indeed, some manufacturers have already announced “reduced-blue” LED products for outdoor lighting. But if more white light, regardless of light source type, is used for outdoor lighting, the amount of blue-rich light emitted into the environment will also rise substantially.

Correlated Color Temperature (CCT) is commonly used to describe the perceived color of white light sources, but it is an inadequate metric to describe how much energy is emitted in the blue portion of the spectrum. For example, MH and LED sources of equal CCT can have significantly different amounts of emission below 500 nm. Furthermore, lamp spectra that can have sharp emission peaks, such as MH and LEDs, have the potential to concentrate their energy in a spectral region that is environmentally sensitive, causing a disproportionate impact. Thus, a discussion of the broader impacts of outdoor lighting must be attuned to the spectral power distribution of lamps and the spectral responses of biological systems.

Solid-state LED lighting deserves careful examination due to the commonly higher proportion of energy emitted below 500 nm, the strong emission spike at 450–460 nm, and the emphasis on blue-rich “cool white” LEDs in the marketplace. LED have many potential advantages, including both improvements to human utility and reduced energy use. The technology is not inherently dangerous. But the information described below

indicates the complexity of the issue and care that should be exercised when applying blue-rich white light sources outdoors.

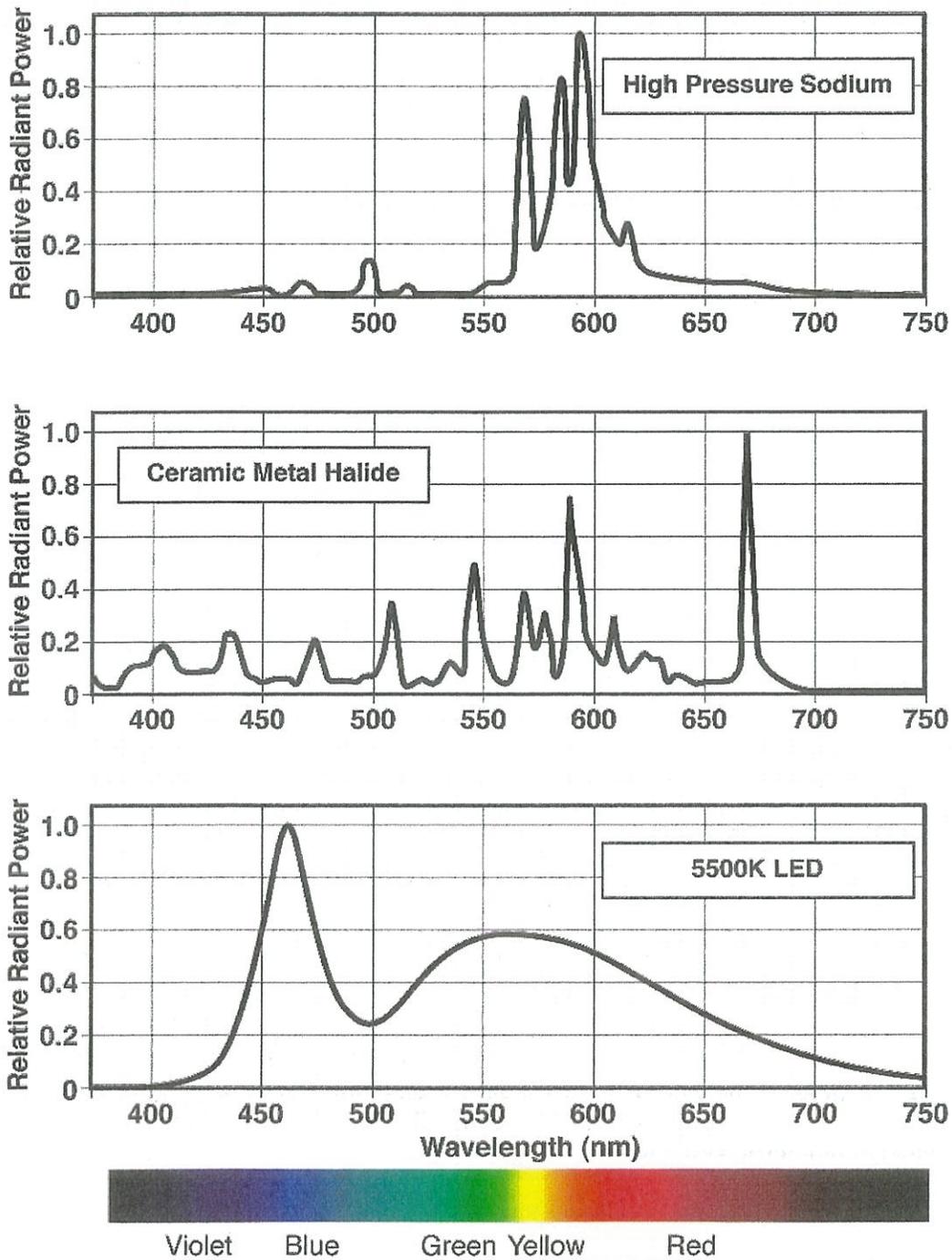


Figure 1. Typical spectral power distributions of HPS (orange); ceramic metal halide (cyan); white LED (blue).

This report presents a brief description of the physical processes related to the propagation of light through the atmosphere for background, then a discussion of the ramifications for human visibility and lighting, followed by a brief synopsis of human health effects, environmental effects, and finally, astronomical and scenic considerations.

### Terminology

In the discussion that follows, the term “blue-rich light” will often be used to refer to all types of white light. The term is used in contrast to yellow-rich sources (principally HPS) and includes sources with varying proportions of blue light, generally defined as light with wavelengths shorter than 500nm. The term is not meant to imply that the light would actually appear blue, though some of the sources discussed do have a blue hue. Examples of such blue-rich light sources include fluorescent, white LED (all CCT), induction, and metal halide.

### Physical Processes

The basic physics describing the interaction of light with molecules and aerosols was described in the 19<sup>th</sup> and early 20<sup>th</sup> centuries. Scattering by molecules was described first by John William Strutt, Baron Rayleigh (Strutt, 1871) and has since been referred to as Rayleigh scattering. Rayleigh scattering has a very strong dependence on wavelength with the molecule cross-section  $\sigma_R$ , and thus the resultant scattering, proportional to the inverse fourth power of the wavelength:

$$(1) \quad \sigma_R \propto \lambda^{-4}.$$

In everyday experience, the consequence of this increased scattering for shorter wavelengths is revealed in the blue color of the clear daytime sky. The consequence for artificial light sources with high blue-light emissions is greater scattering by molecules compared to scattering by longer-wavelength sources. Garstang (1986, 1989) used the following values to represent the scattering cross-section per molecule of broad regions of the spectrum representing the astronomical V and B bandpasses centered at 550 nm and 440 nm:

$$\begin{aligned} \sigma_R(550nm) &= 4.6e10^{-27} \text{ cm}^2 \\ \sigma_R(440nm) &= 1.136e10^{-26} \text{ cm}^2. \end{aligned}$$

The ratio between these two cross-sections ( $11.36/4.6 \approx 2.5$ ) shows that light at 440 nm scatters from molecules 2.5 times as much as light at 550 nm. As most light sources emit a range of wavelengths, the amount of Rayleigh scattering experienced by light from a given source is determined by weighting the spectral power distribution of the source using relation (1). The effective relative scattering of different light sources, called the Rayleigh Scattering Index, RSI (Knox and Keith, 2003), can be determined. These values for a selection of lamp spectra, divided by the RSI for HPS, are shown in Figure 2.

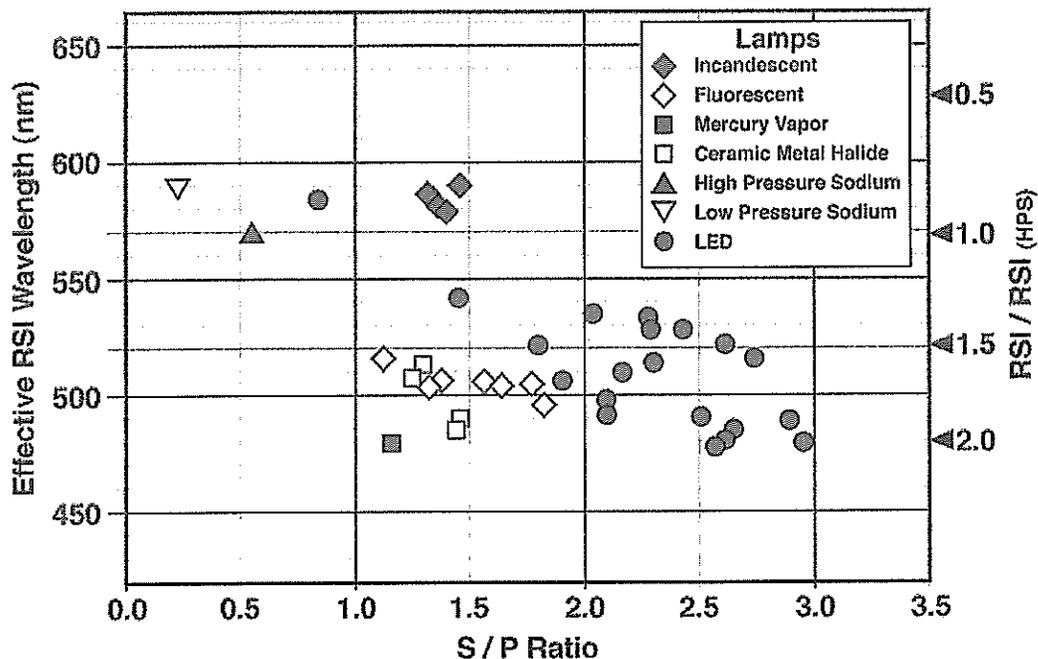


Figure 2. Rayleigh Scattering Index relative to HPS, and effective RSI wavelength for a selection of lamp types vs. their scotopic/photopic ratios S/P.

These results show that the light from white LEDs scatters from molecules 1.2 to 2 times as much as light emitted by an HPS lamp, light from fluorescents is scattered about 1.5 to 1.7 times as much, and that from a sample of ceramic metal halide from 1.5 to 1.8 times as much.

The atmosphere is not composed entirely of gaseous molecules: chiefly in the lower atmosphere, aerosols or particulate matter are an important component. The theory describing the interaction of light with aerosols was developed by Mie and others (see Mie, 1908). Though the theory is complex and depends upon particle size and composition, for the particles of most importance in the lower atmosphere, aerosol scattering still exhibits a tendency for greater scattering by shorter wavelengths, with particle cross-section  $\sigma_a$  proportional to the inverse of the wavelength (Garstang, 1986):

$$\sigma_a \propto \lambda^{-1}.$$

In most situations the total scattering from aerosols is greater than that from molecules (Garstang, 1986), but the angular dependencies are different: aerosol scattering is very strongly weighted in the forward direction; that is, light scattered from particles is mostly only slightly deviated from its original direction. Scattering from gaseous molecules is more evenly distributed in all directions. The easily observed consequence of the angular

dependence for aerosol scattering is that the blue daytime sky tends to become both brighter and whiter when observed closer to the sun. The consequence for sky glow caused by artificial lighting is that, despite greater overall scattering from aerosols in most situations, the increases in sky glow in the overhead sky tends to be dominated by Rayleigh scattering, with its much stronger dependence on wavelength.

In a real atmosphere including both molecules and aerosols, the strong dependence of Rayleigh scattering on wavelength is diluted though not removed. This means in hazier atmospheres, such as in polluted urban areas, the sky tends to be less blue and more white. Under such situations the impacts of the blue-rich light sources relative to yellow sources such as HPS are still greater, but diminished relative to the situation where the atmosphere has low aerosol content.

Finally, scattering of all types leads to an important consequence. When light travels through the atmosphere for large distances, more and more light is removed from any light beam, with the consequence of the above described wavelength dependencies being that bluer light is removed more than yellow or red light. This effect is stronger in hazier atmospheres. The everyday consequence of this effect is the red color of the sunset clouds or the sun near the horizon. For artificial lighting the consequence is that the impacts of the increased scattering suffered by blue light will be greatest when near the light sources, such as within or near cities, but diminish as distance from the sources increases (Luginbuhl et al., 2010). The close coupling of the increased scattering and absorption must be carefully interpreted. Though the impact of blue-rich light decreases with distance more rapidly than that of yellow-rich sources, this decreased impact arises from the scattering of short-wavelength light out of the light beam in the areas nearer to the cities. In other words, the decreased impact at greater distances is at the expense of increased impacts nearby. For clear atmospheres, less light is scattered overall, but the impacts are spread over a larger area; for hazier atmospheres more light is scattered, so the overall impacts to sky glow are larger and more strongly concentrated near the light sources.

## **Human Vision**

Several studies have concluded that blue-rich light is advantageous to human vision in some circumstances. Though his study dealt with bright indoor lighting, Berman (1992) pointed out that “photopic illuminance alone does not adequately characterize the visual system spectral response,” and that there are other potentially pertinent attributes of spectral response undescribed by the CIE photopic curve. As ambient lighting levels decrease and the human eye becomes adapted to lower illumination levels, visual performance becomes more complex. Human vision outdoors at night in the presence of artificial lighting involves both the rod cells and cone cells in the retina, and a complex, task-dependent blending of the scotopic (rod) and photopic (cone) responses. That rods are more sensitive to blue wavelengths has given rise to the idea that blue light is more visually effective at lower luminances, and that artificial outdoor light should increase utilization of blue-rich lamps.

The dynamics of the change in visual spectral response (the Purkinje shift) at mesopic luminance levels (between the very low luminances used to define scotopic response and the higher luminances used to define photopic response) has been investigated by a series of researchers using foveal brightness matching (e.g., Ikeda and Shimozono, 1981; Sagawa and Takeichi, 1986; Trezona, 1991) and others using reaction time for stimuli in the foveal, parafoveal, and peripheral fields (e.g., He et al., 1998; Lewis, 1999). Such literature has served as a basis for proposed mesopic response functions where rods and cones both contribute to vision. However, uncertainty remains about how critical visual characteristics in the mesopic range can be translated into real-world lighting practices.

In particular, different visual performance measures produce different mesopic curves. Measures of peripheral target reaction time indicate the Purkinje shift begins as high as  $1.0 \text{ cd/m}^2$ , while the brightness matching metric points to a 10x lower adaptation level, or about  $0.1 \text{ cd/m}^2$ , with a couple of studies as low as  $0.01 \text{ cd/m}^2$  (Rea et al., 2004). Other studies have modeled the mesopic function through chromatic pathways, with the S-cones playing a key role rather than the rods (Walkey et al., 2006). Because typical target outdoor lighting levels overlap only the brighter portion of the mesopic range, the exact behavior and onset of the eye's spectral sensitivity is a critical question. Depending on which studies and performance metrics are emphasized, the relevance to outdoor lighting design can be either quite significant, or hardly more than an academic point.

Remaining uncertainties concerning which visual stimuli are critical, the shape of the mesopic spectral response, what visual performance metrics are most appropriate to design for, the feedback between scotopic and photopic responses, the weighting of foveal, parafoveal and peripheral stimuli, and how all of these are related to adaptation luminance level over time make this an interesting field of study that may or may not result in a successful unified photometric system. Clearly, there is more to low luminance visual performance than solely scotopic response, and there is no unique mesopic response.

Despite the complexity and uncertainty of vision at mesopic light levels, and despite the official position of the Illuminating Engineering Society of North America (IESNA, see below), some commentators and manufacturers are nonetheless recommending the application of or actually applying correction factors to the luminous output of blue-rich lighting products (see, e.g., Lewin, 1999; U.S. Dept. of Defense, 2006; Berman and Josefowicz, 2009). While the correction factors are often presented tentatively, many are interpreting the suggestions more concretely than the authors may have intended: web searches on the terms “lumen effectiveness multipliers” and “pupil lumens” yield thousands of references, many on manufacturers' websites. The application of such corrections has achieved official recognition in Britain (see, for example, BS 5489-2:2003 “Code of practice for the design of road lighting”). In the case of blue-rich light, such weighting functions increase the apparent efficacy of the associated lighting and fundamentally alter the economics of those systems.

On November 15, 2009, the IESNA issued a Position Statement pointing out that all IESNA recommendations are to be used with the photopic luminous efficiency function

## International Dark-Sky Association

as defined in the IESNA Lighting Handbook unless there are specific exceptions stated in IESNA documents (IESNA, 2009). The use of spectral weighting functions such as those used to determine S/P ratios, “pupil lumens,” or “lumen effectiveness multipliers” (Lewin, 2001) are not approved.

On April 1, 2009, the Commission Internationale de l’Eclairage (CIE) released the Visual Performance in the Mesopic Range Technical Committee report detailing a recommended system for mesopic photometry (CIE 2009). Their conclusions are that a log-linear transition between photopic and scotopic modes, blending the eye’s luminance and chromatic systems, and choosing an upper threshold between the USP system proposed by Rea et al. (2004) and the MOVE system proposed by Goodman et al. (2007) gave satisfactory agreement with laboratory experiments. CIE’s resultant mesopic luminance adjustments are not as dramatic as Lumen Effective Multipliers for blue-rich light. While this proposed mesopic photometric system draws from a large number of studies to develop a practical system for lighting engineering, it does not address the following issues that complicate or confound the advantages of blue-rich light at mesopic levels.

### Pupillary Response

Several studies have shown that pupil size is more strongly correlated to blue light intensity (e.g., Barbur et al., 1992) than to photopic luminance, with the effect becoming more prominent at lower luminance levels. Blue-rich light causes incrementally smaller pupil sizes than yellower light. Although it is sometimes assumed to be mediated by rod cell (scotopic) response, research indicates that pupil size may be dependent on blue-sensitive S-cones (Kimura and Young, 1999), a combination of rod and cone cell response with peak sensitivity at 490 nm (Bouma, 1962), or a L-cone minus M-cone mechanism (Tsujimura et al., 2001).

At lower luminances, a smaller pupil size and the resultant lower retinal illumination may reduce visual performance for tasks more closely related to foveal vision or photopic luminance. Pupil size is an important covariable that should be examined using a range of performance tasks, not just reaction time, and the ramifications of a lower retinal illumination on foveal vision tasks have not been adequately addressed.

### Adaptation

The scotopic vision process has a much lower light-detection threshold than photopic vision (Blackwell, 1946; Rose, 1948). However, the scotopic and photopic systems are not independent visual channels that are additively combined. Scotopic activity appears to suppress color (photopic) function (Sugita et al., 1989), photopic activity will suppress low light scotopic function (Stockman and Sharpe, 2006), and scotopic sensitivity declines as the rods become saturated in the upper mesopic range (Stockman and Sharpe, 2006). The timing and duration of the eye’s adaptation between photopic and scotopic modes is also critically important (e.g. Stockman and Sharpe, 2006). In particular, exposure to blue light increases the adaptation time required for maximum scotopic sensitivity (Bartlett, 1965; Brown et al., 1969). This relationship of dark adaptation to lighting color is commonly utilized by military personnel and astronomers who use red lighting to preserve scotopic vision.

Thus, while scotopic response is most sensitive to blue light at low intensities, higher intensities of blue light, including intensities in the mesopic range, inhibit dark adaptation and appear to suppress scotopic response. The implications in a real world setting with glare sources, poor uniformities, harsh transitions, wide-ranging illumination levels and adaptation time scales are important to consider and remain poorly understood. The vision advantages of blue light shown in laboratory experimental settings with dark adapted subjects or in simplified roadway designs does not translate well for some applications.

#### Glare

Glare in illuminated outdoor settings is seldom quantified but plays an important role in the human vision process. It can produce either a feeling of discomfort, which may manifest in averting gaze, blinking, or squinting, or it may reduce visual performance directly—disability glare (e.g., De Boer, 1967). The earliest studies found that blue light causes more glare (de Boer and van Heemskerck Veeckens, 1955). Later studies have confirmed this and show the S-cone response (peak 420 nm) to be more closely correlated with discomfort glare than the rod (peak 505 nm) (Bullough et al., 2003; Kooi and Alferdinck, 2004).

Blue light in the 350–430 nm range has also been shown to cause the lens of the eye to fluoresce (Zuclich et al., 2005), resulting in intraocular veiling luminance. Complaints about glaring “blue headlights” on automobiles indicate that the blue-rich headlamps are perceived as more glaring than conventional halogen headlights (Mace et al., 2001). Flannagan et al. (1992) found that higher levels of light from halogen lamps produced no more discomfort than lower levels from blue-rich HID headlamps.

#### The Aging Eye

As the eye ages, it requires more light and greater contrast for the same visual acuity and becomes more sensitive to glare. Ocular transparency is reduced, particularly at bluer wavelengths, which combined with the age related reduction in pupil size yields lower retinal illuminance (Boyce, 2003). Older eyes also are more subject to diseases such as cataracts, macular degeneration, presbyopia, and glaucoma, though studies are inconclusive about whether there are spectral affects. However, since blue-rich sources produce relatively more discomfort glare and older people are more sensitive to glare, blue-rich outdoor lighting is presumed to impact the elderly more than other groups. Elderly people over 65 are a growing percentage of the population in the United States; their numbers increased by a factor of 11 during the 20<sup>th</sup> century and are expected to more than double from now to 2030 (U.S. Census Bureau, 2008).

#### Health Effects

The human circadian rhythm is mediated by non-visual photoreceptors in the retina, with a response function peaking near 460 nm in the blue portion of the spectrum (see Figure 3); exposure to light at night, particularly blue-rich light, suppresses the production of melatonin (Brainard et al., 2001). Melatonin is found in animals and humans, and even

## International Dark-Sky Association

some plants. In humans this hormone mediates the sleep-wake cycle, and plays a role in the immune system. Light can be effectively used indoors to shape circadian rhythm, and can have several health and lifestyle benefits. While indoor light is generally under complete control of the occupant, outdoor lighting is less so. Dusk-to-dawn lighting such as roadway and area lighting or lighting on neighbors' property can penetrate into homes where people are sleeping. Some studies indicate that the illumination threshold for disruption is quite low. The role of stray artificial light at night has been the subject of special workshops by the National Institute of Environmental Health Sciences in 2006 (Stevens, 2007), and a resolution by the American Medical Association (2009). Surprisingly, the discovery of this circadian photosensory system is quite recent (Provencio et al. 2000), indicating that our understanding of the unintended effects of stray light at night, and in particular blue-rich lighting, lags the development and implementation of lighting technologies.

In a recent comprehensive review, Stevens (2009) summarizes over 100 publications on research into the effect of light at night (LAN) on the disruption of the human circadian rhythm, melatonin production, and breast cancer.. Many laboratory and epidemiological studies show that suppressed melatonin production can lead to increased incidence of or growth rates for breast cancer. Further, evidence indicates that people living in illuminated urban environments suffer increased breast cancer rates while suffering no more than average rates of lung cancer, which is not linked to melatonin levels. All potential compounding factors have not been ruled out, and crucial research concerning realistic incidental exposure to outdoor lighting, as well as the spectral characteristics of such lighting, has not been published. However, the effects of blue-rich light on melatonin production, and the effects of melatonin on human cancer growth in certain laboratory experiments, are uncontroversial. Stevens concludes:

“ The level of impact [ of lighting] on life on the planet... is only now beginning to be appreciated. Of the many potential adverse effects from LAN and circadian disruption on human health, the most evidence to date is on breast cancer. No single study can prove cause and effect, as neither can a group of studies of only one of the factors cited above. However, taken together, the epidemiologic and basic science evidence may lead to a 'proof' of causality (i.e. a consensus of experts). If so, then there would be an opportunity for the architectural and lighting communities, working with the scientific community, to develop new lighting technologies that better accommodate the circadian system both at night and during the day inside buildings.”

While a firm connection between outdoor lighting and cancer has not yet been established, if true it is clear that the blue component of such light would be a greater risk factor.

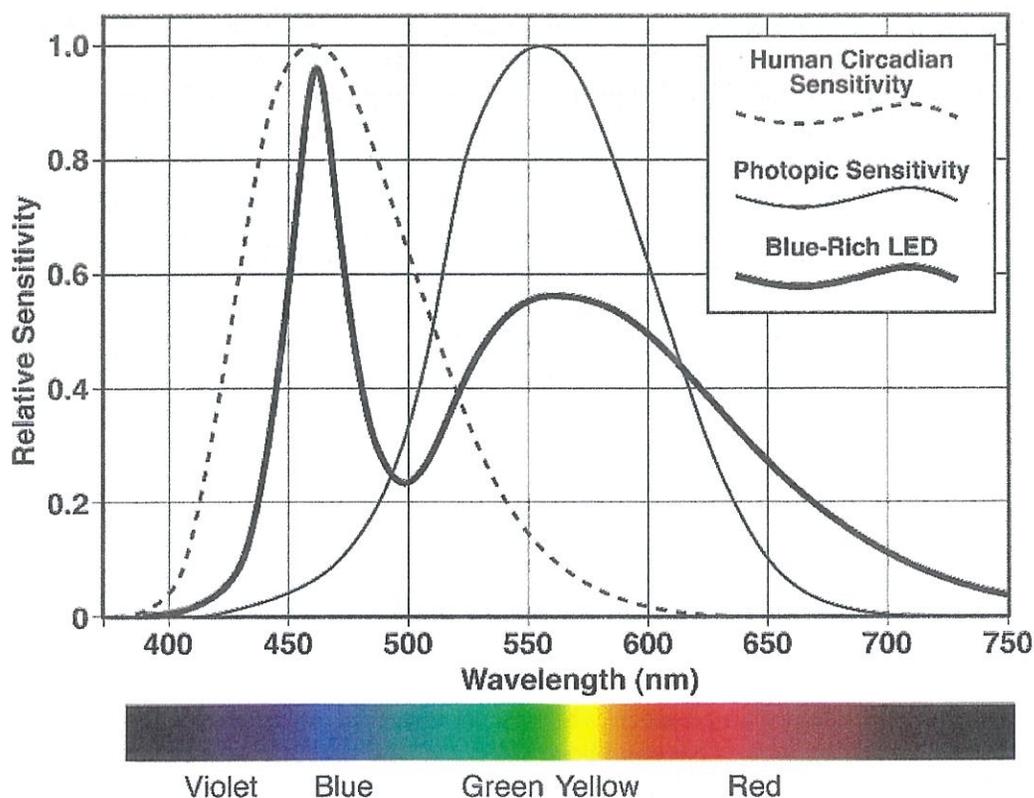


Figure 3. Human photopic and circadian sensitivity curves displayed against a typical blue-rich LED light source spectrum.

### Environmental Effects

Artificial lighting is intended to serve only human needs, but once introduced outdoors it radiates freely into the environment where it may have unintended consequences to wildlife (e.g., Longcore and Rich, 2004; IESNA, 2008). It is estimated that the majority of animal life on the planet is nocturnal; this preference for night activity may stem from predator avoidance, heat aversion, foraging advantages, or other factors (e.g., Rydell and Speakman, 1994). The alteration of the ambient light level at night can result in an otherwise suitable habitat being avoided or unusable. Artificial light in the environment may thus be considered a chronic impairment of habitat. “Light pollution has demonstrable effects on the behavioral and population ecology of organisms in natural settings... derived from changes in orientation, disorientation, or misorientation, and attraction or repulsion from the altered light environment, which in turn may affect foraging, reproduction, migration, and communication.” (Longcore and Rich, 2004).

Naturalists noted the impact artificial light can have on wildlife as early as 1883 and the role light color plays as early as 1935 (Rich and Longcore, 2006). The relationship between artificial light and wildlife has rarely received the level of study to yield definitive answers to questions concerning the thresholds of illumination that cause disturbance or what portions of the spectrum affect behaviors of which species. Much of

## International Dark-Sky Association

the research concerns only the presence or absence of light and is mute on the relationship between spectral power distribution and biological function.

Nonetheless, evidence does not support a position that the spectral characteristics of outdoor lighting can be shifted without ecological consequence. There are few instances in which increased blue light emission can be construed as being better for wildlife than yellow-rich lighting. There are several examples where shorter wavelength light has been linked to ecological problems (e.g. Frank, 1988; Witherington and Martin, 2000; Nightingale et al. 2006), though a few studies also point to other portions of the spectrum (e.g., Phillips and Borland, 1992; Wiltchko, 1993; Poot et al., 2008). However, the increased scattering of blue light in the atmosphere, the sensitivity of many biological systems to blue light, and deeper penetration of blue light into aquatic environments (Clarke and Oster, 1967) means that increased use of blue-rich light sources is likely to produce greater environmental consequences.

### Examples of Wildlife Disturbance

A robust body of research documents the disorientation of sea turtles by artificial lighting. Hatchlings are routinely drawn to artificial lights instead of cueing on the natural luminance of the ocean and moving from the beach toward the water (e.g., McFarlane, 1963; Witherington, 1992; Salmon, 2006), decreasing survival rates. The photo-orientation response of loggerhead sea turtles shows a 10x difference between light at 450 nm versus 600 nm, with four Atlantic sea turtle species showing a similar spectral misorientation response (Witherington and Martin, 2000). Furthermore, the level of sensitivity is such that distant sky glow, not just a proximal light source, can produce a response (Salmon, 2006). It is worth noting that all six Atlantic species of sea turtles are listed as Threatened or Endangered under the Endangered Species Act and nest throughout the Gulf of Mexico coast and the Atlantic coast as far north as Cape Cod (Plotkin, 1995).

Light sources that have a strong blue and ultraviolet component are particularly attractive to insects (Frank, 1988), though even incandescent sources, broad-spectrum but not commonly thought of as blue-rich, are generally known to attract insects to residential porchlights. There is a dearth of published studies addressing the relative attractiveness of ultraviolet vs. blue light, though a few unpublished ones indicate that while UV has much greater attractiveness than blue light, blue light is more attractive than yellow. Insects in artificially lighted areas are frequently captured by phototactic fixation on lights, but lights also draw insects out of natural habitats into lighted areas, or present a barrier to migrating insects moving through an area (Eisenbeis, 2006). Thus, the distance to which a given light may affect insects can be quite large. Lights without substantial short-wavelength emission, from simple yellow-painted incandescent “bug” lights to low-pressure sodium, substantially reduce or eliminate this phototactic response.

Most bat species are insectivores and have long been observed to feed around lights at night. This results in a complex ecological change that is potentially harmful—the lights concentrate their food source outside of their normal habitat, may result in longer flights

to feeding locations, change their diet, and alter the competitive balance between bat species (Rydell, 2006).

### Circadian Disruption in Wildlife

Photoperiod is one of the dominant cues in the animal kingdom; an animal's response to it is commonly triggered by length of darkness as opposed to length of daylight. Light is a potent agent and is biologically active (Royal Commission on Environmental Pollution, 2009). As in humans, the circadian clock controls a complex cascade of daily and seasonal endocrine functions. These exert command over migratory, reproductive, and foraging behaviors (Rich and Longcore, 2006, Royal Commission, 2009). The tendency of blue-rich light to synchronize circadian function is common in mammals (Berson et al., 2002), and there is evidence for it in amphibians (Hailman and Jaeger, 1974; Buchanan, 2006) as well as plankton (Moore et al., 2000; Gehring and Rosbash, 2003).

### Sky Glow, Astronomy, and the Natural Nightscape

At sites near light sources, such as within and near urban areas, the increased scattering from blue-rich light sources leads to increased sky glow (Luginbuhl et al., 2010; Figure 4). The bluest sources produce 15% to 20% more radiant sky glow than HPS or low-pressure sodium (LPS). This effect is compounded for visual observation, as practiced by casual stargazers and amateur astronomers, by the shift of dark-adapted vision toward increased sensitivity to shorter wavelengths. In a relatively dark suburban or rural area, where the eyes can become completely or nearly completely dark-adapted (scotopic), the brightness of the sky glow produced by artificial lighting can appear 3–5 times brighter for blue-rich light sources as compared to HPS and up to 15 times as bright as compared to LPS.

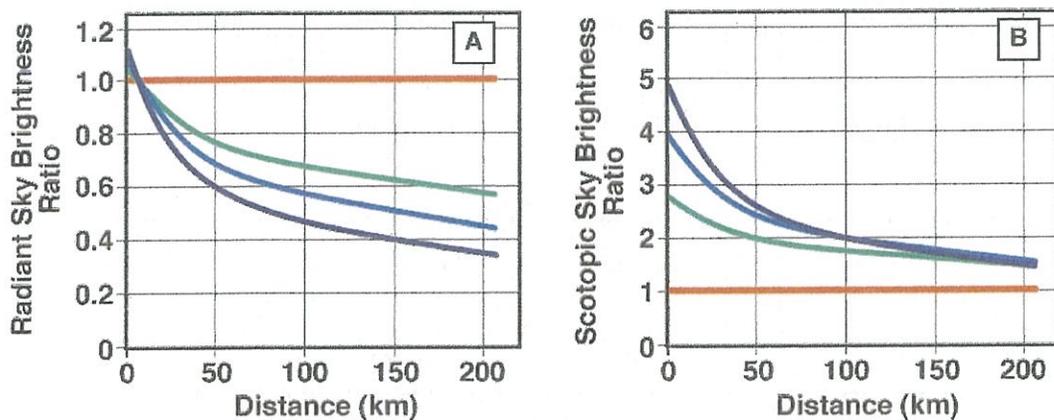


Figure 4. a) Radiant and b) visual (scotopic) sky brightness ratio as a function of distance for equal-radiance light sources with effective wavelengths of 480nm (blue), 500nm (cyan), and 520nm (green), all relative to HPS (yellow) (from Luginbuhl et al., 2010).

At locations far from the light sources, such as at the world's highest-quality observatory sites, increased absorption and scattering of the shorter wavelength emission means that

radiant sky glow from blue-rich sources is less than that from HPS (see figure 4a). Nonetheless, to the dark-adapted eye, the brightness produced by blue-rich sources remains greater than that for HPS for long distances, to at least 200 km in typical atmospheres (see figure 4b).

It is important to recognize that, though the radiant sky glow produced by blue-rich light sources falls more rapidly with distance than that produced by HPS, blue-rich light is adding sky glow to a portion of the spectrum that in most places suffers relatively little artificial sky glow from current lighting practices. HPS, still the dominant area-lighting technology in most communities, contributes very little light to the blue portion of the night sky spectrum. In those communities utilizing low-pressure sodium (LPS), the blue portion of the night sky spectrum is even less affected (Luginbuhl, 1999). From the astronomical science perspective, the effect of this added short wavelength flux is compounded because the natural sky is darker at bluer wavelengths (the sky at 440 nm is approximately 45% as bright as at 550 nm). The net effect is that astronomical research at most observatory sites will be hampered to a greater degree for an equal unit of blue-rich light as compared to HPS due to the unequal effect upon contrast.

In comparison to the impacts on scientific astronomical observation, which is affected most by increased artificial radiance in the upper portion of the sky (within about 70° of the zenith), impacts on the nightscape as viewed by human observers are strongly influenced by the interplay of the spectral sensitivity of human vision with the spectral content of light sources, and the appearance of light domes over cities. To the dark-adapted human eye, the so-called “scotopic advantage” (or in this case disadvantage) of blue-rich light sources is fully realized. For example, a given amount of artificial light (measured in radiance units, not photopic lumens) scattered from the night sky and with an S/P ratio of 3 will appear up to 5 times as bright as the same amount of light produced by HPS with an S/P ratio of 0.6 (e.g.,  $3.0/0.6 = 5$ ). As light domes from urban areas impinge on many rural and natural areas, including national parks (Duriscoe et al., 2007), increased use of blue-rich light sources will increase these impacts to distances of 100 km or more (Luginbuhl et al., 2010). The cultural impacts arising from the loss of a natural star-filled night are hard to quantify. Yet these impacts affect a much larger proportion of the population than commonly thought of when discussing the value of night skies (see e.g. Moore et al., 2010).

## Conclusions

While there is substantial interest in using lighting that is richer in blue wavelengths, the complex interrelationships between visual performance and light source spectral distribution are not adequately understood, especially at mesopic luminance levels. Within the range of blue wavelengths, there are multiple opposing functions that may diminish or overwhelm the advantages of scotopic stimulation, including glare, delayed dark adaptation, pupil constriction, and factors associated with the aging eye. Also of special importance is the threshold of luminance where such benefits accrue. Most outdoor lighting levels lie in the high mesopic range; the benefits of blue-rich light found at low mesopic or scotopic levels should not be wrongly applied to brighter ranges.

With only a cursory familiarization with the advantages of blue-rich lighting, one might assume that the potentially lower illumination levels allowed would reduce environmental impacts to the same degree that photopic luminances were reduced. This assumption is not correct. There are substantially more deleterious effects to humans, wildlife, and astronomical resources associated with blue-rich light. First, the atmosphere scatters shorter wavelengths to a much greater degree than longer wavelengths, and dark-adapted eyes observing a sky contaminated with artificial sky glow are more sensitive to blue-rich light. As compared to HPS, blue-rich light sources scatter 1.1–1.2x more; to the dark-adapted eye this light will appear 3–5x as bright when observed from nearby. Thus, blue-rich light will greatly exacerbate visible sky glow close to the light source and retain greater impacts to very large distances.

Second, from the perspective of astronomical observation at distant observatories, short-wavelength emission from blue-rich lighting sources increases sky glow in the (naturally) relatively dark and unpolluted (by HPS and LPS) blue portion of the spectrum. The resultant decrease in contrast erodes the effectiveness of astronomical facilities.

The current state of knowledge regarding the health effects of light at night, and in particular blue-rich light at night, permits no firm conclusions. Yet, the clear linkage between short-wavelength emission, the blue-sensitive response of the photoreceptors involved in the human circadian system, and the suppression of melatonin production by short-wavelength emission, indicates at least that widespread use of blue-rich light sources at night should be considered with caution. There is an urgent need for further research in this area, due to the potentially grave impacts hinted at by much research.

The science of photobiology indicates that blue-rich light at night is more likely to alter circadian rhythm and photoperiod in the animal kingdom. With this field of study in its infancy, the evidence is widely scattered across the animal kingdom. Yellow-rich light, such as HPS, or even monochromatic yellow light, such as LPS, is environmentally preferred in many situations, but there are notable exceptions. However, the balance of evidence points to blue-rich light being more likely to impact wildlife than yellow light. The ecological differences between light rich in blue and light devoid of blue can be several-fold for some critical species.

Light pollution and other negative effects of outdoor lighting reach great distances. Cities and lit roadways are intertwined with the natural world and also with those places where society values darkness and a natural starry sky. A shift toward blue-rich light, especially in place of HPS, would substantially increase the deleterious effects of outdoor lighting. The roots of the dark sky movement stemmed from the simple desire to enjoy the view of the starry sky. Under wilderness, rural, and even some suburban conditions, this is a purely scotopic visual function. Thus, S/P ratios are working against the observer who is viewing the night sky—the higher the scotopic content of the light, the greater the perceived light pollution. Even at distances up to at least 200 km, where blue light is preferentially scattered away, the detriment to stargazing is still greater with blue-rich light than an HPS source, particularly in clear atmospheres.

## International Dark-Sky Association

The current trend toward blue-rich white outdoor lighting will result in a large increase in radiant flux being emitted below 500 nm. There is a suite of known and likely detrimental effects to the ecosystem, to the enjoyment of the night sky, to astronomical research, and possibly to human health. If these detrimental consequences are to be given serious consideration by lighting designers, lighting manufacturers, and public officials, then metrics that better describe the ramifications of shorter wavelengths of lamp spectra must be developed. Color Rendering Index, Correlated Color Temperature, and the Scotopic/Photopic ratio are too blunt to model the range of known significant impacts. Furthermore, better metrics will help lighting science navigate the complex vision questions that surround mesopic conditions and the confounding issues of the Purkinje shift, pupil size, adaptation, and glare. Alternatively, lamps can be selected or filtered to limit emissions shorter than 500 nm. Such light would in general exhibit only a light yellow hue and still enable scotopic vision while decreasing deleterious effects.

## References

- American Medical Association, 2009, Resolution of the American Medical Association on Lighting, June 15, 2009, [http://current.com/news/90214626\\_ama-officially-supports-light-pollution-reduction.htm](http://current.com/news/90214626_ama-officially-supports-light-pollution-reduction.htm)
- Barbur, J. L., Harlow, A. J., and Sahraie, A., 1992, "Pupillary responses to stimulus structure, colour and movement," *Ophthalmic and Physiological Optics*, 12: 137–141.
- Bartlett, N. R., 1965, "Dark and Light Adaptation," in *Vision and Visual Perception*, Graham, C. H. (ed), New York: John Wiley and Sons, Inc., chapter 8.
- Berman, S., 1992, "Energy efficiency consequences of scotopic sensitivity," *Journal of the Illuminating Engineering Society*, winter 1992, pp. 3–14.
- Berman, S. and Josefowicz, J., 2009, "Incorporating Spectrum Effects for Brightness Perception and Visual Detection at Mesopic Light Levels," *LED Roadway Lighting Ltd.*
- Berson, D.M., Dunn, F.A. and Takao, M., 2002, "Phototransduction by retinal ganglion cells that set the circadian clock," *Science* 295: 1070–1073.
- Blackwell, H. R., 1946, "Contrast threshold of the human eye," *Journal of the Optical Society of America*, 36(11): 624–643.
- Bouma, H., 1962, "Size of the static pupil as a function of wavelength and luminosity of the light incident on the human eye," *Nature*, 193: 690–691.
- Boyce, P., Akashi, Y., Hunter, C.M., Bullough, J.D. 2003, "The impact of spectral power distribution on the performance of an achromatic visual task," *Lighting Research and Technology*, 35: 141–156.
- Brainard, G. C., et al., 2001, "Action spectrum for melatonin regulation in humans: evidence for a novel circadian photoreceptor," *Journal of Neuroscience*, 21: 6405–6412.
- Brown, J. L., Metz, J. W. and Yohman, J. R., 1969, "Test of scotopic suppression of the photopic process," *Journal of the Optical Society of America*, 59: 1677–1678.
- Buchanan, B. W., 2006, "Observed and potential effects of artificial night lighting on anuran amphibians," in *Ecological consequences of artificial night lighting*, Rich, C., and Longcore, T. (eds.), Island Press, Washington, D.C., pp. 192–220.
- Bullough, J. D, van Derlofske, J., Fay, C. R., and Dee, P.A., 2003, "Discomfort glare from headlamps: interactions among spectrum, control of gaze and background light level," in *Lighting Technology*, Warrendale, PA. Society of Automotive Engineers, pp: 21–25.
- Campbell, F.W., 1957, "The depth of field of the human eye," *Optica Acta*, 4: 157–164.

International Dark-Sky Association

Clarke, G. L., and Oster, R. H., "The Penetration of the Blue and Red Components of Daylight into Atlantic Coastal Waters and its Relationship to Phytoplankton Metabolism," *The Biological Bulletin*, 1967: 59-75.

Commission Internationale de l'Éclairage (CIE), 2009, Recommended System for Visual Performance Based Mesopic Photometry. CIE Technical Committee 1-58 — Visual Performance in the Mesopic Range.

de Boer, J. B., 1967, "Public lighting," Eindhoven, The Netherlands: Philips Technical Library.

de Boer, J. B. and van Heemskerck Veeckens, J. F. T., 1955, "Observations on discomfort glare in street lighting," *Proceedings of the Commission Internationale de l'Éclairage*, Zurich, Switzerland.

Duriscoe, D. M., Luginbuhl, C. B., and Moore, C. A., 2007, "Measuring Night-Sky Brightness with a Wide-Field CCD Camera," *Pub. Astron. Soc. Pacific*, 119: 192–213.

Eisenbeis, G., 2006, "Artificial night lighting and insects: attraction of insects to streetlamps in a rural setting in Germany," in *Ecological Consequences of Artificial Night Lighting*, Rich, C., and Longcore, T. (eds), Island Press, Washington, D.C., pp. 281–304.

Flannagan, M. J., Gellatly, M. J., Luoma, J., and Sivak, M., 1992, "A field study of discomfort glare from high-intensity discharge headlamps." Report No. HS-041 319, UMTRI-92-16, University of Michigan Transportation Research Institute, Ann Arbor, MI.

Frank, K. D., 1988, "Impact of Outdoor Lighting on Moths: An Assessment," *Journal of the Lepidopterists' Society*, 42: 63–93.

Garstang, R. H., 1986, "Model for Night Sky Illumination," *Pub. Astron. Soc. Pacific*, 98: 364–375.

Garstang, R. H., 1989, "Night-Sky Brightness at Observatories and Sites," *Pub. Astron. Soc. Pacific*, 101: 306–329.

Gehring, W. and Rosbash, M., 2003, "The coevolution of blue-light photoreception and circadian rhythms," *Journal of Molecular Evolution*, 57: S286–S289.

Goodman, T., et al., 2007, "Mesopic Visual Efficiency IV: A model with relevance to night-time driving and other applications," *Lighting Research and Technology*, 39: 365–392.

International Dark-Sky Association

- Hailman, J. P. and Jaeger, J. G., 1974, "Phototactic responses to spectrally dominant stimuli and use of colour vision by adult anuran amphibians: a comparative survey," *Anim. Behav.* 22: 757–795.
- He, Y., Bierman, A., Rea, M., 1998, "A system of mesopic photometry," *Lighting Research Technology*, 30: 175–181.
- Ikeda, M. and Shimozono, H., 1981, "Mesopic luminous-efficiency function," *Journal of the Optical Society of America*, 71: 280–284.
- Illuminating Engineering Society of North America (IESNA), 2008, "Light and Human Health: An Overview of the Impact of Optical Radiation on Visual, Circadian, Neuroendocrine and Neurobehavioral Responses." New York. Publication TM-18-08.
- Illuminating Engineering Society of North America (IESNA), 2009, "Use of Spectral Weighting Functions for Compliance with IES Recommendations," PS-02-09.
- Kimura, E. and Young, R. S. L., 1999, "S-cone contribution to pupillary responses evoked by chromatic flash offset," *Vision Research*, 39: 1189–1197.
- Knox, J. F. and Keith, D. M., 2003, "Sources, Surfaces and Atmospheric Scattering: The Rayleigh Scatter Index," paper presented at the International Dark-Sky Association Annual General Meeting, March 2003.
- Kooi, F. L. and Alferdinck, J. W. A. M., 2004, "Yellow lessens discomfort glare: physiological mechanism(s)," Report for the US Air Force, F-WR-2003-0023-H.
- Lewin, I., 2001, "Lumen Effectiveness Multipliers for Outdoor Lighting Design," *Journal of the Illuminating Engineering Society*, Summer, 2001, pp. 40–52.
- Lewin, I., 1999, "Lamp Color and Visibility in Outdoor Lighting Design," developed from a Paper Delivered to the 1999 Conference of the Institution of Lighting Engineers, Portsmouth, England.
- Lewis, A., 1999, "Visual performance as a function of spectral power distribution of light sources used for general outdoor lighting," *Journal of the Illuminating Engineering Society*, 28: 37–42.
- Longcore, T. and Rich, C., 2004, "Ecological light pollution," *Frontiers in Ecology and the Environment*, 2: 191–198.
- Luginbuhl, C. B., 1999, "Why Astronomy Needs Low-Pressure Sodium Lighting," in *Preserving the Astronomical Sky: Proceedings of the 196th Symposium of the International Astronomical Union, 12-16 July 1999*, R. J. Cohen, W. T. Sullivan III, (eds.), Astronomical Society of the Pacific, San Francisco, pp. 81–86.

International Dark-Sky Association

- Luginbuhl, C. B., Boley, P. A., Keith, D. M. and Moore, C. A., 2010, "The Impact of Light Source Spectral Distribution and Atmospheric Aerosols on Sky Glow," in preparation.
- Mace, D. et al., 2001, "Countermeasures for Reducing the Effects of Headlight Glare," a report prepared for the AAA Foundation for Traffic Safety, Washington, DC.
- McFarlane, R.W., 1963, "Disorientation of loggerhead hatchlings by artificial road lighting," *Copeia*, 1963: 153.
- Mie, G., 1908, "Beiträge zur Optik trüber Medien, speziell kolloidaler Metallösungen," Leipzig, *Ann. Phys.* 330: 377.
- Moore, C. A., Richman, A. M. and Chamberlain, V. D., 2010, "Finding Inspiration in the Face of Endangered Starry Nights," in Proceedings of the Sixth International Conference on The Inspiration of Astronomical Phenomena, Venice 18-23 Oct. 2009, ASP Conference Series (in press).
- Moore, M. V., et al., 2000, "Urban light pollution alters the daily vertical migration of *Daphnia*," *Verhandlungen der Internationalen Vereinigung für Theoretische and Angewandte Limnologie*, 27: 779–782.
- Nightingale, B., Longcore, T., and Simenstad, C. A., 2006, "Artificial night lighting and fishes," in *Ecological Consequences of Artificial Night Lighting*, Rich, C. and Longcore, T. (eds.), Island Press, Washington, D.C., pp. 257–276.
- Phillips, J. B. and Borland, S. C., 1992, "Behavioral evidence for the use of a light-dependent magnetoreception mechanism by a vertebrate," *Nature* 359: 142–144.
- Plotkin, P.T. (ed.), 1995, "National Marine Fisheries Service and U. S. Fish and Wildlife Service Status Reviews for Sea Turtles Listed under the Endangered Species Act of 1973," National Marine Fisheries Service, Silver Spring, Maryland.
- Provencio, I., et al., 2000, "A novel human opsin in the inner retina," *Journal of Neuroscience*, 20: 600–605.
- Poot, H., et al., 2008, "Green light for nocturnally migrating birds," *Ecology and Society* 13: 47.
- Rea, M., Bullough, J., Freyssinier-Nova, J., Bierman, A., 2004, "A proposed unified system of photometry," *Lighting Research & Technology*, 36: 85.
- Rich, C. and Longcore, T., (eds.), 2006, "Ecological Consequences of Artificial Night Lighting," Washington D.C., Island Press.

International Dark-Sky Association

Rose, A., 1948, "The Sensitivity Performance of the Human Eye on an Absolute Scale," *Journal of the Optical Society of America*, 38: 196–208.

Royal Commission on Environmental Pollution, 2009, *Artificial Light in the Environment*, The Stationary Office, 11/2009.

Rydell, J., 2006, "Bats and their insect prey at streetlights," in *Ecological Consequences of Artificial Night Lighting*, Rich, C., and Longcore, T., (eds), Island Press, Washington, D.C., pp. 43–60.

Rydell and Speakman, 1994, "Evolution of nocturnality in bats: Potential competitors and predators during their early history," *Biological Journal of the Linnean Society*, 54: 183–191.

Salmon, M., 2006, "Protecting sea turtles from artificial night lighting at Florida's oceanic beaches," in *Ecological Consequences of Artificial Night Lighting*, Rich, C., and Longcore, T., (eds), Island Press, Washington, D.C., pp. 141–168.

Sagawa, K. and Takeichi, K., 1986, "Spectral luminous efficiency function in the mesopic range," *Journal of the Optical Society of America*, 3: 71.

Stevens, R. G., et al., 2007, "Meeting Report: The Role of Environmental Lighting and Circadian Disruption in Cancer and Other Diseases," in *Environ Health Perspectives* 115: 1357-1362.

Stevens, R. G., 2009, "Light-at-night, circadian disruption and breast cancer: assessment of existing evidence," *International Journal of Epidemiology*, 38: 963–970.

Stockman, A, Sharpe, L. T., 2006, "Into the twilight zone: the complexities of mesopic vision and luminous efficiency," *Ophthalmic and Physiological Optics*, 26: 225–39.

Strutt, J. W., 1871, "On the light from the sky, its polarization, and colour," *Philosophical Magazine* XLI, pp. 107–120, 274–279.

Sugita, Y., Suzuki, H. and Tasaki, K., 1989, "Human Rods are Acting in the Light and Cones are Inhibited in the Dark," *Tohoku Journal of Experimental Medicine*, 157: 365–372.

Sugita, Y. and Tasaki, K., 1988, "Rods also participate in human color vision," *Tohoku Journal of Experimental Medicine*, 154: 57–62.

Trezona, P. W., 1991, "A system of mesopic photometry," *Color Research and Application*, 16: 202–216.

Tsujimura, S., Wolffsohn, J. S. and Gilmartin, B., 2001, "A linear chromatic mechanism drives the pupillary response," *Proceedings: Biological Sciences*, 268: 2203–2209.

International Dark-Sky Association

U.S. Census Bureau. July 8, 2008,  
[www.census.gov/population/socdemo/statbriefs/agebrief.html](http://www.census.gov/population/socdemo/statbriefs/agebrief.html)

U.S. Department of Defense, 2006, "UNIFIED FACILITIES CRITERIA (UFC)  
Design: Interior and Exterior Lighting and Controls," UFC 3-530-01.

Walkey, H. C, Harlow, J. A. and Barbur, J. L., 2006, "Characterising mesopic spectral sensitivity from reaction times," *Vision Research*, 46: 4232–4243.

Wiltschko, W., Munro, U., Ford, H. and Wiltschko, R., 1993, "Red light disrupts magnetic orientation in migratory birds," *Nature*, 365: 525–527.

Witherington, B. E., 1992, "Behavioral responses of nesting sea turtles to artificial lighting," *Herpetologica*, 48: 31–39.

Witherington, B. E., and Martin, R. E., 2000, "Understanding, assessing, and resolving light-pollution problems on sea turtle nesting beaches," 2nd ed. rev., Florida Marine Research Institute Technical Report TR-2.

Zuclich, J. A. et al., 2005, "Veiling Glare: the visual consequences of near-UV/blue light induced fluorescence in the human lens," *Ophthalmic Technologies XV*. Manns, et al., (eds.), *Proceedings of the SPIE*, 5688: 440–447.





## AMA News Room


[2016](#) [2015](#) [2014](#)

June 14, 2016

# AMA Adopts Community Guidance to Reduce the Harmful Human and Environmental Effects of High Intensity Street Lighting

For immediate release:

June 14, 2016

CHICAGO - Strong arguments exist for overhauling the lighting systems on U.S. roadways with light emitting diodes (LED), but conversions to improper LED technology can have adverse consequences. In response, physicians at the Annual Meeting of the American Medical Association (AMA) today adopted guidance for communities on selecting among LED lighting options to minimize potential harmful human and environmental effects.

Converting conventional street light to energy efficient LED lighting leads to cost and energy savings, and a lower reliance on fossil-based fuels. Approximately 10 percent of existing U.S. street lighting has been converted to solid state LED technology, with efforts underway to accelerate this conversion.

"Despite the energy efficiency benefits, some LED lights are harmful when used as street lighting," AMA Board Member Maya A. Babu, M.D., M.B.A. "The new AMA guidance encourages proper attention to optimal design and engineering features when converting to LED lighting that minimize detrimental health and environmental effects."

High-intensity LED lighting designs emit a large amount of blue light that appears white to the naked eye and create worse nighttime glare than conventional lighting. Discomfort and disability from intense, blue-rich LED lighting can decrease visual acuity and safety, resulting in concerns and creating a road hazard.

In addition to its impact on drivers, blue-rich LED streetlights operate at a wavelength that most adversely suppresses melatonin during night. It is estimated that white LED lamps have five times greater impact on circadian sleep rhythms than conventional street lamps. Recent large surveys found that brighter residential nighttime lighting is associated with reduced sleep times, dissatisfaction with sleep quality, excessive sleepiness, impaired daytime functioning and obesity.

The detrimental effects of high-intensity LED lighting are not limited to humans. Excessive outdoor lighting disrupts many species that need a dark environment. For instance, poorly designed LED lighting disorients some bird, insect, turtle and fish species, and U.S. national parks have adopted optimal lighting designs and practices that minimize the effects of light pollution on the environment.

Recognizing the detrimental effects of poorly-designed, high-intensity LED lighting, the AMA encourages communities to minimize and control blue-rich environmental lighting by using the lowest emission of blue light possible to reduce glare. The AMA recommends an intensity threshold for optimal LED lighting that minimizes blue-rich light. The AMA also recommends all LED lighting should be properly shielded to minimize glare and detrimental human health and environmental effects, and consideration should be given to utilize the ability of LED lighting to be dimmed for off-peak time periods.

The guidance adopted today by grassroots physicians who comprise the AMA's policy-making body strengthens the AMA's policy stand against light pollution and public awareness of the adverse health and environmental effects of pervasive nighttime lighting.

###

Media Contact:

AMA Media and Editorial  
Pressroom: (312) 239-4991  
Email: [media@ama-assn.org](mailto:media@ama-assn.org)



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# ORDINANCE(S)



# CITY MANAGER'S REPORT





# City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

Office of the City Manager

491 East Pioneer Avenue  
Homer, Alaska 99603

[citymanager@cityofhomer-ak.gov](mailto:citymanager@cityofhomer-ak.gov)

(p) 907-235-8121 x2222

(f) 907-235-3148

## Memorandum

TO: Mayor Wythe and Homer City Council  
FROM: Katie Koester, City Manager  
DATE: September 7, 2016  
SUBJECT: City Manager's Report - September 12, 2016

---

### Proposition 1:

Proposition 1, authorizing the City to issue general obligation bonds in an amount not to exceed \$12 million and implementing a seasonal (April 1- September 30) .65% sales tax increase to pay the indebtedness, will be before voters on the October 4<sup>th</sup> municipal ballot. The attached 500 word informational summary was submitted (after review by the Attorney) to the Kenai Peninsula Borough Voter Pamphlet to educate voters on the proposition.

Meanwhile...the promotional campaign, Vote Yes on Prop 1 is gearing up. Staff met with the PSBRC at their August 24<sup>th</sup> meeting to help coordinate implementation of their Public Information Campaign plan in preparation for the October 4<sup>th</sup> vote on Ballot Proposition 1.

To date, staff has completed the following:

- Feature article on City of Homer's main webpage;
- Postcard (draft design attached) to send to City of Homer residences by Sept. 23;
- PSA script to air on KBBI beginning Saturday, Sept. 24;
- Arranged for PSBRC representatives to present Prop 1 information at a Homer Chamber of Commerce Forum, September 20 at noon at the Best Western Bidarka;
- Scheduled two Police Department guided tours for the public (Wednesday, September 28 from 5:00 pm to 7:00 pm and Saturday, October 1 from 1:00 pm to 3:00 pm);
- Drafted Talking Points for PSBRC.

In process:

- Production of a "virtual tour" video to feature on website/social media;
- Display ads for local newspapers.

### 2017 Alaska Municipal League Resolutions

October 7<sup>th</sup> is the last day to submit resolutions to the AML Office to be included in the conference packet. A 2017 AML Resolution is an action resolution to support a specific issue. To be eligible for consideration, a resolution has to be first passed by the community. That

makes the September 26<sup>th</sup> council meeting the last meeting for Council to consider resolutions to forward to AML. Resolution procedures are on the AML website. Contact me if you want to sponsor a resolution and I will get the ball rolling. As a reminder, the AML Local Government Conference is November 14-18.

### **Visit With Senator Dan Sullivan**

As a former Board member, I was invited to attend a meeting with Senator Dan Sullivan on Economic Development issues on the Peninsula organized by Kenai Peninsula Economic Development District (KPEDD). It was a productive hour and a half meeting where the Senator spent time drilling down into the economic issues of each peninsula community. I highlighted the Large Vessel Harbor project as the next big economic development step for Homer and requested his support working with the Coast Guard on staging a rapid response cutter in Homer. The Coast Guard is currently in the planning phase for their rapid response cutters and has visited with Homer, among other communities, this summer about homeporting possibilities. I am working with Sen. Sullivan's Kenai Peninsula Regional Director, Elaina Spraker, on scheduling a trip to Homer to familiarize her with our infrastructure and community.

Sen. Sullivan has taken an active role in fighting the opioid epidemic and recently sponsored a symposium on conquering the opioid crisis that brought together high-level government officials and representatives across Alaska. I had the opportunity to update him on Homer's 'Strategic Doing' efforts and asked his office to let us know of any federally sponsored opportunities to combat this growing epidemic as a community.

### **Dispatch**

After gathering feedback from Council at the last meeting, I have scheduled a quick work session on 911 Dispatch for Council on October 10<sup>th</sup> at 4:15 pm, directly after new members are sworn in (nothing like hitting the ground running). This will be an opportunity for me to explain the history, the research staff has done, why administration is recommending against consolidation, and collect any questions from Council to forward to the Borough before they address you. The Borough will be presenting their proposal to you during a work session on October 24<sup>th</sup>. I have also invited our ProComm consultant, Gary Peters, to present on the technical hurdles of a consolidated dispatch. I appreciate the Council's desire to learn more about this complicated topic.

Enc:

Summary on Proposition 1 for voter pamphlet

Draft Vote Yes on Prop 1 postcard

Letter of support for Homer Senior Citizen's grant to replace flooring

Letter of support for Saddle Trail Phase 3 grant

MOU between City of Homer and Homer Foundation for SPARC

CITY OF HOMER  
BALLOT SUMMARY STATEMENT  
Proposition No. 1

Proposition No. 1 asks the voters to authorize the City of Homer to issue up to \$12 million in general obligation bonds to build a police station, and a 0.65 percent City sales tax rate increase, from 4.5 percent to 5.15 percent, during the summer and shoulder season, April 1 through September 30, to service the debt.

A new police station has been on the Capital Improvement Plan for the City for over 10 years. The current station does not meet state and federal standards or provide a safe working environment. Built in 1977, the building lacks separation between staff and prisoner traffic, and ventilation to prevent the transfer of pathogens. It has inadequate storage for evidence, equipment, vehicles and communication systems which causes equipment failure and compromised response. The jail lacks a crisis cell and proper juvenile holding area. The building floods during heavy rains and was not built to withstand a major earthquake.

The City Council created a Public Safety Building Review Committee, which has been working on site selection and preliminary design for the last 2.5 years. The Council selected the Committee's recommended site for the public safety building, 4.3 acres on the corner of Pioneer and Sterling Highway, because it is City land, centrally located, and allows emergency vehicles quick egress. The design incorporates the existing structure on the site (Homer Education and Recreation Complex, or HERC) into the new police station. The Committee took care to relocate recreational facilities on site, such as the skateboard park. Originally envisioned as a joint police and fire building, to control cost the police station will be constructed first leaving room for a future fire station. Renovations to the existing Fire Hall to extend its useful life are underway.

If Proposition No. 1 passes, the City will issue the bonds in 2017. The April-September increase in the sales tax rate from 4.5% to 5.15% is projected to generate approximately \$800,000 annually in additional revenue. This would be enough to pay off the bonds in less than 30 years. Revenue from the 0.65% seasonal sales tax increase can only be used to pay the bonds. Once the bonds are paid off the sales tax rate automatically returns to 4.5% year round.

**BALLOT LANGUAGE:**

“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?

The bonds shall be secured by a pledge of the full faith and credit of the City.” Ordinance 16-30 (S-2)(A-2)

NOTE: THIS INFORMATION HAS BEEN INCLUDED IN THE KENAI PENINSULA BOROUGH VOTERS' PAMPHLET AS A COURTESY TO THE VOTERS OF THE CITY OF HOMER AND HAS BEEN PRESENTED AS SUBMITTED BY THE CITY OF HOMER.



# Vote YES Prop 1

*Vote October 4 to build a safer community*

## **What is Prop 1?**

Prop 1 allows the City of Homer to issue general obligation bonds in an amount not to exceed \$12 million to finance construction of a new police station at the corner of Sterling Highway and Pioneer Avenue.

## **How will the bond debt be paid?**

For the life of the bond, City sales tax will increase from 4.5% to 5.15% from April-September. Proceeds estimated at \$800,000 annually will be used exclusively to retire the bond debt. Once the bonds are paid off, sales tax rate returns to 4.5% year round.

## **Why do we need a new police station?**

The current 40 year-old building presents safety risks for staff, victims and the public, is over-crowded with no room to grow, is inefficient and fails state and federal standards:

- No juvenile holding area or crisis cell;
- Staff has no secure separation from prisoner traffic;
- HVAC system exposes staff to communicable disease pathogens;
- Inadequate space for employees, prisoners, evidence storage, equipment, vehicles and communication system compromises response and crime solving capability and causes equipment failure;
- Does not meet ADA standards, jail floods during heavy rains and is not earthquake-resistant.

## **More information?**

Tour Homer's Police Station. No need to RSVP. Stop by anytime during the tour times:

Wednesday, September 28 from 5:00 pm to 7:00 pm

Saturday, October 1 from 1:00 pm to 3:00 pm

Go to [www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov) for a virtual tour or call 435-3101.

# VOTE YES ON PROP 1

Support public safety • at work for our community

Please  
place  
stamp  
here



Mailing Address

## VOTE OCTOBER 4

Absentee voting begins September 19

Paid for by City of Homer  
491 E. Pioneer Avenue, Homer, AK 99603



Mary (Beth) Wythe, Mayor  
approves this message.

300



## City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

491 East Pioneer Avenue  
Homer, Alaska 99603

(p) 907-235-8121

(f) 907-235-3140

Rasmuson Foundation  
301 West Northern Lights Blvd. Suite 601  
Anchorage, AK 99503

August 8, 2016

To Whom It May Concern,

I am writing to express the City of Homer's support for Homer Senior Citizen's grant to replace the flooring in the dining room and assisted living at the Homer Senior Center.

Homer Senior Citizens, Inc. provides services that are vital to the health of our community including meals, adult day services, independent housing, transportation, and assisted living. The senior center dining room and Assisted Living flooring are in dire need of replacement. Not only are they unsafe, but the carpet is tattered and worn. This provides a place for germs to hide and a health risk.

The City of Homer supports Homer Senior Citizens grant application for funding to install safe and sanitary flooring that will help the Homer Senior Citizen's Inc. serve the seniors in the community.

Sincerely,

Katie Koester  
City Manager





## City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

491 East Pioneer Avenue  
Homer, Alaska 99603

(p) 907-235-8121

(f) 907-235-3140

Darcy Harris  
Alaska State Trail Program  
550 W. 7<sup>th</sup> Ave. Ste1380  
Anchorage AK 99501

September 13, 2016

Ms. Harris,

I am writing to express the City of Homer's support for the Alaska State Trail Program proposal/application submitted by The Homer Office, Kenai Area of Alaska State Parks for Kachemak Bay State Park.

The Trails in Kachemak Bay State Park are highly valued by the people of Homer. This specific project, phase 3 of Saddle Trail re-route, includes constructing trail tread for 1/3 of a mile of the re-routed Saddle Trail. Improving this section of trail will increase access to our local State Park for user groups of all ages and abilities. The City of Homer supported Phase 1 and 2 of the Saddle Trail Re-route, which have both been successfully completed.

I encourage the approval of this application to improve the Saddle Trail and increase access to Kachemak Bay State Park. Thank you for taking the time to consider this important project.

Sincerely,

Katie Koester  
City Manager



## **South Peninsula Athletic and Recreation Center**

Facilities Acquisition and Operations

Memorandum of Understanding

City of Homer – The Homer Foundation

### 1) Statement of Intent:

This memorandum establishes the parties and the obligations and limitations of some parties in the acquisition and operation of the South Peninsula Athletic and Recreation Center (hereinafter referred to as the "SPARC").

### 2) Description of Project:

The SPARC is an approximately 12,000 ft.<sup>2</sup> pre-manufactured enclosure covering a multipurpose athletic surface. Other elements include bathroom facilities, heating, ventilation, and lighting. The SPARC will be located on a parcel of land leased from the Kenai Peninsula Borough.

### 3) Parties:

Parties to this agreement are:

A) The City of Homer (hereinafter "City"), and

B) The Homer Foundation (hereinafter "Foundation")

Other referenced parties are:

A) SAH Soccer d.b.a. Soccer Association of Homer (hereinafter "SAH").

### 4) Duties, Obligations and Limitations:

A) The City has promised financial assistance to be administered and accounted for, in accordance with the authorizing Ordinance [Ordinance 16-21 (S), attached as Exhibit 1] through the Foundation to accomplish recreational goals that benefit the local citizens. City funding is limited to the maximum amount disburseable (\$189,000) and nothing within the funding mechanism obligates the City to provide any service, additional funding or on-going support for the SPARC.

B) The Foundation will act as the disbursing agent for the City. The Foundation will use the funds provided by the City to match cash expended

by SAH upon production by SAH of paid invoices or vendor deposit receipts. The Foundation will not credit an additional contribution to those items paid for by previous City funds. The Foundation will disburse funds for in-kind contributions only following the approval of the City Manager. Nothing within this agreement obligates the Foundation from providing any additional service or funding to the project.

5) Fees:

The Foundation is providing this service to the City and SAH free of fees as a contribution to the combined community effort of all parties.

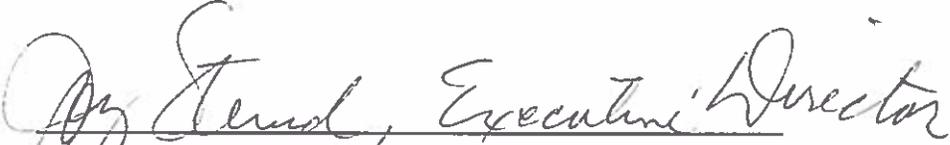
6) Complete Agreement:

This agreement is the complete agreement. No other agreements, either in writing or verbal, exist. This agreement is valid for the duration of the construction of the facility, at which time any remaining, unmatched, money will be returned to the City, or until the entire amount of the City contribution has been disbursed.

Modifications of this agreement may only be made in writing and signed authorization of the City and the Foundation.

Dated this 2 day of September, 2016.

  
\_\_\_\_\_  
For the City of Homer

  
\_\_\_\_\_  
For The Homer Foundation



# City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

Office of the City Clerk

491 East Pioneer Avenue  
Homer, Alaska 99603

[clerk@cityofhomer-ak.gov](mailto:clerk@cityofhomer-ak.gov)

(p) 907-235-3130

(f) 907-235-3143

## Memorandum

TO: MAYOR WYTHE AND CITY COUNCIL  
FROM: RENEE KRAUSE, CMC, DEPUTY CITY CLERK  
DATE: SEPTEMBER 7, 2016  
SUBJECT: BID REPORT

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### **INVITATION TO BID SNOW REMOVAL AND SANDING SERVICES FOR 2016/17, 2017/18, 2018/19**

Sealed bids will be received at the Office of the City Clerk, City Hall, City of Homer, 491 East Pioneer Avenue, Homer, Alaska, until **2:00 p.m. on September 15, 2016**, at which time they will be publicly 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. Proposal Requirements and Plan Holder registration forms are available online at <http://www.cityofhomer-ak.gov/rfps>

### **REQUEST FOR PROPOSALS FOR OPERATION AND MANAGEMENT OF THE HOMER ANIMAL SHELTER**

Sealed proposals for Operation and Management of the Homer Animal Shelter will be received until **4:00 p.m., September 16, 2016** at the office of the City Clerk, City Hall, City of Homer, 491 E. Pioneer Avenue, Homer, Alaska, 99603. The time of receipt will be determined by the City Clerk's time stamp. All proposers must submit a City of Homer Plan Holders Registration Form to be on the Plan Holder's List. All proposers are required to **attend one mandatory Pre-Proposal Conference and Tour either: Wednesday, August 24, 2016 at 2:00 p.m. or Thursday, August 25, 2016 at 2:00 p.m.**, at the Homer Animal Shelter, 3575 Heath Street, Homer, Alaska.

### **INVITATION TO BID FOR ERIC LANE ROAD AND SEWER IMPROVEMENTS**

Sealed bids for the construction of the **Eric Lane Road and Sewer Improvements** will be received at the Office of the City Clerk, City Hall, City of Homer, 491 East Pioneer Avenue, Homer, Alaska, until **2:00 p.m. on Thursday, September 22, 2016**, at which time they will be publicly 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. **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 and Plans and Specifications are available online at <http://www.cityofhomer-ak.gov/rfps>

### **INVITATION TO BID HOMER LIBRARY EMERGENCY GENERATOR INSTALLATION**

Sealed bids for the construction of the **Homer Library Emergency Generator Installation** project will be received at the Office of the City Clerk, City Hall, City of Homer, 491 East Pioneer Avenue, Homer, Alaska, until **2:00 p.m. on Thursday, September 22, 2016**, at which time they will be publicly 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. **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 and Plans and Specifications are available online at <http://www.cityofhomer-ak.gov/rfps>

# CITY ATTORNEY REPORT



# COMMITTEE REPORTS



PENDING BUSINESS



# NEW BUSINESS



# RESOLUTIONS



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

3 Mayor/City Council

4 **RESOLUTION 16-093**

5  
6 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,  
7 EXPRESSING SUPPORT FOR KENAI PENINSULA BOROUGH  
8 ORDINANCE 2016-31 AMENDING SECTIONS OF KPB CHAPTER  
9 5.18 TO UPDATE AND CLARIFY THE BOROUGH SALES TAX CODE,  
10 INCLUDING CHANGES TO SEVERAL PROVISIONS ON TAX-EXEMPT  
11 SELLERS AND TAXABLE SALES AND SERVICES.  
12

13 WHEREAS, The Kenai Peninsula Borough collects sales tax for the City of Homer and  
14 KPB sales tax code applies to transactions in Homer City limits; and  
15

16 WHEREAS, KPB Ordinance 2016-31 makes important updates to sales tax code that  
17 make it more effective and efficient for both sellers and the Borough; and  
18

19 WHEREAS, Over the last year the City of Homer has spent many meetings discussing  
20 existing tax code and has brought up many of the issues addressed in KPB Ordinance 2016-  
21 31; and  
22

23 WHEREAS, The following proposed changes in KPB Ordinance 2016-31 are of  
24 particular importance to the City of Homer:

- 25 1) Requiring the collection of sales tax year-round on all foods sold by  
26 stores that do not sell enough to be eligible to collect food stamps  
27 2) Clarifying the difference between air transportation (non-taxable) and  
28 flightseeing tours (taxable)  
29 3) Requiring taxation on internet sales to the extent allowable by federal  
30 law  
31

32 WHEREAS, The City of Homer appreciates the Borough making needed improvements  
33 and updates to Kenai Peninsula Borough sales tax code in KPB Ordinance 2016-31.  
34

35 NOW, THEREFORE, BE IT RESOLVED by the City Council of Homer, Alaska, that the  
36 Homer City Council supports the updates to sales tax code proposed in KPB Ordinance 2016-  
37 31.  
38

39 BE IT FURTHER RESOLVED that the Homer City Clerk is instructed to transmit a copy of  
40 this resolution to Kenai Peninsula Mayor Navarre and the Kenai Peninsula Borough Assembly.  
41

42 PASSED AND ADOPTED by the Homer City Council this 12<sup>th</sup> day of September, 2016.

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CITY OF HOMER

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MARY E. WYTHE, MAYOR

ATTEST:

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JO JOHNSON, MMC, CITY CLERK

Fiscal Note: Increased sales tax revenues to be determined.



## KENAI PENINSULA BOROUGH

144 North Binkley Street • Soldotna, Alaska 99669-7520

Toll-free within the Borough: 1-800-478-4441

PHONE: (907) 262-4441 • FAX: (907) 262-1892

www.kpb.us

MIKE NAVARRE  
BOROUGH MAYOR

### MEMORANDUM

**TO:** Blaine Gilman, Assembly President  
Members, Kenai Peninsula Borough Assembly

**THRU:** Mike Navarre, Mayor *MN*  
Craig Chapman, Finance Director *C Chapman*

**FROM:** Larry Persily, Assistant to the Mayor *LP*

**DATE:** July 28, 2016

**SUBJECT:** Ordinance 2016-*31*, An Ordinance Amending Sections of KPB Chapter 5.18 to Update and Clarify the Borough Sales Tax Code, Including Changes to Several Provisions on Tax-Exempt Sellers and Taxable Sales and Services (Mayor)

This ordinance proposes multiple changes in the borough sales tax code, several of which are purely administrative in nature but many of which would change the rules for charging, collecting and remitting sales taxes on goods and services. The intent of this ordinance is to improve the clarity of the sales tax code, make administration of the code more efficient for sellers and the borough, and make appropriate policy changes in the code as to what is and is not taxable. Some of the exemptions and definitions have not been revisited in years and should be updated to reflect today's commerce, which is more about services and less about goods.

The proposed tax code changes in this ordinance would:

- Exempt the smallest of businesses in the borough from collecting sales tax. Eliminating borough sales tax collections for the fewer than 800 businesses that report under \$2,500 a year in sales would cost the borough less than \$20,000 a year in revenues, but would save the businesses and the borough far more than that in time and administrative chores. The small businesses would still be required to register with the borough, which could conduct random checks to ensure that sellers have not exceeded the \$2,500 limit without collecting sales tax.
- In the interest of efficiency, the ordinance would give the borough the leeway to exempt certain businesses from filing tax returns if those sellers are completely exempt from collecting sales taxes.
- Require the collection of sales tax year-round on all foods sold by stores that do not sell enough to be eligible to accept food stamps. Currently, non-prepared foods sold at such businesses are covered by the seasonal tax exemption. However, there is not an

---

overriding public purpose to continuing the tax exemption for the sale of snack foods, candy, soft drinks and such items sold at clothing or hardware stores, package liquor stores, vending machines, and other similar operations. The food sales affected by this amendment are far outside the realm of essential groceries.

- Make the distinction in code that while air transportation and charter flights between two points would continue to be exempt from sales tax, as required by state and federal law, the borough considers flightseeing tours as an entertainment or recreational service, not air transportation, and should be subject to sales tax the same as bus tours and charter boat trips. As proposed, only sightseeing flights that take off and land at the same airport on the same day would be taxable.
- Remove the tax exemption for sales by nonprofit organizations that operate at an ongoing business location. The intent is to eliminate an inequitable sales advantage over other businesses. Sales, services or rentals by nonprofits that are occasional or intermittent in nature and not provided as an ongoing trade or business at an established physical location would continue to be exempt from taxes, such as Girl Scout cookie sales, Boy Scout popcorn sales, fund-raising auctions and dinners, and other such annual, occasional or sporadic nonprofit events. (Purchases by nonprofit organizations would continue to be tax-exempt.)
- Add an explicit provision in code that sales of pull-tabs, bingo cards and raffle tickets by charitable organizations licensed by the state are exempt from sales tax. This matches current practice and should be added to code to avoid any doubt.
- Make clear that to the extent allowed under federal law, out-of-borough and out-of-state businesses must collect and remit sales tax on goods and services delivered within the borough. The public policy for this code revision is the equitable treatment of businesses inside and outside the borough — though the borough cannot overcome federal restrictions that prohibit the taxation of online sales delivered into the borough if the seller lacks any sort of physical, contractual or employee presence in the borough.
- Clarify that sales by a business in the borough to a business outside the borough for purposes of resale are exempt from sales tax, regardless whether the non-borough business has obtained a resale certificate from the borough.
- Clarify that sales by a business in the borough to a buyer outside the borough, but within the state, is subject to sales tax — unless the sale is for resale.
- Define that only those materials purchased by a licensed contractor that become part of a permanent structure are exempt from sales taxes, the same definition as in code for materials purchased by owner/builders. This is to clarify that other materials purchased by a licensed contractor for use in a building project, such as tools, are not exempt from sales tax.
- Remove the tax exemption for moving freight. The borough collects sales tax on moving people in taxis and chartered buses, and there is no public policy justification to treat the moving of goods differently than moving people.

- State clearly that the borough may hold personally liable for delinquent sales taxes the officers, managers, partners and others in limited liability companies and similar business entities who have control or responsibility for filing tax returns — the same as the borough treats other business owners.
- Clarify in code that when components of a recreational package — such as guiding, lodging and other services — are not taxed as an intermediate service between the service provider and seller, they are taxable at the final package sales point to the buyer.
- Clarify that even if someone rents an entire multi-unit facility, such as a lodge or hotel for multi-person overnight use (such as a wedding party), the code provision still applies that each night's rental of each individual unit shall be considered a separate taxable transaction.
- Eliminate the charge for duplicate tax registration certificates, and also the borough fee for government and nonprofit exemption certificates.
- Specify that businesses that want to retain a portion of sales tax collections to help cover their cost of collecting the tax must be current in their tax filings and tax payments or following a payment plan set by the borough. It is not in the public's interest to allow a business to retain tax collections if that business owes money to the borough.
- Specify in code that the taxable point of sale for freight, delivery, courier and passenger services (such as taxis) is the pickup location; and that the taxable point for vehicle towing services is the place where the vehicle is delivered. It is just easier to determine the delivery point for a tow (and the city of tax jurisdiction) than the pickup point somewhere near a highway milepost marker.
- Clarify that if the borough rejects a tax return, any interest and penalties later assessed by the borough for nonpayment of taxes would start accruing with the original filing date of the tax return, not the date that the return was rejected.



Introduced by: Mayor  
Date: 08/09/16  
Hearing: 09/06/16  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
ORDINANCE 2016-31**

**AN ORDINANCE AMENDING SECTIONS OF KPB CHAPTER 5.18 TO UPDATE AND CLARIFY THE BOROUGH SALES TAX CODE, INCLUDING CHANGES TO SEVERAL PROVISIONS ON TAX-EXEMPT SELLERS AND TAXABLE SALES AND SERVICES**

- WHEREAS**, an efficient and unambiguous sales tax code is important for consumers that pay the tax, businesses that collect the tax, and the borough Finance Department that administers the tax; and
- WHEREAS**, the sales, service and rental sectors have changed over the years, creating uncertainties in the administration of borough tax code provisions written years ago; and
- WHEREAS**, the borough is always looking to improve the administration of the sales tax code, particularly to ensure clarity and fairness among buyers, sellers and service providers; and
- WHEREAS**, exempting the smallest of businesses from sales tax collection and remittance responsibilities under the code would reduce the workload on those businesses and the borough, with the value of saving time for all parties more than offsetting the minimal loss of public revenue from exempting such sales from taxation; and
- WHEREAS**, there is no overriding public purpose for continuing the seasonal tax exemption in code for the sale of nonprepared snack foods sold at non-food businesses such as clothing or hardware stores, package liquor stores and other similar operations that do not sell enough foods to qualify as eligible to accept food stamps; and
- WHEREAS**, flightseeing tours are an entertainment service, not air transportation between two points, and therefore shall be subject to sales taxes the same as bus tours and charter boat trips; and
- WHEREAS**, removing the tax exemption for sales by nonprofit organizations that operate an ongoing business location would eliminate an inequitable sales advantage over other businesses; and

**WHEREAS,** amending code to ensure that occasional or intermittent sales by nonprofits, such as annual cookie, popcorn and candy sales, fund-raising auctions, meals and events, raffle tickets and other irregularly scheduled events continue to be exempt from sales taxes; and

**WHEREAS,** to the extent allowed under state and federal law, the borough should ensure that out-of-borough and out-of-state businesses collect and remit sales tax on goods and services delivered within the borough, in the interest of equitable treatment of businesses inside and outside the borough; and

**WHEREAS,** clarity in definition of the point of taxable transaction, such as where the services are provided and where the sales occurred, are helpful not only for consumers and businesses, but also for administration of the sales tax between cities within the borough; and

**WHEREAS,** business, consumer and borough interests would best be served with a clear and easily administered definition of what constitutes tax-exempt goods used in construction under an owner/builder tax-exempt certificate or a contractor's tax-exempt resale certificate; and

**WHEREAS,** the sales tax exemption in code for moving freight is inequitable when compared to the taxation of moving people in taxis and chartered buses; and

**WHEREAS,** limited liability companies and other such business structures should be treated the same for collection of delinquent sales taxes as any other business entity; and

**WHEREAS,** the borough allows businesses to retain a portion of sales tax collections to help cover the cost of collecting the tax, however, the public interest is best served if the credit is allowed only for businesses that are current in their tax payments or following a payment plan prescribed by the borough;

**NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:**

**SECTION 1.** That KPB 5.18.130(C) and (D) are hereby amended as follows:

**5.18.130. General—Seller—Liability to the borough—Successor liability—  
Corporate officer liability.**

...

C. The liability of a purchaser or other entity for outstanding taxes, penalties, interest, fees and costs accrued and unpaid by the former owner shall be limited to an amount stated in writing by the borough in response to a [RELEASE OF] request for information[REQUEST] submitted to the finance department on a form prescribed by the finance department. The borough shall have 15 days to respond

to the request. Interest and penalty shall continue to accrue on the unpaid balance until such time that the liability is paid in full.

D. [THE PRESIDENT AND ANY OFFICER, EMPLOYEE OR AGENT OF A CORPORATION HAVING] Any officers, employees, agents, members, managers, or partners of a corporation, limited liability company, limited liability partnership, partnership, or limited partnership that have control of, supervision of, or charged with the responsibility of filing sales tax returns or remitting sales taxes [IS] are personally liable for any unpaid [CORPORATE] business entity sales taxes, penalties, interest, fees and costs accruing and unpaid to the borough. Dissolution of, or sale of, or other change in the form of the corporation, LLC, LLP, partnership, or limited partnership does not discharge this liability. The signature of any officer, member, manager, or partner on returns or negotiable instruments submitted in payment of taxes is prima facie evidence of their responsibility for making returns and payments.

**SECTION 2.** That the Kenai Peninsula Borough Code is amended by adding a new section to be numbered KPB 5.18.170 as follows:

**5.18.170. General—Notice to Sellers.**

If mail sent by the borough to a seller’s last known address is returned by the postal service as undeliverable two or more times, the borough’s obligation to continue sending notices ceases.

**SECTION 3.** That KPB 5.18.200 is hereby amended as follows:

**5.18.200. - Exemptions/waivers—Exemptions.**

A. The following classes of retail sales, services and rentals are exempt:

1. Casual and isolated sales or rentals by a seller [WHO DOES NOT REGULARLY ENGAGE] in the business of selling goods or services, or making rentals; but only if:
  - A. ]The total annual gross sales for goods sold, services rendered or rentals made by the seller does not exceed [\$1,000.00] \$2,500.00 per year.]; OR
  - B. THE SALES OF GOODS DO NOT OCCUR FOR MORE THAN 14 DAYS IN A CALENDAR YEAR, AND ARE NOT MADE THROUGH A DEALER; OR
  - C. THE SALES OF GOODS ARE MADE BY A REGISTERED BUSINESS TO SELL BUSINESS EQUIPMENT USED IN THE BUSINESS, AND NOT HELD AS INVENTORY;]

2. Human health care services provided by, and prescription drugs, devices, and supplies prescribed for human use by, a person licensed or certified to provide those services or goods, as applicable, under Alaska Statutes Title 08.
3. Sales of and subscriptions to newspapers, and subscriptions to periodicals.
4. Dues or membership fees for nonprofit organizations;
5. Sales of animal food, seed, plants and fertilizers to farmers using such commodities to produce goods for sale;
6. Retail sales of real property. Services performed by a real estate broker or agent are not exempt under this section;
7. Retail sales, rents or services which the borough is prohibited from taxing by the Constitution or laws of the United States or of the State of Alaska;
8. Services performed by morticians licensed under Alaska law, and retail sales of funeral supplies by morticians and municipalities;
9. Receipts of nonprofit schools and student organizations within the schools for extracurricular activities or events;
10. Financial service transactions. For purposes of this chapter, financial service transactions are limited to: deposit account services, loan transaction fees, transactions relating to the sale or exchange of currency or securities, transactions for conversion of negotiable instruments, safe deposit services, [AND] escrow collection services, late fees, overdraft fees, and interest charged on past due accounts;
11. Sale of passenger seat tickets by an air charter, air taxi, or commercial airline[. AIR CHARTER AND AIR TAXI SALES ARE EXEMPT] , however flightseeing tours that take off and return to the same airport or seaplane base on the same day are recreational sales not exempt under this section;
12. [FREIGHT HAULING SERVICES;] Sales of pull-tabs, bingo cards and raffle tickets by charitable organizations licensed by the state;
13. Title insurance premiums;
14. Food purchased with coupons issued under the federal food stamp program;
15. Retail sales of food are exempt in the following circumstances:
  - a. When served in cafeterias or lunchrooms of elementary, secondary, post-secondary schools, colleges or universities which are operated primarily for students and staff, and are not operated for the public or for profit;

- b. When served to clients and staff, and not to the public or for profit, as part of services provided by a nonprofit hospital or other nonprofit or government organization licensed by the State of Alaska for the care of humans;
  - c. Meals delivered by a nonprofit organization to handicapped or senior citizens at their place of residence or meals served on the premises of a nonprofit senior citizens; organization which receives funding from the State of Alaska or a political subdivision of the state: provided that the sale price of such meals does not exceed the cost of delivery or service of such meals;
  - d. Exemptions/waivers - Sales of nonprepared food items by sellers authorized to participate in the federal food stamp program. Sales tax is prohibited on [ALL] sales of nonprepared food items sold by sellers authorized to participate in the federal food stamp program from September 1 until May 31 of each year. These food items exempted from sales tax include those which have been previously granted exemption in KPB 5.18.200(14) for food purchased with coupons issued under the federal food stamp program.
16. Senior, disabled resident, and disabled veteran housing rent. Rental payments for a dwelling unit for a permanent place of abode by a resident who is at least 65 years of age, or who is a disabled veteran or a disabled resident. Disabled veteran has the meaning provided in KPB 5.12.105(F)(3), and the term disabled resident has the meaning provided in KPB 5.12.110, as those provisions are now enacted or may be hereinafter amended. Dwelling unit means a house, apartment, or room in a residential facility such as congregate housing or assisted living. Permanent means the tenant has lived within the Kenai Peninsula Borough for a minimum of six months and is a resident of the State of Alaska. The landlord must accept an affidavit on a form provided by the borough or otherwise acceptable to the borough administration from the tenant as proof of age and eligibility for this exemption. If any person under 65 years of age, other than a spouse, resides in the dwelling unit with a qualifying senior, the exemption may not be granted unless the senior is the principal source of support for such person less than 65 years of age, or unless the person qualifies as a disabled veteran or a disabled resident. This exemption shall also apply to a resident at least 60 years old who is the widow or

widower of a person who qualified for this exemption as a senior citizen or a disabled veteran.

17. Childcare and adult daycare services.
18. Services provided and material consumed in the fulfillment of a manufacturer's warranty, non-manufacturer's warranty, or service agreement. The initial purchase of a manufacturer's warranty, non-manufacturer's warranty, or service agreement is subject to tax at the time of purchase but may be included in the initial sales transaction for application of KPB 5.18.430. Any portion of a repair paid by the customer through a deductible or other means is not exempt under this section.
19. Services provided by a cooperative nonprofit organization recognized by either the State of Alaska or the federal government to assist in preventing, containing, and removing spilled crude oil or refined petroleum products, and to cooperate with governmental agencies, private organizations, and industry in preventing, containing, and removing any spills of crude oil or refined petroleum products upon waters in the Kenai Peninsula Borough and the adjacent lands.
20. Sales or services provided by an organization that has obtained from the Internal Revenue Service and provided proof to the borough of a 501(c) exemption ruling, other than under 501(c)(12), so long as the sales, services or rentals are occasional or intermittent in nature and not provided as an ongoing trade or business that is regularly carried on from an established physical location.

B. The following classes of buyers are exempt from the provisions of this chapter:

1. Retail sales, services and rentals to:
  - a. An organization that has obtained a 501(c) exemption ruling from the Internal Revenue Service, as long as proof of such ruling is provided to the borough administration;
  - b. A church that is organized as a nonprofit corporation under the laws of the State of Alaska, as long as proof of such incorporation is provided to the borough administration;
2. Retail sales, services and rentals to the United States, the State of Alaska, or any instrumentality or political subdivision of either;
3. Retail sales, services and rentals to federally recognized Indian tribes.

C. The following classes of sellers are exempt from the provisions of this chapter:

- [1. AN ORGANIZATION THAT HAS OBTAINED A 501(C) EXEMPTION RULING FROM THE INTERNAL REVENUE SERVICE, AS LONG AS PROOF OF SUCH RULING IS PROVIDED TO THE BOROUGH ADMINISTRATION; BUT ONLY UNDER THE FOLLOWING CONDITIONS:
  - A. THE SALES ARE NOT LIQUOR SALES OR SALES OF FOOD SOLD THROUGH REGULARLY CONDUCTED RESTAURANT TYPE OPERATIONS;
  - B. THE ORGANIZATION IS EXEMPT UNDER A SUBSECTION OTHER THAN 501(C)(12) OF THE INTERNAL REVENUE CODE.]
- 1[2]. Groups sponsored by public or nonprofit schools.

**SECTION 4.** That KPB 5.18.210 is hereby amended as follows:

**5.18.210. Exemptions/waivers—Exemption for sales for resale.**

The following sales of tangible personal property, intermediate services, and rentals are exempt under this chapter:

- A. Sales to a wholesale or retail dealer who deals in the property sold, for the purpose of resale by the dealer[;].
- B. Sales of personal property as raw material to a person engaged in manufacturing for sale, where the property sold is consumed in the manufacturing process of, or becomes an ingredient or component part of a product manufactured for sale by the manufacturer[;].
- C. Sale of personal property as raw material to a licensed building contractor where the property sold becomes [A COMPONENT PART OF THE PRODUCT SOLD BY THAT BUILDING CONTRACTOR] part of the permanent structure.
- D. Sales of intermediate services to a business the charge for which will be passed directly by that business to a specific buyer are exempt under this chapter; except that
  - 1. utilities shall in no case fall within this exemption[.]; and
  - 2. booking commissions, contracted or subcontracted guides, and lodging or other services sold as components of a recreational package are considered intermediate sales for resale, taxable at the final sale of the package to the buyer. All components of any such package sale shall be taxed in accordance with KPB 5.18.430.
- [E. WHERE PERSONAL PROPERTY IS RENTED FROM A DEALER IN A TAXABLE TRANSACTION AND THE RENTER IS THEN DIRECTLY REIMBURSED BY A THIRD PARTY FOR THE EXACT RENTAL EXPENSE, WITHOUT MARKUP, THEN THAT REIMBURSEMENT IS NOT A RENTAL OR LEASE SUBJECT TO THE BOROUGH SALES TAX.

- F. SERVICES RENDERED BY AN EMPLOYEE TO HIS/HER EMPLOYER ARE NOT SUBJECT TO BOROUGH SALES TAX.]

**SECTION 5.** That KPB 5.18.230(C) is hereby amended as follows:

**5.18.230. Exemptions/waivers—Exemptions—Nonprofit or government exemption certificate.**

...

- C. A buyer may apply for a nonprofit or government exemption certificate, on the form provided by the borough. Upon receipt of a completed application[, AND A FEE IN THE AMOUNT LISTED IN THE MOST CURRENT KENAI PENINSULA BOROUGH SCHEDULE OF RATES, CHARGES AND FEES] the borough will issue the certificate, which will be valid for the calendar year for which the application is made.

...

**SECTION 6.** That KPB 5.18.240 is hereby amended by adding a new subsection (F) as follows:

**5.18.240. Exemptions/waivers—Exemptions—Resale certificate.**

...

- F. A business within the borough that sells goods to a business located outside the borough for resale by that business outside the borough shall report the sale as a tax-exempt sale for resale, regardless whether the buyer has obtained a resale certificate from the borough.

**SECTION 7.** That KPB 5.18.250(C) is hereby amended as follows:

**5.18.250. Exemptions—Seller's liability for incorrect determination—Buyer's protest—Appeals.**

...

- C. If the seller determines that a sale[S] is exempt, the seller can request a determination on whether a sale is exempt by filing a certificate of protest form with the borough, no later than 60 days after the date of sale. The seller shall continue to collect the tax at the time of sale, until the seller receives a determination from the borough.

...

**SECTION 8.** That KPB 5.18.310(E) is hereby amended as follows:

**5.18.310. Registration—Certificate issuance—Display required—Compliance agreement—Bond requirements.**

...

- E. [UPON PAYMENT OF THE FEE IN THE AMOUNT LISTED IN THE MOST CURRENT KENAI PENINSULA BOROUGH SCHEDULE OF RATES, CHARGES AND FEES, THE MAYOR WILL ISSUE A] A duplicate sales tax certificate will be issued to any seller whose certificate has been lost or destroyed.

**SECTION 9.** That KPB 5.18.430(C) and (D) are hereby amended as follows:

**5.18.430. Computation—Maximum tax.**

...

- C. Services provided on account and billed to the customer on a periodic basis are subject to application to the tax on a maximum of \$500.00 of each billing, per account. For purposes of this section, any advance payment for services other than to a trust or escrow account is considered to be paid pursuant to a "billing[:]."
- D. Each night's rental of each individual [ROOM] unit of temporary lodging shall be considered a separate transaction and therefore the maximum tax computation shall be calculated on a per [ROOM] unit per night basis. Rental by a single person or entity of an entire facility, such as a lodge or hotel for multi-person overnight use, does not affect this provision that each night's rental of each individual unit shall be considered a separate transaction.

...

**SECTION 10.** That KPB 5.18.450 is hereby amended as follows:

**5.18.450. Tax jurisdiction—Office location of seller.**

- A. The rate of tax to be added to the sale price is based on the place of sale. The place of sale of goods and merchandise is the location of the retail outlet at which or from which delivery was made. This provision applies to goods delivered to buyers within the borough and to goods delivered to buyers outside the borough but within the state of Alaska. If the invoice includes a charge for installation, then the place of the sale for the goods and service is the retail outlet at which or from which delivery

was made. When goods are delivered into the borough from a point outside of the borough and the seller maintains an ongoing physical presence in the borough, then the location of the seller's in-borough presence will determine the place of sale. If a seller has no ongoing physical presence in the borough but has established nexus with the borough, the point of delivery will determine the place of sale. If the seller has no ongoing physical presence in, or nexus with, the borough the sale is not subject to the borough sales tax. For purposes of this section the following terms are defined as shown below:

1. "Nexus" means the seller has established a taxable connection within the borough by use of marketing techniques, such as directed advertising in the borough via telephone or internet, or door-to-door sales within the borough, or by use of contract workers or contract or commission agents or businesses, which are [SIGNIFICANTLY] associated with the seller's [ABILITY] efforts to establish or maintain a market for its goods or services, deliver those goods or services, or provide warranty or other repair or return services in the borough.
2. The "point of delivery" where there is no ongoing physical presence in the borough is the place where physical possession of the goods is transferred to the customer.
3. "Physical presence" is as defined in KPB Sales Tax Policy 95-02, copies of which are available in the finance department.

B. Sellers located outside the borough but which fulfill orders for buyers inside the borough that were solicited or facilitated by commission or fee agents, independent contractors or other persons located in the borough associated or affiliated with the seller shall be responsible for collecting and remitting sales tax on those orders, unless the tax is collected and remitted by the agent or contractor.

[B]C. The place of sale of services is where the services are delivered, which means the place where the services are rendered. The place of sale for freight, delivery, and courier services is the pickup location. The place of sale for services involving the transportation of passengers is the location where the passengers are picked up. The place of sale for vehicle towing services is the place where the vehicle is delivered. The place of sale for rentals is the place where the real property is located, or where the personal property is delivered to the renter. The borough shall determine the place of sale of a good, service, or rental pursuant to this section, and the borough's determination is final.

[C]D. When there is a question or dispute over the place where services are rendered, a seller of a service may, after requesting and receiving borough approval in writing, collect the tax based on the office location of the business selling such services. Approval of a request to collect a tax at the seller's office location is completely within the discretion of the borough, and shall not be granted if the borough has already determined that the place of sale for the seller's industry is not the office location.

[D]E. The seller is liable for any sales taxes due because of the seller's incorrect determination of the sales tax rate to be applied.

**SECTION 11.** That KPB 5.18.500(A) is hereby amended as follows:

**5.18.500. Returns/records/audit—Returns—Filing schedule. ~~required—Filing schedule.~~**

A. Every seller is required to file a sales tax return, on forms furnished by the borough, according to the filing schedule established by the borough for that seller, whether or not any sale was made. The borough may exempt a seller from the requirements of this section if the borough determines the seller is completely exempt from collecting and remitting sales tax.

...

**SECTION 12.** That KPB 5.18.510(B) is hereby amended as follows:

**5.18.510. Returns/records/audit—Returns—Contents.**

...

B. The borough reserves the right to reject a filed return for failure to comply with the requirements of this section, for one year from the date of filing. The borough shall give written notice to a seller that a return has been rejected, including the reason for the rejection. In the event the borough rejects a tax return, any interest and penalties later assessed by the borough for nonpayment of full taxes shall start accruing with the original filing date of the tax return, not the date that the return was rejected.

**SECTION 13.** That KPB 5.18.530 is hereby amended as follows:

**5.18.530. Returns/records/audit—Returns—Credit for costs of collection .**

A. If a return is filed and [TAX PAYMENTS ARE] payment in full is remitted by the filing deadline, a seller in full compliance with this chapter

may retain 5% of the tax collected, to a maximum of \$1,000 per quarter, to cover the costs of collecting the tax.

B. If the seller is not in full compliance with this chapter, the seller is not eligible for and may not retain the 5% credit.

C. [FULL COMPLIANCE FOR THE PURPOSES OF THIS SECTION MEANS THAT A SELLER DOES NOT HAVE] A seller is not in full compliance if the seller:

1. has an account with a balance due, or
2. has [does not have] a missing or incomplete return outstanding, or
3. is not in compliance with a borough-approved payment plan.

**SECTION 14.** That KPB 5.18.580 is hereby amended as follows:

**5.18.580. Returns/records/audit—Audit—Protest.**

A. If the seller wishes to dispute the amount of the estimate, or the results of an examination or audit, the seller must file a written protest with the borough, within 30 days of the date of the notice of estimated tax or results of an audit or examination. The protest must set forth:

1. the seller's justification for reducing or increasing the estimated tax amount, including any missing sales tax returns for the periods estimated; or
2. the seller's reasons for challenging the examination or audit results.

B. In processing the protest, the borough may hold an informal meeting or hearing with the seller, either on its own or upon request of the seller, and may also require that the seller submit to an audit.

C. The borough administration shall make a final written determination on the seller's protest, and mail a copy of the determination to the seller.

D. If a written protest is not filed within 30 days of the date of the notice of estimated tax or the result of a review, audit or examination, then the estimated tax, review, audit or examination result shall be final, due and owing.

**SECTION 15.** That KPB 5.18.660(B) is hereby amended as follows:

**5.18.660. - Enforcement—Sales tax liens.**

...

B. Prior to filing a sales tax lien, the [MAYOR] borough shall cause a[N ADDITIONAL] written notice of intent to file to be mailed to the last known address of the delinquent seller.

**SECTION 16.** That KPB 5.18.670 is hereby amended as follows:

**5.18.670. Enforcement—Fees.**

Fees in the amount listed in the most current Kenai Peninsula Borough Schedule of Rates, Charges and Fees shall be imposed and collected pursuant to this chapter for the following purposes:

- [A. ISSUANCE OF A DUPLICATE SALES TAX CERTIFICATE;]
- [B]A. Missing filing fee;
- [C]B. Reinstatement to active roll;
- [D]C. Audit estimate preparation fee at a rate established by regulation but not to exceed \$100.00.

**SECTION 17.** That KPB 5.18.900 is amended as follows:

**5.18.900. - Definitions.**

When not clearly otherwise indicated by the context, the following words and phrases, as used in this chapter, have the following meanings:

...

Q. "Recreational sales" means sales where the seller provides recreational services and rentals, except automobile rentals, to the buyer, either separately or in a combination, at an aggregate price, including, but not limited to guiding, charters, sightseeing tours, flightseeing tours, outfitting or equipment rentals, instructional classes or lessons, and beauty or spa services [TEMPORARY LODGING INCLUDED WITH SUCH SALES].

R. "Unit" means a room or single unit that is customarily advertised and rented at a flat rate regardless of the number of occupants.

**SECTION 18.** That this ordinance takes effect on January 1, 2017.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS \*  
DAY OF \* 2016.**

---

Blaine Gilman, Assembly President

ATTEST:

---

Johni Blankenship, MMC, Borough Clerk

Yes:

No:

Absent:

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

