

Session 14-02, a Regular Meeting of the Port and Harbor Advisory Commission was called to order by Chair Ulmer at 5:00 p.m. on January 22, 2014 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

PRESENT: COMMISSIONER CARROLL, DONICH, HARTLEY, STOCKBURGER, ULMER, ZIMMERMAN

ABSENT: HOWARD (excused)

STAFF: PORT DIRECTOR/HARBORMASTER HAWKINS
DEPUTY CITY CLERK JACOBSEN
PUBLIC WORKS DIRECTOR MEYER
PROJECT MANAGER NELSEN

APPROVAL OF THE AGENDA

HARTLEY/STOCKBURGER MOVED TO APPROVE THE AGENDA.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

PUBLIC COMMENT REGARDING ITEMS ON THE AGENDA

RECONSIDERATION

APPROVAL OF MINUTES

A. January 22, 2014 Regular Meeting Minutes

HARTLEY/ZIMMERMAN MOVED TO APPROVE THE MINUTES.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

VISITORS/PRESENTATIONS

Chip Courtright with PND Engineers presented the 35% design of the Homer Small Boat Harbor Launch Ramp Renovations. The scope of the project is to replace the existing ramp with a new concrete launch ramp, new timber boarding floats and abutments, and new steel support piles. The design includes a 13% ramp slope as recommended by SOBA & ADF&G guidelines, 18 inch float freeboard, accommodate vessels up to 30' in length with 5' exposed height, 40 PSF or 1,000 pound concrete load, 40 PSF snow load, and wind speeds up to 125 mph, 3 sec gusts. Design features include

timber boarding floats, cast in place concrete approach, concrete planks, galvanized steel support piles, and a moveable attendant booth that will have an exterior payment kiosk that allows for credit card payment.

The following comments were made based on Commission questions and comments:

- Cleats are more effective for tying off than the sectioned bull rails as people are generally more accustomed to tying to cleats.
- The 13% ramp slope seems a little steep but will be workable.
- The radius at the top of the ramp will be a significant improvement.
- If they are allowed to use creosote on the floats it would be applied using best management practices to minimize the amount left on the surface of the timbers. It is proven to be the best option for cold water marine environments.
- Striping will be used to delineate lanes. It will be beneficial to add a bollard so people can't pull off onto the walkway.

There was discussion regarding the funding. Paul Cyr explained the funding source for the program comes from federal excise taxes. Because the state and federal fiscal years don't line up they haven't received their federal apportionment yet. He doesn't know what the apportionment is or when they will receive it, so they may have to delay the project to fall of 2015.

STAFF & COUNCIL REPORT/COMMITTEE REPORTS/ BOROUGH REPORTS

A. Port and Harbor Director's Report for February 2014

Harbormaster Hawkins reviewed his staff report in the packet.

There was brief discussion relating to derelict vessels and the fish grinding contract.

PUBLIC HEARING

PENDING BUSINESS

- A. PND Engineers Presentation Re: Load & Launch Ramp 35% Design
- a. Homer Launch Ramp - Ports and Harbors Presentation
 - b. Homer Launch Ramp 35% Design Estimate
 - c. Homer Small Boat Harbor Launch Ramp Renovations 35% Review Drawings

There was discussion about the tear down and rebuild process for the ramp. It is expected they would do the project during the fall and the barge ramp would likely be the alternative launch site during construction. It was noted that September is still a busy time at the ramp and Harbormaster Hawkins said he would get more information regarding the construction time frame.

Harbormaster Hawkins reviewed the drawings with the Commission.

NEW BUSINESS

A. Non-Compliant Leases for Discussion

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Commissioner Zimmerman brought up that all leases have things outlined that the lessee is supposed to do. An example of an issue is the lot where the old general store was that burned. It had a letter after the fire that said they would have the trailer either fenced or disposed of within a year and it was finally just removed. He questioned who takes care of these things.

Harbormaster Hawkins explained that leases are handled in his office as well as in the City Manager's office. There are times when the Planning Department is involved. They work with lessees with the goal of getting them into compliance or meet the requirements of their lease. They are fairly successful with that approach, but there are still issues hanging out there. There are 26 active leases and he said they could prepare a report that includes where they are at with the leases and where the hotspots are. It could also include compliance deadlines, and payments.

Point was raised that the biggest problems are the after effects of what has happened in the past.

B. Land Allocation Plan for Review and Recommendation

The Commission reviewed the Land Allocation Plan lease lands and Harbormaster Hawkins reviewed some of the activities that are happening on the properties around the harbor.

The Commission was optimistic that when the large vessel haul out is in operation they will need to have lots 10, 11, and 12 as well as the chip pad to accommodate those activities. They discussed that short term leases would be preferred on those lots so the lots can more easily be made available when the need arises.

ZIMMERMAN/HARTLEY MOVED TO RECOMMEND THAT FOR THE TIME BEING LEAVE THE AVAILABLE LAND FOR LEASE AS AVAILABLE FOR LEASE.

Concern was raised about having long term leases on some of the properties because they could paint themselves into a corner. There was discussion that proposals would come before the Commission for consideration and they could make recommendation.

Discussion continued on how to address short term leases on particular lots.

HARTLEY/DONICH MOVED TO AMEND THAT LOTS 10, 11, AND 12 BE LEASED ONLY FOR SHORT TERM AT THE PRESENT TIME.

It was suggested that the recommendation could prohibit someone from making any proposals on those lots. People won't want to invest money into a project if it is only short term. They can make recommendations on leases when they come before the Commission. Harbormaster Hawkins noted that city policy is that a short term lease is 6 months. Point was raised that instead of short term lease they could limit them to shorter leases so they can be leased for small projects.

VOTE: YES: ULMER, DONICH, CARROLL, HARTLEY, ZIMMERMAN
NO: STOCKBURGER

Motion carried.

Question was raised that if someone wants to come to that area with something long term, would they be bound for a year to short term. Harbormaster Hawkins responded that there were steps that could be taken for the Commission to recommend something longer term and Council to consider it and make the determination to change the availability.

Further discussion ensued about the importance of having lots 10, 11, and 12 available for vessel haul out support, but not have them so restricted that they could still be used until the haul out is completed. It was noted that there isn't a real rush right now for the lots along the back, but having only short term availability will inhibit future proposals. Harbormaster Hawkins said use in the area right now is sporadic and deep water dock related. It was further noted that if we are developing a deep water dock it's important we keep adequate staging area for all the stuff coming off.

Harbormaster Hawkins suggested recommendation to Council that it's the commissions wishes to support a marine haul out and vessel repair facility in the area of lot 11 and that would be the preference of the commission for use in the terms of long term use, that is why the commission recommends short term in the area.

VOTE (Main motion as amended): YES: STOCKBURGER, ULMER, DONICH, CARROLL, HARTLEY, ZIMMERMAN

Motion carried.

ZIMMERMAN/DONICH MOVED TO RECOMMEND TO RECOMMEND TO COUNCIL THAT IT'S THE COMMISSIONS WISHES TO SUPPORT A MARINE HAUL OUT AND VESSEL REPAIR FACILITY IN THE AREA OF LOT 11 AND THAT WOULD BE THE PREFERENCE OF THE COMMISSION FOR USE IN THE TERMS OF LONG TERM USE, THAT IS WHY THE COMMISSION RECOMMENDS SHORT TERM IN THE AREA.

There was no discussion.

VOTE: YES: ULMER, DONICH, CARROLL, HARTLEY, ZIMMERMAN, STOCKBURGER

Motion carried.

C. Memo from City Clerk Johnson Re: Meeting Schedules

Chair Ulmer commented that the Commission always seems to have a lot going on and they need to get their business done.

There was discussion around the issue that some groups have regular instances with not making their quorum at the last minute which results in wasted cost of staff compiling information, preparing packets, and other meeting preparation. Then they want to schedule special meetings to make up for the meeting that cancelled.

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It was suggested that there have been challenges in July to make a quorum, so if they have to eliminate a meeting, that would be one. Aside from that, the group does a good job of giving timely notification of absences and works to keep their meetings within 2 hours.

The consensus of the Commission is to leave the meeting schedule as it is.

D. Worksession of Harbor Rate Study Review

The Commission discussed the memorandum suggesting dates to do a thorough review and discussion.

The Commission agreed for staff to look at other dates and schedule after March 15th.

INFORMATIONAL ITEMS

- A. Monthly Statistical & Performance Report
- B. Weekly Crane and Ice Report
- C. Deep Water Dock Report
- D. Pioneer Dock Report & Ferry Landings Report
- E. Water Usage Report
- F. Memo to Homer City Council & Port & Harbor Commission from Bryan Hawkins, Port Director/Harbormaster Re: Alaska Abandoned & Derelict Vessel Task Force dated February 18, 2014
 - a. Alaska Ad-Hoc Abandoned & Derelict Vessel Task Force Meeting Agenda
- G. Workboat.com Article "Man Overboard Lives to Tell the Tale" dated January 23, 2014
- H. 2014 Council Meeting Attendance Schedule
- I. Homer Spit Lease Expiration Calendar

COMMENTS OF THE AUDIENCE

Larry Slone, city resident, commented on lease agreement review. He admits he has no clue as to the complexity of the arrangements that have occurred with the leases on the spit. He appreciates that, from their discussion, most of them are based on unconventional means, dubious methods, and perhaps uncertain motives of the people involved. He doesn't know but if you pull one pin out, the whole structure might collapse. But with that aside why wouldn't you want to do a baseline study on the leases. Administratively it seems that it would be convenient for them to know. It would also have transparency for the public process. If it has been so complex and convoluted, the situation can only get more complex as time progresses.

Kevin Hogan, city resident, commented he thinks the Commission should be very concerned about recent action to restructure the Lease Committee. He thinks the Lease Committee has a vital role to play and the Commission needs to be on top of it as they have a vital role to play also. He is concerned that some of the information provided in the packet is erroneous regarding leases. He knows there is one that has not been properly recorded with the recorder's office, and is not a valid lease. To exercise an option of renewal the lessee has to be in good standing and this one lease was issued a notice of default that was never dealt with. It expired in default and has been on a month to month status since that time. A few years back the EDC was looking at the lease policy and one

recommendation was that the city outsources the administration of leases. He still thinks that is a valid concept. It's a big job for city staff and he thinks they would have a more productive leasing environment. At the current time he thinks there is a lot of covering up of things that have gone wrong in the past, which isn't healthy to the community. He was against standardized leases when they were under discussion and everyone should be allowed to exercise their best deal. He lost the argument, but it's not the administration application of these things has been handled since that time. If we are going to set ground rules we need to follow them.

COMMENTS OF THE CITY STAFF

Deputy City Clerk Jacobsen commented that the Vessel Haul-out Task Force will meet on March 3rd and the Port and Harbor Building Task Force will meet on March 14th.

Harbormaster Hawkins thanked everyone for their service and their patience.

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

COMMENTS OF THE CHAIR

Chair Ulmer thanked everyone.

COMMENTS OF THE COMMISSION

Commissioner Carroll said it was a productive meeting. We didn't get to far on leases, but got a little way.

Commissioner Donich agrees it was a productive meeting and it's an eye opener on the lease stuff. He thinks they should look at all the options of how to better the system.

Commissioner Zimmerman said they had some good debate tonight and more will be coming up. It's his turn to talk to Council in March and he will talk about their recommendations on this.

Commissioner Hartley said it was a productive meeting and he thinks the next one will be more so. He thinks they will be seeing the information on the Harbormaster's office and the haul-out. There are a lot of things going on.

Commissioner Stockburger said good meeting. He thinks there is a lot of potential out there for leases.

ADJOURN

There being no further business to come before the Commission the meeting adjourned at 7:41 p.m. The next regular meeting is scheduled for Wednesday, February 26, 2014 at 5:00 p.m. at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

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MELISSA JACOBSEN, CMC, DEPUTY CITY CLERK

Approved:_____