

PARKS AND RECREATION ADVISORY COMMISSION
REGULAR MEETING
APRIL 16, 2015

Session 15-07 a Regular Meeting of the Parks and Recreation Advisory Commission was called to order on April 16, 2015 at 5:32 pm by Chair Matt Steffy at the Cowles Council Chambers City Hall located at 491 E. Pioneer Avenue, Homer, Alaska.

PRESENT: COMMISSIONERS LOWNEY, STEFFY, ARCHIBALD, BRANN, AND LILLIBRIDGE

ABSENT: COMMISSIONERS MACCAMPBELL AND ROEDL (EXCUSED)

STAFF: JULIE ENGBRETSSEN, DEPUTY CITY PLANNER
MIKE ILLG, COMMUNITY RECREATION COORDINATOR
RENEE KRAUSE, CMC, DEPUTY CITY CLERK

Chair Steffy noted that Commissioner MacCampbell may be calling in; the Clerk confirmed that the phone was open and ready if there were able to do so.

APPROVAL OF THE AGENDA

Chair Steffy requested a motion to approve the agenda.

BRANN/LILLIBRIDGE - MOVED TO APPROVE THE AGENDA.

There was no discussion.

The agenda was approved by consensus of the Commission.

PUBLIC COMMENT ON ITEMS ALREADY ON THE AGENDA

Chair Steffy invited the public to comment and requested them to please sign in they will have 3 minutes.

There were no comments from the audience present.

VISITORS

A. Bishop's Beach by Homer Area Students

Taylor Davis, Alicia Steiner, Paloma Ramires, Nolan Bunting, Landon Bunting, Jay Davis, Homer High School and Parker Lowney, West Homer Elementary, 6th Grade

Students provided a PowerPoint presentation to the commission regarding the issues at Bishop's Beach and provided some insightful solutions to remedy the problems.

Nolan Bunting, speaking on behalf of the Youth Birders provided a report on the number of vehicles they observed parked on the berm today and the birds and animals that are seen in the slough and beach area. Remarks from the F.B.I regarding:

- Preservation of the Area
 - the uniqueness of Bishop's Beach and Beluga Slough
 - being able to bring their families to the beach to enjoy it as they did
 - How special it is to be known to provide habitat for rare species known the world over

The commissioners inquired or requested clarification about the following:

- Name of the group

Mr. Bunting responded that they are still fleshing out names but there are two that stand out: Fledgling Bird Investigators or Youth Birding Group

- What did the group envision as solutions to the problems regarding vehicles?

Ms. Ramires responded that they provided some options but are not really driving yet and are not sure what would be best for the beach.

Mr. Bunting speaking for the Birding group supported the proposed gate with a permit to allow coal collecting or scientific purposes but no recreational use.

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Ms. Davis also stated larger signage for easier visibility would be beneficial.

- What they thought about allowing seasonal or no vehicles?

Mr. Bunting stated that it depends on the students you asked, but explained that young people are very adaptable to rules since they live their life with many restrictions currently, referring to school, etc. He supported the idea of a Beach patrol.

- What was the young person's opinion regarding placement of a gate and/or restricting the area to the left or right to vehicles?

Mr. Bunting believes that overall would be preferred, stating that the overall area was important to the migration patterns and as a habitat.

Taylor Davis responded that students on average did not favor restrictions for vehicles but may be willing to a compromise when an explanation is provided for the reason for the restrictions.

Commissioner Brann advised the students to research the Critical Habitat requirements to develop and use in their approach to protect the habitat.

Commissioner Lowney commented and questioned on the drug problems and the use of motion activated cameras and commented that this is the one issue that the commission has not addressed. She asked if they have thoughts on this subject.

- Ms. Davis responded that there are students that would be interested in seeing some youth programs developed about addressing the issues surrounding drug use and talk about healthy behaviors and making sure it doesn't happen in town or on the beaches.

- Ms. Ramires noted that the problem of drugs in the community is a hard one to solve due to the adaptability and believes that the best solution was the motion activated cameras due to the difficulties surrounding the issue of illegal drugs.

Commissioner Lillibridge thanked the kids for the presentation and speaking out on the issues regarding the birds and beach she also suggested that they try to create an assembly for the student body regarding the issues and those affecting the beaches and wildlife.

The students commented on the difficulties that the students have in getting clearance from the School District to garner interest in having an assembly regarding this leading to shorebird. There was a brief discussion regarding the policy against advertising any event or group that is not school related and approved by the school district over the loudspeaker and FOL can be arranged with individual teachers on a single subject.

Chair Steffy thanked the group.

RECONSIDERATION

There were no items for reconsideration.

ADOPTION OF THE CONSENT AGENDA

A. Minutes for the regular meeting of March 19, 2015

Chair Steffy requested any comments, questions or corrections regarding the items on the consent agenda. Hearing none he requested a motion for adoption of the consent agenda.

ARCHIBALD/LOWNEY - MOVED TO APPROVE THE MINUTES.

Chair Steffy thanked the Clerk for the very well written minutes of the meeting and keeping track of the actions and discussions of the commission.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

STAFF & COUNCIL REPORTS/COMMITTEE REPORTS/BOROUGH REPORTS

A. Staff Report Julie Engebretsen, Deputy City Planner

Ms. Engebretsen reported or pointed out the following:

- Katie Koester would like to come to a meeting in May
- Recommended a joint worksession with Council in June on how to move forward and this will allow a Councilmember to support forwarding an ordinance regarding Beach patrol or any of the other budget related items before budget.
- The new map depicting leash and off leash areas

She inquired if there were any questions on the process for the beach policy. There were none offered.

B. Parks & Recreation Trails Symposium Status Update - Deb Lowney/Mike Illg

Commissioner Lowney reported the following:

- Advertised in both local papers, and the radio stations were free, KBBI announcements every day,
- 15 groups signed up and several individuals expressed interest also
Everybody is excited to come to the table to speak about their group's pet project.
- 11:00 a.m. is the scheduled time to meet and set up on Saturday
- purchased office supplies for each table from funds provided

Chair Steffy will start the event, be the mediator or commentator. Chair Steffy provided a brief description of the structure of the event for the commission.

Commissioner Lowney provided a description of the set up for the meeting regarding the tables and audience seating. She confirmed that there will be a microphone for the speaker.

Chair Steffy fielded a question from the audience regarding the time to come and set up.

C. Community Recreation Report - Mike Illg

Mr. Illg reported on the Safe Kids Fair and the collaborative efforts of multiple city departments, complemented Commissioner Lowney's efforts in organizing the Homer on Move Symposium and provided an update on the planning and organization of the Parks and Recreation Conference scheduled for October. Mr. Illg noted that they will be visiting the Neverland Conference Facility on Kachemak Drive.

There were no comments or questions from the commission.

D. Parks Report - Angie Otteson

Ms. Otteson was not present at this meeting.

PUBLIC HEARING

There were no items scheduled for this meeting.

PENDING BUSINESS

A. Map Depicting the Existing Areas and Proposed Areas

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1. Recommendations to Define a Pedestrian Only Area
2. Recommendations Regarding Motorized and Non-Motorized Traffic Areas
3. Recommendation to Establish a Limited Permitting System
4. Recommendation to Designate a New Area
 - a. Boundaries
 - b. Allowable Activities

Chair Steffy introduced the item and opened the floor for discussion.

Commissioner Brann supported seasonal closure with or without permit system for coaling or surfing in Area 7; he would also support expansion of the parking area down on the beach to allow an area for those with mobility issues. Staff recommended putting that into a motion. Chair Steffy inquired if he wanted to make that motion.

BRANN/LOWNEY - MOVED TO MAKE THE AREA AS DESCRIBED AS BISHOPS BEACH ACCESS TO BELUGA SLOUGH MOUTH IN AREA 7 AS SEASONAL ACCESS OCTOBER 1 TO MARCH 31 WITH PLACEMENT OF ROCKS TO BLOCK ACCESS TO THE BERM AREA.

There was concern regarding the area between the berms in front of the slough, recognition of the designated critical habitat area as defined and the delineation of private property, USFW and the city and that there was a very fine line to allow vehicles; Chair Steffy commented on the very limited resources of the USFW and felt that it may be best to leave to state. There was question regarding response from the state regarding the critical habitat. Points in discussion included protecting the berms and fully removing vehicles from the beach. The commission requested staff input on establishing policy in areas that are technically not under jurisdiction of the city, staff recommended keeping it simple. Discussion included the point that this motion removes this area as pedestrian only recommendation but there are other areas that are pedestrian only but this will provides consideration to two other groups that use that beach area on a seasonal basis. Further support was expressed on support for a permit system rather than just seasonal access by permit.

Chair Steffy asked if there was an amendment allowing seasonal use via permit system. He further commented on setting the parameters of a permit system. He supported seasonal closure and the boulders as a first step and that there are permitted uses for the area. He further noted that the commission can revisit the policy if there are still problems out there. No commissioner offered that amendment.

VOTE. YES. LILLIBRIDGE, BRANN, ARCHIBALD, STEFFY

VOTE. NO. LOWNEY

Motion carried.

Commissioner Lillibridge advocated for prohibiting vehicles on the beach in the immediate area in front of the parking lot. There was a brief discussion on bringing a line of boulders down on the right to the end of private property and they already moved to place a line of boulders to the left which would take care of vehicles parking to the left.

LOWNEY/LILLIBRIDGE - MOVED THAT VEHICLES ARE ALLOWED BY PERMIT USE ONLY IN AREA 8A AND AREA 8B

Commissioner Lowney stated that she is making this motion based on the complaints from the residents and users of the beach. The commission stated all the reasons why they need to restrict and create controls now regarding the uses of the beach. Chair Steffy supported creating the separate recommendations on the different areas for Council to make the final decisions.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Chair Steffy asked if there were any additional concerns regarding motorized vehicles on the beach.

Commissioner Lowney requested clarification on vehicles accesses in the areas of 1 and 2 and if that has been previously addressed. Staff confirmed that vehicles are prohibited in Area 2 and Area 1 vehicles are allowed. Commissioner Lowney wanted to investigate and make sure that vehicles are not accessing those areas and recommendations to make a parking area from airport access rd. There were recommendations on defining the parking area in Area 2.

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Commissioner Archibald requested clarification on vehicles in Area 7. Chair Steffy responded that vehicles will be allowed in Area 7 in the winter only.

Staff requested clarification on Area 6 and Area 4 regarding vehicles. Chair Steffy stated that he only remembers motions regarding dogs in Area 6 and 4. Staff repeated the original recommendations to Closure in Area 7

Closure in Area 7 & 6

Closure in Areas 7, 6 & 4

ARCHIBALD/LOWNEY - MOVED TO CLOSE AREAS 6 TO MOTORIZED VEHICLES SEASONALLY DURING THE PERIOD MARCH 31 TO OCTOBER 1.

There was a brief discussion on the need for signage, creating differing restrictions in areas creates misunderstanding for the public. Commissioner Archibald wanted to make it simple for Council and believed that the public does not need to have vehicles on the beach.

ARCHIBALD/LOWNEY - MOVED TO CLOSE AREA 6 TO MOTORIZED VEHICLES ANNUALLY ACCESS BY PERMIT ONLY.

Chair Steffy noted that if they have too much variation then they may be causing confusion to the general public and that they should revisit the other areas to make it more cohesive when traversing from area to area. Commissioner Archibald responded that he wanted to make things simple and that they have allowed vehicles in Area 7 and it is not needed in any other area. He intends to make the same motion for Area 4. Commissioner Archibald believed that they should make a strong statement and hopes that the City Council will support their recommendations. The commissioners voiced their concern with the confusion that may be caused having separate rules for different areas. Commissioner Archibald agreed to amend his motion as follows:

ARCHIBALD/LOWNEY - MOVED TO CLOSE AREA 6 SEASONALLY, APRIL 1-OCTOBER 31, TO MOTORIZED VEHICLES - ALLOWED BY PERMIT ONLY.

There was a brief discussion on the dates of summer season.

VOTE. YES. STEFFY, BRANN, LILLIBRIDGE

VOTE. NO. LOWNEY, ARCHIBALD

Motion failed.

Commissioner Lillibridge asked for immediate reconsideration.

Commissioner Archibald wanted to make it the same as every other area. Commissioner Lowney wanted consistency throughout the areas and would support a closure and vehicles by permit only seasonally. Chair Steffy clarified that they recommended a seasonal closure only in Area 7 and they were on the track now to close other areas seasonally.

ARCHIBALD/STEFFY - MOVED TO CLOSE AREA 6 SEASONALLY, VEHICLES ALLOWED BY PERMIT ONLY DURING THE APRIL 1-OCTOBER 31 TIME PERIOD.

There was brief discussion on clarification.

VOTE. YES. ARCHIBALD, BRANN, STEFFY, LILLIBRIDGE

VOTE. NO. LOWNEY.

Motion carried.

Commissioner Lillibridge requested a quick review of areas and vehicles that has been passed. Chair Steffy responded with all the previous recommendations.

Chair Steffy asked if there were additional motions on motorized vehicles on the beach

ARCHIBALD/BRANN - MOVED TO CLOSE AREA 4 TO MOTORIZED VEHICLES SEASONALLY NO PERMITTED ACCESS DURING CLOSURES.

Brief discussion on the area being closed during the summer season to vehicles no permits allowed and open during the winter to motorized vehicles. The boundary ends opposite of the fishing lagoon and this recommendation is directed at ATV and UTV type motorized vehicles.

VOTE. YES. LILLIBRIDGE, BRANN, ARCHIBALD, STEFFY

VOTE. NO. LOWNEY.

Motion carried.

Chair Steffy once again asked for motions on motorized non-motorized traffic areas.

Commissioner Archibald inquired about creating a parking area on the beach within the confines of Bishop's Beach Park. Staff recommended having a separate discussion on this idea because if Council does not approve closing the beach then there might be some issues created.

STEFFY/BRANN - MOVED TO ESTABLISH A LIMITED PERMITTING SYSTEM AND LET COUNCIL DETERMINE THE PERMITTED USES.

The commission entertained a lengthy discussion and the pros and cons of establishing a permitting system, how to implement it effectively, and what activities should be permitted. They also debated what would be supported by Chief Robl and City Council and how detailed it should be or leave that to the Council. There were several comments regarding withdrawing the reference to permits on all recommendations since the intent of the commission is to curb the vehicles on the beach for purely recreational purposes. After a lengthy discussion the motion was pulled from the floor. Chair Steffy remarked that it is understood that all restrictions do not apply to landowners and their guests. If there are vehicles on the beach it will be up to the Police Department how it will be enforced. This will also put a burden on the property owners to report to the Police when they see offenders down there. A reminder that what caused problems last year and a suggestion that the private property owners need to get together and agree on how they want to manage these problems was suggested by Commissioner Brann.

There was a brief conversation on inviting the property owners to a discussion and needing definitive motions for the property owners to respond to at the next meeting, May 4th. Staff will mail invites to property owners to comment on the recommendations made and a Public Hearing will be conducted at the May 21st meeting.

Comment was made on having a permit required in any areas. It was noted that private property owners have access no matter what, historical access, they can close it and it will present the potential for litigation for the city.

Reiteration for clarification was made for Mariner Park regarding dogs on leash or off leash.

Staff requested a clear motion prohibiting vehicles from the Areas 8A and 8B since they rescinded the permit system in any area. A previous motion included the vehicles allowed by permit only.

LOWNEY/LILLIBRIDGE - MOVED TO PROHIBIT VEHICLES IN AREAS AREA 8A AND 8B WITH THE EXCEPTION OF LANDOWNERS.

There was no discussion.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Commissioner Archibald expressed concerns on the issue regarding the area of Mariner Park regarding the berm and dogs on leash. Staff explained that there is actually fire rings in that berm area and if there are issues, Angie Otteson, Parks Maintenance has the authority to address those issues.

There was no further discussion.

B. Placement of a Barrier at Bishop's Beach Access

A motion postponed from the February 19, 2015 regular meeting to place a barrier to prohibit vehicles from turning immediately right upon the beach to deter crossing private property and extend said barrier to the medium high tide line.

Chair Steffy read the title into the record. He noted that there was no definitive action he believed should be recommended by the commission without input from the landowners since in essence the city is giving access to the public onto private property. It was noted that if the no vehicles are allowed in Areas 8A and 8B this would be a moot point. It was further noted that the process and discussion with the property owners will be conducted in the public forum in response to a suggestion to hold a discussion with the property owners in executive session. Staff commented that they could have the landowners at the May 4th meeting and then with proper advertising they can also discuss it at the Public Hearing during the May 21st meeting. It was also recommended for the commission to be prepared for public comment from parties outside of city limits.

Commissioner Brann requested that they review the updated policy in 3 years instead of 5 so that they can make any additional changes needed then. He stated that in a 3 year time period they should realize whether the recommendations and or changes were working or not.

BRANN/LOWNEY - MOVED TO REVIEW THE BEACH POLICY AS UPDATED IN THREE YEARS.

There was no discussion.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

There was no further discussion.

NEW BUSINESS

A. Trespass - A discussion.

Chair Steffy read the title into the record.

Commissioner Brann felt that this topic was relevant due to comments at a previous meeting and thought that they should at least have the current regulations for review on the topic. He read the requirements for Alaska into the record.

There was no discussion.

B. Scheduling the Spring Park Walk Through

The Commission briefly discussed and determined that since the focus has been on the beaches that they visit the following:

- Bishops Beach
- Mariner Park
- Mud Bay
- Airport Access

It was agreed by consensus to meet on Saturday, May 2, 2015 at Bishop's Beach at noon, and then go to Mariner Park then Mud Bay/Airport Access.

C. Draft Parks, Art, Recreation and Culture Needs Assessment

1. Telephone Survey Results

Staff provided a highlight of the process and reported that this will be on the April 27th Council agenda during the Committee of the Whole at 5:00 p.m. There will be a 10 minute presentation during the regular meeting of Council under Visitors.

Staff stated that the committee will be meeting a few more times regarding this document and asked if the Commission would like to submit a recommendation they could but it is not necessary; they can submit their comments to her via email but staff did not feel that it was necessary for the Commission as a body to submit a recommendation. There were groups that were prepared to use this information now.

Staff further explained that this is not a plan that would be adopted by Council but more of a report on what the City currently has and what they need to do or steps to take to get where the residents wanted to be.

Chair Steffy felt that the commission could review this after the Beach Policy maybe at the June regular meeting and in the mean-time could familiarize themselves with the document.

Commissioner Lillibridge felt that the commission should review and consider the top 5 recommendations from the consultant.

Staff additionally recommended that the commissioners attend the meeting on the April 27, 2015 at 5:00 p.m.

INFORMATIONAL MATERIALS

A. Commission Annual Calendar 2015

B. Commissioner Attendance at City Council Meetings 2015

Chair Steffy reviewed the attendance at Council meetings and volunteered for the May 11th, Commissioner Archibald volunteered for May 26th meeting.

COMMENTS OF THE AUDIENCE

Tom Zitzman, city resident, stated he has been gone for a while, this was a thoughtful and productive meeting, great participation from the Clerk's Office and the Planner; he stated that they have done a phenomenal job. He knows that they are putting a lot on themselves, appreciated the wonderful presentation from the students, they were articulate and insightful and that they keyed in on the issues right away. Mr. Zitzman related an incident that happened to his dog cutting its paw on broken glass on the beach. He understands process being a financial planner and CPA, but he was concerned with the process, the commissioners do the heavy lifting and then it goes to Council with no guarantee on what happens in that venue. He knows that there may be budget constraints and it takes time to order signs but it is frustrating. He wanted to share some of his emotions with the commissioners in that when he arrived home he found in the large spruce growing at the toe of the bluff a pair of eagles have built their nest, he was overcome with joy, and the eagles sitting in tree and then overcome with dread that in two weeks those eagles are going to become inundated with behavior that may very well thwart their efforts. He thanked them for their work and commended the hard work that they have done and are doing here.

Ginny Espenshade thanked the commissioners for their welcome to the students and by staff and the interactive dialogue with the different student groups; when she first shared the initial closures, she encouraged the commission to educate why they recommend the closures, she supported the continued discussion and education on the issues. Ms. Espenshade commented when she first heard about placement of cameras she cringed but the students that is part of their everyday life. She also updated the commissioners on some of the photos used in the slideshow. She also noted that there would be a public presentation on the issue of substance abuse at the college on Tuesday.

Bill Ostwald, thanked the commission and a lot of people will be understanding but if they remain consistent in everything that will be huge and the trespassing on private property and he believes that there is a difference when the property is improved or not, he believed there is a difference, but he is not sure you would have to dig into that issue more.

Louise Ashmun thanked Commissioner Lowney for not voting on several motions; she is disappointed that vehicles may be allowed on the berm. She will not belabor that point, but acknowledged that their role was very difficult. She was here when the gentlemen spoke about the drug issues and that is what the commissioners should focus on, if everyone knows about the issues regarding drugs the law enforcement should be there to enforce the laws, she believes that this not the responsibility of the commissioners when developing the Beach Policy.

Ms. Ashmun felt that was asking too much from the Commission. They should definitely work with the different entities and she wanted them to be very open and let them know that they cannot cope with those issues within this beach policy. Ms. Ashmun related an incident during an outing to collect marine debris on the beach past Crittenden, someone was target shooting against the wall and she had a difficult time getting her dog from the area since they are afraid of guns. There were tons of broken bottles in one location and so she believes that there are significant issues with what is brought onto the beach and the activities going on down there.

COMMENTS OF THE CITY STAFF

Ms. Engebretsen commented on the community now having the availability of treatment for substance abuse from Ninilchik south to Homer. She thanked the commissioners for the motions and clarifications on the recommendations they have made. She will be mailing notices to the property owners and try to plan to have the website updated with all the information by the end of next week.

Ms. Krause commented had no comments.

COMMENTS OF THE COUNCILMEMBER *(If one is present)*

There were no council members present.

COMMENTS OF THE COMMISSION

Commissioner Lowney appreciated the comments and compliments of the audience and bearing through the process with them; in reference to the drug issues she can understand the comments regarding this but considers the issues with drugs the same as previous issues the commission faced up at Karen Hornaday park, she felt strongly that if the commission can help address those problems then they need to do so to assist other agencies in dealing with the problems down on the beach. Commissioner Lowney related her experience with the glass on the beach and finding cans with little holes in them which is very scary and very close to town. She expressed the concern with the amount of trash that is hauled in by vehicles. Commissioner Lowney hoped that they were making it easier for staff because she was very confused when she read the paper herself. She would like to have the status update on the LWCF grant

Commissioner Archibald thanked everyone for hanging in there and apologized for his part in confusing everybody. He further thanked Julie and Renee for their efforts and hard work.

Commissioner Brann also thanked the audience and staff efforts. He really appreciated the young people being here and there comments about 30 years down the line. He has been thinking 50 years down the line the last month or so but 30 years is good; one of the things in the thought process the last couple of weeks, he just started listing all the user groups he could think of and he came up with 100 groups that use that beach and area, all thinking about their use, their space, their time...he felt it was pretty amazing and a lot of those people are not thinking 50 years down the road, they are thinking about their use right now. If you think about it there are 100 of your neighbors down there on that beach using it how they want and they are thinking they want their issue dealt with, but there are a whole lot of people who may or may not agree with you and we have to take everybody's comments and work with them and look 30-50 years down the road.

Commissioner Lillibridge commented that her high point of the meeting was the kid's presentation. She was impressed with their presentation, their thoughts and that they all participated. She hopes that they are able to get something together at school to bring a young voice to their efforts at what they are trying to do here. Commissioner Lillibridge stated she was appalled at the tone that was expressed

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at the previous meetings and through letters that it was “my right”, “my beach”, and “my needs” and the last time she checked this was a community.

COMMENTS OF THE CHAIR

Chair Steffy echoed the amazing appreciation to everybody and the thoughtfulness. He hopes to continue to see the public participation. He put in a plug for the Invasive Species training at Islands and Ocean with free lunch provided next Friday, April 24th

ADJOURNMENT

There being no further business to come before the Commission, Chair Steffy adjourned the meeting at 8:27 p.m. The next **SPECIAL MEETING IS SCHEDULED FOR MODNAY, MAY 4, 2015** at 5:30 p.m. at City Hall Cowles Council Chambers 491 E. Pioneer Avenue, Homer, Alaska.

Renee Krause, CMC, Deputy City Clerk I

Approved: _____