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**CITY OF HOMER
HOMER, ALASKA**

City Manager

ORDINANCE 17-18

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, APPROPRIATING FUNDS IN THE AMOUNT OF \$5,000 FROM THE GENERAL FUND BALANCE AND AUTHORIZING THE USE OF LIMITED STAFF TIME AND CITY EQUIPMENT FOR PUBLIC INFORMATION ON THE BALLOT PROPOSITION INCLUDING WITHOUT LIMITATION INFORMATION THAT MAY INFLUENCE THE OUTCOME OF THE ELECTION ON THE PROPOSITION.

WHEREAS, Ordinance 17-10(S)(A) submits a ballot question to the voters at the October 3, 2017 regular election inquiring whether to amend the Homer Accelerated Roads and Trails (HART) Program to authorize the use of revenues from the three quarters percent (¾%) sales tax levied to support the HART Program for the use of road and trail maintenance; and

WHEREAS, It is the Council’s duty and desire to ensure that all City voters are aware of the impact of amending HART to include maintenance on revenues for general government purposes and the prioritization of transportation infrastructure as an essential City service; and

WHEREAS, AS 15.13.145(c)(2) permits the City to provide the public with nonpartisan information about a ballot proposition, but AS 15.13.145(b) prohibits the City from using funds to influence the outcome of an election concerning a ballot proposition unless the City specifically appropriates the funds for that purpose by ordinance; and

WHEREAS, The Alaska Public Office Commission (“APOC”), which enforces AS 15.13.145, has interpreted nonpartisan information permitted under AS 15.13.145(c)(2) very narrowly, so that the City cannot inform the public fully about the effects of the ballot proposition to add maintenance of local roads and trails to the eligible expenses under the HART Program without including information that APOC would likely categorize as influencing the outcome of the election on the ballot proposition.

NOW THEREFORE, The City of Homer Ordains:

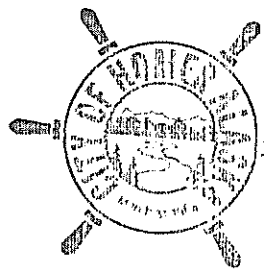
Section 1. The FY 2017 Operating budget is hereby amended by appropriating \$5,000 from General Fund Balance to provide public information on the ballot proposition to amend the Homer Accelerated Roads and Trails (HART) Program to authorize the use of revenues from the ¾% sales tax levied to support the HART Program for the use of road and trail maintenance (ballot proposition 1), including without limitation information that may influence the outcome of the election on the proposition, as follows:

43 Account No. Description: Amount:
44 100-0101-5240 Public Information on Ballot Proposition \$5,000
45

46 Section 2. Passage of this ordinance authorizes the use of limited staff time and city
47 equipment for the purpose of providing public information on ballot proposition 1.
48

49 Section 3. This is a budget amendment ordinance is temporary in nature, and shall not
50 be codified. .
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52 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 10th day of April, 2017.
53

54 CITY OF HOMER
55  *Bryan Zak*
56
57
58 BRYAN ZAK, MAYOR
59

60 ATTEST:

61 *Jo Johnson*
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64 JO JOHNSON, MMC, CITY CLERK
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69 AYES: 5
70 NOES: 0
71 ABSTAIN: 0
72 ABSENT: 1
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79 First Reading: 3/28/17
80 Public Hearing: 4/10/17
81 Second Reading: 4/10/17
82 Effective Date: 4/11/17
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84

85 Reviewed and approved as to form:

86

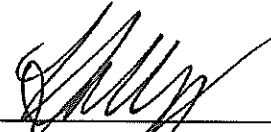
87

88 Mary K Koester

89 Mary K. Koester, City Manager

90

91 Date: 4.14.17



Holly Wells, City Attorney

Date: 5.1.17

**CITY OF HOMER
PUBLIC HEARING NOTICE
CITY COUNCIL MEETING**

Ordinances 17-16, 17-17, and 17-18

A **public hearing** is scheduled for **Monday, April 10, 2017** 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.

Ordinance 17-16, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 5.24.020 to Identify Lighted Free-Floating Luminaries as Fireworks and Prohibit the Sale and Use of these Luminaries within the Corporate City Limits of Homer. City Manager/Fire Chief.

Ordinance 17-17, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.04.030 to Remove the Prohibition on the City Manager and City Employees From Securing or Contributing Money Towards the Nomination or Election of a Candidate for a Municipal Office, and Amending Homer City Code 4.10.050 to Prohibit Candidates for Municipal Office From Accepting or Soliciting Campaign Contributions From City Employees or the City Manager. Smith.

Ordinance 17-18, An Ordinance of the City Council of Homer, Alaska, Appropriating Funds in the Amount of \$5,000 From the General Fund Balance and Authorizing the Use of Limited Staff Time and City Equipment for Public Information on the Ballot Proposition Including Without Limitation Information That May Influence the Outcome of the Election on the Proposition. City Manager.

Ordinance 17-16, 17-17, and 17-18 address: <http://www.cityofhomer-ak.gov/ordinances>



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 or fax 235-3143.

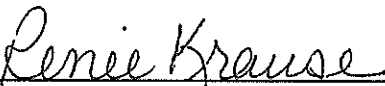
Jo Johnson, MMC, City Clerk
Publish: Homer News April 6, 2017

A handwritten signature in black ink, appearing to read "Jo Johnson".

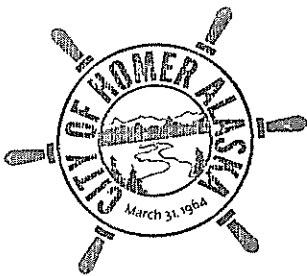
CLERK'S AFFIDAVIT OF POSTING

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 17-16**, Amending Homer City Code 5.24.020 to Identify Lighted Free Floating Luminaries as Fireworks and Prohibit the Sale and Use of the Luminaries within Corporate City Limits of Homer; **Ordinance 17-17**, Amending Homer City Code 2.04.030 to Remove the Prohibition on the City Manager and City Employees from Securing or Contributing Money Towards the Nomination or Election of a Candidate for a Municipal Office, and Amending Homer City Code 4.10.050 to Prohibit Candidates for Municipal Office from Accepting or Soliciting Campaign Contributions from City Employees or the City Manager; **Ordinance 17-18**, Appropriating Funds in the Amount of \$5,000 from the General Fund Balance and Authorizing the Use of Limited Staff Time and City Equipment for Public Information on the Ballot Proposition Including Without Limitation Information That May Influence the Outcome of the Election on the Proposition was distributed to the City of Homer kiosks located at City Clerk's Office, and the Homer Public Library on Thursday, March 30, 2017 and posted the same on City of Homer Website on Wednesday, March 29, 2017.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal of said City of Homer this 30th day of March, 2017.



Renee Krause, CMC, Deputy City Clerk



ORDINANCE REFERENCE SHEET
2017 ORDINANCE
ORDINANCE 17-18

An Ordinance of the City Council of Homer, Appropriating Funds in the Amount of \$5,000 from the General Fund Balance and Authorizing the use of Limited Staff Time and City Equipment for Public Information on the Ballot Proposition Including Without Limitation Information that may Influence the Outcome of the Election on the Proposition.

Sponsor: City Manager

1. Council Regular Meeting March 28, 2017 Introduction
 - a. Memorandum 17-052 from Special Projects and Communication Coordinator as backup
2. Council Regular Meeting April 10, 2017 Public Hearing and Second Reading
 - a. Memorandum 17-052 from Special Projects and Communication Coordinator as backup

ORDINANCE REFERENCE SHEET
2017 ORDINANCE
ORDINANCE 17-18

An Ordinance of the City Council of Homer, Appropriating Funds in the Amount of \$5,000 from the General Fund Balance and Authorizing the use of Limited Staff Time and City Equipment for Public Information on the Ballot Proposition Including Without Limitation Information that may Influence the Outcome of the Election on the Proposition.

Sponsor: City Manager

1. Council Regular Meeting March 28, 2017 Introduction



City of Homer

www.cityofhomer-ak.gov

Administration
491 East Pioneer Avenue
Homer, Alaska 99603

(p) 907-235-8121 x2222
(f) 907-235-3148

Memorandum 17-052

TO: Mayor and City Council Members
FROM: Jenny Carroll, Special Projects & Communications Coordinator
THROUGH: Katie Koester, City Manager
DATE: March 21, 2017
SUBJECT: Prop 1 Public Outreach Plan

The purpose of this memo is to provide an outline of the components of the Prop 1 public information campaign, the budget for which will not exceed \$5,000. The information campaign will reach out to voters to inform them about the proposal to add road and trail maintenance as an allowable HART fund expenditure, its impact on Homer's transportation infrastructure, and the fiscal impact expanding eligible HART expenditures would have on the general fund.

Outreach components will include at a minimum:

Print media

- Postcard mailed to City of Homer residents;
- Display ads in two local newspapers;
- Informational fliers.

Radio

- 30-second informational spots aired on KBBI Public Radio and area commercial radio stations.

Digital media

- Banner display ads on local newspapers' websites;
- Feature article(s) on the City's website.