



AGENDA ITEM REPORT

Resolution 23-035, A Resolution of the City Council of Homer, Alaska Adopting the Revised Port and Harbor Tariff No. 1. City Manager/Port Director.

Item Type:	Resolution
Prepared For:	Mayor Castner and Homer City Council
Meeting Date:	24 April 2023
From:	Bryan Hawkins, Port Director
Through:	Rob Dumouchel, City Manager

Background

Staff conduct an annual review of our Port of Homer Tariff No. 1 to make sure it reflects our current polices and rates, submitting any prospective changes to the City for review and approval. The following information listed below pertains to this years proposed edits/changes. Per HCC 10.04.055 changes to the port and harbor tariff may be approved by City Council via resolution, but per JDOLaw recommendation we've drafted a Resolution to allow for extra public hearing review time.

Additional review components to our process include:

- Review by Jeff Monroe IAMPE, HDR's senior maritime consultant whose professional assistance we recruited to rewrite Tariff during major revision in 2017
 - Review by the City's law firm, JDOLaw.
 - US Federal Maritime Commission (FMC) provides federal oversight of our tariff and periodic review (our tariff is publicly posted on our website for easy access), verifying that the Tariff applies equally to all vessels and cargo handled.
 - The Port and Harbor Advisory Commission (PHC) reviewed the staff proposed tariff changes at their February 22 and March 22 2023 meetings and made a motion of support recommending council approve the proposed tariff change Resolution (see attached meeting minutes for detail).
- Clarification changes prompted by PHC meeting: Components of the lightering fees and passenger wharfage fee definitions were combined in the language for regulated vessels in the version presented to PHC. After discussion with the commission at their March 22 meeting, those two fees have been separated and independently defined to better represent the specific usage activity they represent. The passenger wharfage fee was better defined for passengers within the port facilities, and is set as \$0 for both regulated and unregulated vessels at this time as a place holder for possible use in the future.

Changes to Fees and other updates

Changes are outlined below in general summary description. Each individual change is highlighted in **red** in the Tariff for detailed reference (*attachment to this memo*)

- All specific fee amounts, rates, and fee tables have been moved to Appendix A fee schedule for easier reference and edit.
- Fee changes- Increase of daily parking rate from \$5 per day to \$10 per day. Addition of lightering fee. Increase of cruise ship service charge to bring it closer to other Alaskan port's fees in this area. Definition added of a Passenger wharfage fee to capture description of facility usage, fee currently set at \$0.00.
- Language and conditions for Survivorship (transfer of reserved stall agreement upon death) have been revised with City lawyer input to make the conditions of transfer more representatively even between LLC's and individuals.
- Proof of vessel insurance will be required for all tenants of reserved stalls.
- Clarifying language edits throughout.

Recommendation

Conduct a public hearing and adopt Resolution 23-035

Attachments

Resolution 23-035

March 22 2023 PHC Meeting Minutes

Proposed Draft Terminal Tariff No. 1 with red marked edits/changes