



## City of Homer

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

Office of the City Clerk

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# Memorandum

## Agenda Changes/Supplemental Packet

TO: MAYOR WYTHE AND HOMER CITY COUNCIL

FROM: JO JOHNSON, MMC, CITY CLERK

DATE: APRIL 11, 2016

SUBJECT: AGENDA CHANGES AND SUPPLEMENTAL PACKET

### **ORDINANCES**

**Ordinance 16-18**, An Ordinance of the City Council of Homer, Alaska, Enacting Homer City Code Chapter 3.20, Recreational Facility Matching Grants; and Amending the FY 2016 Operating Budget by Appropriating Funds in the Amount of \$900,000 From the Permanent Fund to the Recreational Facility Matching Grant Fund. Lewis.

Written public comments

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### **CITY ATTORNEY REPORT**

City Attorney's Report – March 2016

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RECOMMENDATION:

Voice consensus to changes under Agenda Approval.

Fiscal Note: N/A



April 11, 2016

Homer City Council and Mayor  
City of Homer  
491 E. Pioneer Avenue  
Homer, AK 99603

APR 11 2016



Dear Council and Mayor,

I would like to address you as a taxpayer of the City of Homer, notwithstanding my long involvement with the Homer Volunteer Fire Department. I am opposed to Ordinance 16-18, not so much as it is earmarked for a select user group within Homer, but in the fact that for years city departments have endured stagnant budgets, budget reductions in operations and maintenance, and have suffered from deferred maintenance and the inability to replace obsolete equipment or to acquire new equipment as necessary to conduct the business of the city and to provide the best services to the community, including the essential services of police, fire and ambulance.

Here we are today, considering the "donation" of \$900,000 for the future construction of an indoor soccer facility and perhaps a place for folks to play Pickle Ball and a few other activities during inclement weather, while the existing fleet of life-saving emergency equipment ages beyond its recommended useful life. Only through state funding have we been able to finance the acquisition of our new fire engine in 2007 or the refurbishment of a 32 year old fire engine and a 27 year old tanker/pumper to perhaps buy us another 10 years of service before they have to be replaced. Other aging fire department apparatus include: a 1990 Ford F-350 Brush Truck, a 1997 Ford Ambulance (currently being replaced through a combination of State, city and USDA funding), a 1999 Rescue Truck, and a 2000 year ambulance that should be replaced within the next 3-5 years. In addition the city has long identified the need to acquire an aerial apparatus (ladder truck) to serve the communities growth and number of current structures over 35 feet in height, or 3 stories tall according to the Insurance Services Office (ISO), the organization that determines a communities Public Protection Classification; a rate used by most fire insurer's to determine premiums for each policy in a community. The estimated cost of purchasing a new ladder truck that could fit in the existing station is less than the cost associated with this ordinance.

In the near future there are other substantial costs for which the city will need to consider for both the police and fire departments beyond that of new buildings; as previously brought up by the Police Chief the entire radio infrastructure for Homer will need to be replaced within the next 3-5 years at a substantial cost; the current inventory of self-contained breathing apparatus (SCBA) of the fire department will become obsolete and need to be replaced in 2-4 years at a cost of an estimated \$200,000 and the entire inventory of breathing air bottles (70) will need to be replaced due to age in about the same time.

With the current financial picture facing the city and its residents, now is not the time to spend \$900,000 on anything by essential services already provided by the city.

Respectfully,



Robert L. Painter, City Resident





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*a professional corporation*

## MEMORANDUM

**TO: MAYOR AND CITY COUNCIL MEMBERS  
CITY OF HOMER**

**FROM: THOMAS F. KLINKNER**

**RE: CITY ATTORNEY REPORT FOR FEBRUARY 2016**

**FILE NO.: 506,742.23**

**DATE: APRIL 7, 2016**

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The following summarizes our activities as City Attorney during the month of March 2016.

City Council. I attended the March 14 Council meeting, and revised two resolutions regarding a harbor lease and harbor fees, and an ordinance authorizing the sale of City property that were presented to the March 29 Council meeting.

City Manager. We advised the City Manager regarding sources of financing for Fire Hall renovations. We advised the City Manager on issues related to the enforceability of a 1967 agreement regarding the Pratt Museum.

Marijuana Regulation. We drafted a resolution supporting federal reclassification of marijuana as a controlled substance. We worked with the Council to revise an ordinance providing for the zoning of marijuana establishments. We continued to advise the Planning Director regarding marijuana land use regulation issues.

City Clerk. We assisted the Clerk's office in responding to an application for an initiative petition to prohibit marijuana establishments in the City. We drafted an ordinance combining the Parks and Recreation Advisory Commission with the Public Arts Committee.

Planning Department. We reviewed the tower regulation ordinance recommended by the Planning Commission, and researched its effect on existing tower projects. We advised the Planning Department regarding zoning enforcement issues.

Public Works Department. We addressed issues related to the presence of contaminated soils in the Waddell Way right-of-way. We advised the Public Works Department regarding the effects of suspending work on the Waddell Way project

pending resolution of environmental issues. We reviewed and revised a Memorandum of Understanding with Homer Electric Association for construction in the right-of-way.

Port & Harbor. We drafted an ordinance regulating use of the load and launch ramp. We drafted a crane usage agreement for the Small Boat Harbor.

Clear Creek Cat Rescue v. City of Homer. We worked with the City's insurance carrier to obtain the defense of this action by the insurance carrier for the City's animal control contractor.

I will be available to answer questions regarding these matters at the April 11, 2016 Council meeting.

cc: Katie Koester  
Jo Johnson

TFK/