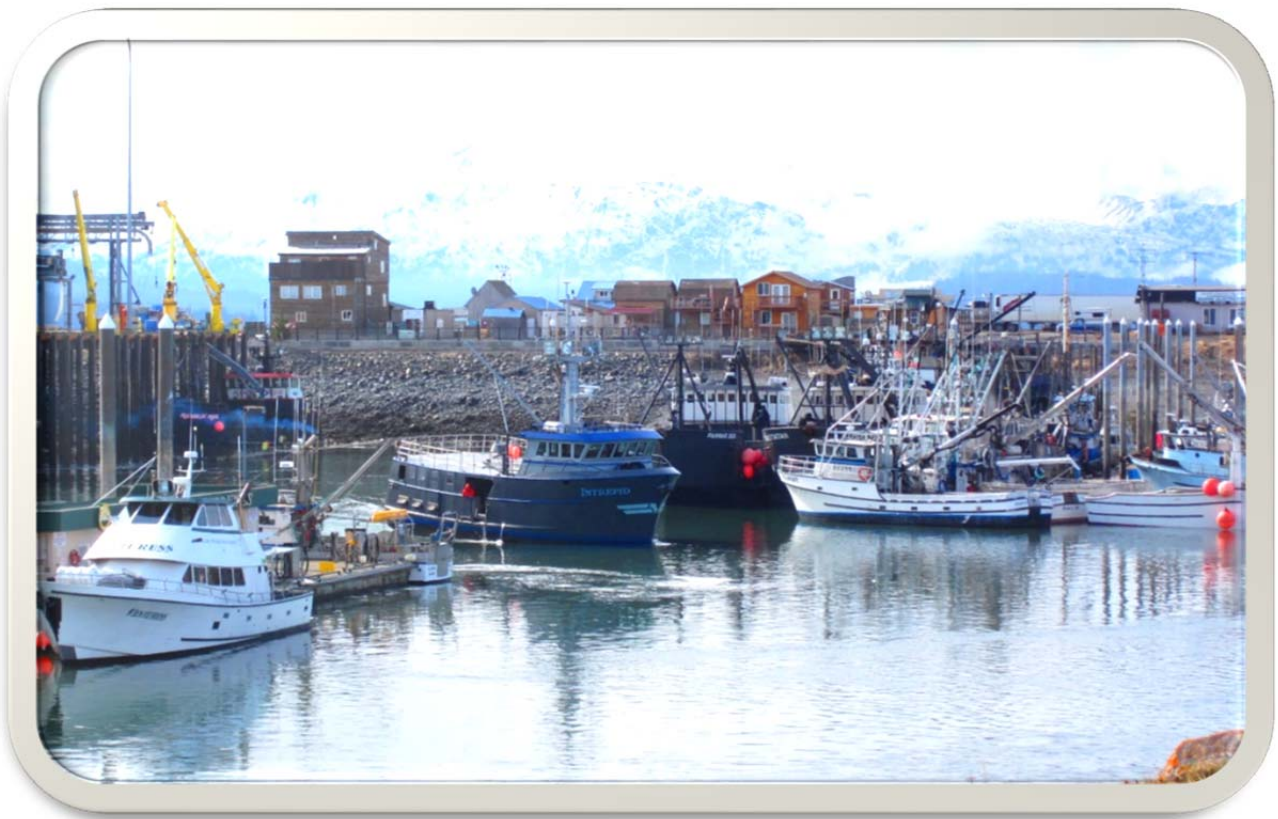


# **PORT AND HARBOR ADVISORY COMMISSION**

## **Regular Meeting**

Wednesday,  
April 23, 2013



5:00 P.M.  
City Hall Cowles Council Chambers  
491 E. Pioneer Ave.  
Homer, AK 99603





**NOTICE OF MEETING  
REGULAR MEETING AGENDA**

- 1. CALL TO ORDER**
- 2. APPROVAL OF THE AGENDA**
- 3. PUBLIC COMMENT REGARDING ITEMS ON THE AGENDA**
- 4. RECONSIDERATION**
- 5. APPROVAL OF MINUTES**
  - A. March 26, 2014 Regular Meeting Minutes **Page 5**
- 6. VISITORS/PRESENTATIONS**
- 7. STAFF & COUNCIL REPORT/COMMITTEE REPORTS/ BOROUGH REPORTS**
  - A. Port and Harbor Director's Report for April 2014 **Page 9**
- 8. PUBLIC HEARING**
- 9. PENDING BUSINESS**
  - A. Harbor Rate Increase Proposal
- 10. NEW BUSINESS**
  - A. Auction Block Fish Pump Proposal
  - B. Marine Industrial Use and Vessel Haul Out at Tr 1-A, The Fishin Hole Sub No. 2 (Pier One Lot) **Page 11**
- 11. INFORMATIONAL ITEMS**
  - A. Monthly Statistical & Performance Report **Page 33**
  - B. Weekly Crane and Ice Report **Page 35**
  - C. Deep Water Dock Report **Page 37**
  - D. Pioneer Dock Report & Ferry Landings Report **Page 39**
  - E. Water Usage Report **Page 41**
  - F. Lease Expiration Calendar **Page 43**
  - G. Email from City Attorney Klinkner Re: Open Meetings Act **Page 45**
  - H. 2014 Commission Attendance Schedule **Page 47**
- 12. COMMENTS OF THE AUDIENCE**
- 13. COMMENTS OF THE CITY STAFF**
- 14. COMMENTS OF THE COUNCILMEMBER *(If one is assigned)***
- 15. COMMENTS OF THE CHAIR**
- 16. COMMENTS OF THE COMMISSION**
- 17. ADJOURNMENT/NEXT REGULAR MEETING IS SCHEDULED FOR WEDNESDAY, MAY 28, 2013 at 6:00 p.m. in the City Hall Cowles Council Chambers located at 491 E. Pioneer Ave, Homer, Alaska.**



Session 14-03, a Regular Meeting of the Port and Harbor Advisory Commission was called to order by Chair Ulmer at 5:00 p.m. on March 26, 2014 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

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

ABSENT: STOCKBURGER

STAFF: DEPUTY HARBORMASTER CLARKE  
CITY MANAGER WREDE  
DEPUTY CITY CLERK JACOBSEN

### **APPROVAL OF THE AGENDA**

HOWARD/HARTLEY MOVED TO APPROVE THE AGENDA.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

### **PUBLIC COMMENT REGARDING ITEMS ON THE AGENDA**

None

### **RECONSIDERATION**

### **APPROVAL OF MINUTES**

A. February 26, 2014 Regular Meeting Minutes

ZIMMERMAN/HARTLEY MOVED TO APPROVE THE MINUTES.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

### **VISITORS/PRESENTATIONS**

### **STAFF & COUNCIL REPORT/COMMITTEE REPORTS/ BOROUGH REPORTS**

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

Deputy Harbormaster Clarke reviewed the staff report.

Commissioner Hartley commented about the Islands and Ocean Collaborative Meeting regarding coastal uplift and habitat changes in a glacially influenced estuary system in Kachemak Bay. The feedback at the meeting was that the uplift is matching the sea level rise and nothing needs to be done immediately.

Commissioner Hartley also reported on the Port and Harbor Building Task Force. The group reviewed the 65% design and cost estimate. The project is staying in line with the budget and the task force recommended it proceed to the next level.

Commissioner Carroll reported on the Vessel Haul-Out Task Force. At their next meeting the task force will be hearing a report from Wrangell about their experience with their project. They will also be hearing from Earl Brock, who is currently providing haul out service using cylindrical airbags.

## **PUBLIC HEARING**

## **PENDING BUSINESS**

### **A. Non-Compliant Leases for Discussion**

City Manager Wrede said he was there to answer questions regarding leases.

Commissioner Zimmerman asked for clarification regarding the Snug Harbor lease that was approved by Council at their last meeting. City Manager Wrede gave an overview of the history of the lease negotiations which began in 2010 when Council approved a five year lease for Snug Harbor on one half of lot 13 B. Since then there has been work in addressing zoning issues and during the negotiation process Snug Harbor has decided they want to expand operations, increase their building size, lease lot 13 B in its entirety, and new lease terms of 20 years plus 2 five year options.

Commissioner Carroll said he would like to talk about the Icicle Lease and with the lawsuit, he wonders when they will be able to do that. City Manager Wrede explained that he can't really talk it right now because of the lawsuit and he has been told that they can't try to fix it right now because of the lawsuit. He did explain that the City is committed going forward, to finding a way to make an even playing field down there. It may take a year or two, but that is the goal.

Chair Ulmer raised question regarding the Alaska Marine Highway Lease revenue. City Manager Wrede explained that the State gets a very low price. It was a deal that was made when the dock was built and the State put a couple million dollars into the dock so it could accommodate the Tustumena and Kennicott and they would have a secure berth. They do pay some fees and according to the MOU are supposed to be helping with maintenance costs.

There was discussion of lease revenues. Some of the increase is due increased leasing and some is from fair market value going up.

Lastly they addressed the seasonal uses of the barge haul-out area and the campground. It was noted that the land was purchased with port and harbor funds. Question was raised as to which use better benefitted the port and it was explained that the revenue from the haul out activities goes to the enterprise fund and the campground fees goes to the general fund. The demand for the haul out area is there and it's a growing part of the economy down there. It was suggested that the Commission could make a recommendation to the Council supporting the marine industrial use year round. There isn't another place they can do it, unless more uplands are created.

The Commission requested that the barge haul-out area be an agenda item for their next meeting. They are interested in making a recommendation to the Council that the lot be available for marine industrial use year round. They requested supporting documentation regarding the purchase of lot 11 and information relating to the recommended use.

B. Worksession of Harbor Rate Study Review

The Commission reviewed dates and agreed to hold a Worksession of Harbor Rate Study Review on Tuesday, April 8<sup>th</sup> at 5:00 p.m. in the Conference Room.

**NEW BUSINESS**

**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. Lease Expiration Calendar
- G. Homer Port & Harbor 5 Year Actual Review Comparison for Spit Leases
- H. 2014 Strategic Plan
- I. 2014 Commission Attendance Schedule

Chair Ulmer commented regarding the strategic plan. She noted some corrections relating to short term goal items 3 and 4. Deputy City Clerk Jacobsen said she would review the notes from the past discussion and make corrections.

They reviewed the Council meeting attendance schedule. Commissioner Carroll agreed to attend the July meeting and Commissioner Donich will attend in November.

**COMMENTS OF THE AUDIENCE**

**COMMENTS OF THE CITY STAFF**

Staff had no comments.

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

**COMMENTS OF THE CHAIR**

Chair Ulmer thanked Deputy Harbormaster Clarke for his good work tonight, and thanked the rest of the group for their work too.

**COMMENTS OF THE COMMISSION**

Commissioner Carroll requested an aerial photo or overlay to help with their discussion of the barge haul-out area. Maybe there is room for camping on the other side of the lagoon? He encouraged them to come to the next Vessel Haul-Out Task Force meeting to hear Mr. Brock's presentation.

Commissioner Donich acknowledged that camping is important in that area too, especially if the fishing hole comes back to life.

Commissioners Zimmerman, Hartley, and Howard had no further comments.

**ADJOURN**

There being no further business to come before the Commission the meeting adjourned at 6:12 p.m. The next regular meeting is scheduled for Wednesday, April 23, 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:\_\_\_\_\_





# City of Homer

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

Port and Harbor

4350 Homer Spit Road  
Homer, AK 99603

[port@cityofhomer-ak.gov](mailto:port@cityofhomer-ak.gov)

(p) 907-235-3160

(f) 907-235-3152

## APRIL 2014 PORT & HARBOR STAFF REPORT

### **1. Administration**

Staff met with:

- Lease Committee Meeting
- Public Works Staff & Harris Sand & Gravel – Teleconference Re: Work Order Proposal for Dock Improvements
- Lynden Transportation – Potential Dock, Uplands, & Wharfage Use for Land Oil Rig Load-Outs
- Floyd, Kar-A-Van – Parking Issues at Pioneer Dock
- Alaska Derelict Vessel (ADV) Task Force Teleconference
- Vessel Haul-Out Task Force Meeting
- Russ Walker – Potential Spit Lease
- Port & Harbor Advisory Commission – Harbor Rate Study Worksession
- Public Works Staff – Deep Water Dock & Spit Trail Pedestrian Areas Near Load & Launch Ramp
- Seldovia Village Tribe & Public Works Staff – Engineering Solutions to Re-Install Ramp 7
- Bob Howard – Harbor Rate Worksession
- Solid Waste Collection Contract RFP Pre-Close Meeting
- Public Works Staff & Contractors – System 5 Electrical Project Update & GFI Regulations
- Holly Wells, Birch, Horton, Bittner & Cherot – Teleconference Re: Results of Auction Block Case at the Maritime Trades Commission in Washington D.C.
- Interviews for Temp Port Maintenance Tech Position
- City Staff – Ice Plant Camera Installation Walkthrough
- Kevin Hogan, Auction Block & City Staff – Fish Dock Fish Pump Proposal

### **2. Operations**

April has had consistent warm and dry temperatures, encouraging harbor bustle with vessels and crews preparing for the busy summer months ahead. The Winter Metered Power Program and stall assignments ended April 15<sup>th</sup>. Over 65 vessels participated in the program this year.

The 22<sup>nd</sup> annual Winter King Salmon Tournament commenced on March 22<sup>nd</sup>. Over 270 boats and 900 anglers participated. Operations staff responded to one 30' participating vessel sinking at its mooring during the early morning hours prior to the tournament. Efforts in dewatering were successful. There were no EMS calls associated with the tournament.

Vessel landings on the Deep Water Dock, Pioneer Dock and Barge Ramp included: Discovery, Red Dog, Bob Franco, SERVS Endurance, CISPRI Endeavor, Helenka B, Tug Redoubt & Lash 200, Pacific Challenger & DBL54, Masco Endeavor, and Sovereign. Beach landing and uplands haul-out facility accommodated the following vessels: Unimak Trader, Sam Taalak, Helenka B, Sesok, Bruin Bay, and Stormbird.

SERVS Alyeska conducted oil spill response drills in Kachemak Bay from April 7<sup>th</sup> through April 11<sup>th</sup>. Approximately 40 commercial fishing vessels participated. CISPRI will conduct its oil spill response drills in Kachemak Bay from April 16<sup>th</sup> through April 18<sup>th</sup>.

On April 9<sup>th</sup>, a Harbor Officer assisted two men out of the surf on the west side of the Homer Spit after their 22' recreational boat capsized. The vessel was salvaged during the outgoing tide and transported off the beach by a D-8 loader later that day.

On March 27<sup>th</sup>, Operations staff participated in the state-wide Alaska Shield exercise. Harbor Officers stood-by the tsunami warning stations on the Homer Spit to verify the presence of warning/advisory evacuation broadcast. The state failed to initiate the evacuation broadcast over the warning sirens. Corresponding information was reported to the acting authorities.

Other notable events:

- On March 28<sup>th</sup>, a Harbor Officer responded to an EMS call involving a 50 year old male suffering from a broken femur.
- On April 1<sup>st</sup>, the Load and Launch Ramp fee collection booth and iron ranger were placed in location and opened up for the season. Harbor Officers installed fenders covering hinge hardware on the float system.
- On April 1<sup>st</sup>, the Port of Homer participated in a MARSEC level increase drill conducted by USCG Sector Anchorage.
- On April 7<sup>th</sup>, Operations staff deployed a "No Wake Buoy" just outside the entrance of the harbor.
- On April 7<sup>th</sup>, Operations and maintenance staff washed down the working platform on the steel grid. Water is now activated at both wood and steel grids.
- Harbor Assistant and Parking Enforcement seasonal job postings closed on April 13<sup>th</sup>. Interviews have been completed and the first of the new hires will be starting April 21<sup>st</sup>.

### **3. Ice Plant**

The Ice Plant crew has been tending to work as usual. Interviews for the summer temp position have been completed; the new hire will begin April 21<sup>st</sup>.

### **4. Port Maintenance**

In addition to the normal maintenance activities, Port Maintenance staff has been engaged in early spring activities, such as de-winterizing restrooms for the Winter King Salmon Tournament and turning on the water at the tidal grids. They also replaced numerous hinge bolts on the Load and Launch Ramp and patched concrete; to be ready for summer. Port Maintenance assisted Operations with launching the new "No Wake" buoy. Also, the new maintenance software is up and running, a collaboration effort between Aaron Glidden, Port Maintenance Supervisor, Julie Nelsen, Admin Assistant who oversees accounts payables, and Nick Poolos, IT.



## City of Homer

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

## Office of the City Clerk

491 East Pioneer Avenue  
Homer, Alaska 99603

[clerk@cityofhomer-ak.gov](mailto:clerk@cityofhomer-ak.gov)

(p) 907-235-3130

(f) 907-235-3143

## Memorandum

TO: CHAIR ULMER AND THE PORT AND HARBOR ADVISORY COMMISSION  
FROM: MELISSA JACOBSEN, CMC, DEPUTY CITY CLERK  
DATE: APRIL 17, 2014  
SUBJECT: TR. 1-A, THE FISHIN HOLE SUBDIVISION NO. 2 (PIER ONE LOT)

---

At the March 26<sup>th</sup> Port and Harbor Advisory Commission meeting the request was made for information relating to the purchase and intended usage of above mentioned lot.

Included with this memo are the following documents:

- Ordinance 83-26 authorizing the purchase from World Seafood
- Memorandum 85-136 from the Finance Director re: Refinancing of the Property
- Resolution 89-36(A) Reserving land around the lagoon on the spit for recreational purposes with minutes excerpt.

Also included are documents relating to more recent actions regarding the lot:

- Resolution 11-104(A) approving the Pier One lease.
- Objectives for the lot as outlined in the Homer Spit Comprehensive Plan adopted November 2011
- Maps from the Homer Spit Comprehensive Plan showing current land ownership and proposed future land use.
- Resolution 13-020 regarding the Kachemak Bay Water Trail trailhead site.



1 CITY OF HOMER

2 HOMER, ALASKA

3 ORDINANCE 83-26

4  
5 AN ORDINANCE AUTHORIZING THE CITY OF HOMER TO  
6 PURCHASE CERTAIN LANDS LOCATED ON THE HOMER SPIT  
7 FROM WORLD SEAFOODS, INC. AND TO ENTER INTO A  
8 CONTRACT THEREFOR REQUIRING THE PAYMENT OF FUNDS  
9 FROM AND SUBJECT TO APPROPRIATIONS BY COUNCIL  
10 DURING MORE THAN ONE FISCAL YEAR.

11 WHEREAS, certain lands located on the Easterly side of  
12 the Homer Spit have recently become available for purchase,  
13 and

14 WHEREAS, the location of such lands is deemed advantageous  
15 to the City because of proximity to the Small Boat Harbor,  
16 and

17 WHEREAS, the City has made an offer to World Seafoods,  
18 Inc. to purchase such lands, which offer has been accepted  
19 subject to the passage of an ordinance approving appropriations  
20 from more than one fiscal year as required under A.S.29.48.190(b),

21 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

22 Section 1. AUTHORIZATION TO PURCHASE. The Common  
23 Council of the City of Homer hereby approves the purchase of  
24 the hereinafter described real property, from World Seafoods,  
25 Inc. and authorizes the City Manager to execute all necessary  
26

documents to consummate said purchase. The lands are described as:

1. That portion of Government Lot 17 lying Northeasterly of the Northerly right-of-way of HOMER SPIT ROAD within Section 35, Township 6 South, Range 13 West, Seward Meridian, located in the Homer Recording District, Third Judicial District, State of Alaska;
2. At LOT TWELVE (12), EXCEPT that portion taken for highway for Declaration of Taking Recorded June 13, 1967 in Book 44, at Page 342, and that portion of LOT THIRTEEN (13), lying Northerly of the Homer Spit Road as set forth in Declaration of Taking Recorded June 13, 1967, in Book 44, at Page 342, all in Section 35, Township 6 South, Range 13 West, Seward Meridian, in the Homer Recording District, Third Judicial District, State of Alaska;
3. Government Lots 11 and 18, Section 35, Township 6 South, Range 13 West, Seward Meridian, in the Homer Recording District, Third Judicial District, excepting therefrom that portion conveyed to the State of Alaska by Warranty Deed recorded August 23, 1966, and rerecorded October 26, 1966, Homer, Recording District.

Section 2. TERMS OF PURCHASE. The total purchase price for the above described lands is \$1,500,000.00 with a down payment of \$250,000.00, an assumption of existing encumbrances in the approximate aggregate amount of \$500,000.00, with annual payments of \$122,000.00 including interest at 10% for a period of approximately ten years on the balance of \$750,000.00. The purchase is contingent upon annual appropriations by the City Council as required by State Law. The purchase is further contingent upon approval of the United States Bankruptcy Court not later than October 1, 1983. Additional terms and conditions are contained in that certain Receipt and Agreement to Purchase dated June 1, 1983, which Agreement is incorporated by this reference as though fully set forth herein, and is hereby approved.

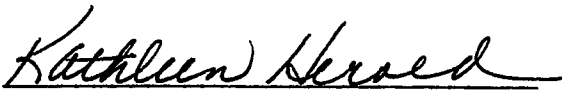
Section 3. SUBSEQUENT APPROPRIATIONS. The Council specifically approves and authorizes the payment of funds for the purchase of the above described lands from the budgetary appropriations

1 of more than one fiscal year and the same may be made during the life  
2 of the purchase contract subject to annual appropriation by the  
3 Council.

4  
5 CITY OF HOMER

6  
7   
8 Erle Cooper, Mayor

9 ATTEST:

10   
11 Kathleen Herold, City Clerk

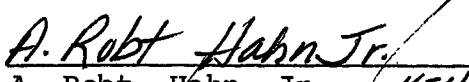
12 First Reading: 8/8/83

13 Public Hearing: 8/22/83

14 Second Reading: 8/22/83

15 Effective Date: 8/23/83

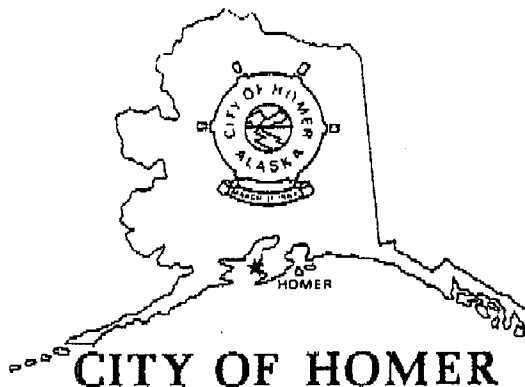
16 Reviewed and approved as to form this  
17 5th day of August, 1983.

18   
19 A. Robt. Hahn, Jr.  
20 City Attorney





3670 LAKE STREET  
HOMER, ALASKA 99603-7647



REPLY TO:

- ☐ City Hall  
Ph. (907) 235-8121
- ☐ Port of Homer  
Ph. (907) 235-8597
- ☐ Harbor Master  
Ph. (907) 235-8959
- ☐ Public Works Dept.  
Ph. (907) 235-8120
- ☐ City Engineer  
Ph. (907) 235-6368

MEMORANDUM 85-136

TO: Mayor and City Council

FROM: Christopher L. Newby

DATE: June 15, 1985

SUBJECT: World Seafoods Property Note - Refinance

Background

During the recently completed Budget Process, it was determined that refinancing the subject note could decrease the Port's annual cash requirements and, thereby, help reduce the projected Port Fund operating deficit. In this regard, Rainier Bank Alaska has committed to refinance the note with very favorable terms, see copy of commitment letter attached.

Recommendation

Authorize the City Manager to sign the appropriate documents to refinance the World Seafoods Note utilizing Rainier Bank Alaska.

enclosure

CLN/mp



Rainier Bank Alaska, N.A.  
Pouch 7007 (550 W. 7th Avenue), Anchorage, Alaska 99510-7007  
(907) 276-8080

Chris Newby  
Finance Director  
City of Homer  
3670 Lake Street  
Homer, Alaska 99603

RECEIVED

City of Homer  
Finance Dept.

Dear Chris:

Rainier Bank Alaska, N.A. is pleased to make available to the City of Homer a credit facility which will enable the City to refinance land purchased for expansion of your dock and port facilities. This credit facility is subject to the following terms and conditions:

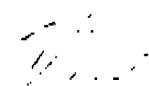
Amount:	\$970,000.
Type:	Term loan secured by land
Amortization:	12 year quarterly amortization, 5 year call
Rate:	70% of RNB Prime fully floating subject to a cap of 11.5%
Purpose:	To refinance land purchased in 1984 for dock/port expansion
Tax Indemnification:	If there is a change in the tax law which changes the yield in this note, the rate will be increased (or decreased) to keep the tax equivalent yield at the same level as it was before the change in law
Security:	Loan is secured by Port revenues and by the land being financed

Documentation:

All necessary legal documentation in form and substance acceptable to the bank, including approving legal opinion from bond counsel.  
All legal fees to be paid by the City of Homer.

If you have any questions, please call.

Sincerely,

  
Marcey Rawitscher  
AVP  
Public Finance

CITY OF HOMER  
HOMER, ALASKA

RESOLUTION 89-36(a)

A RESOLUTION OF THE HOMER CITY COUNCIL RESERVING LAND AROUND THE LAGOON ON THE SPIT FOR PUBLIC RECREATIONAL PURPOSES.

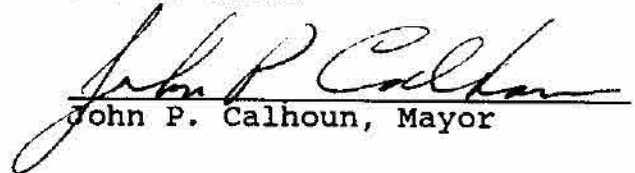
WHEREAS, the City of Homer has adopted the Interim Spit Plan which includes the designation of recreation/parking in the vicinity of the lagoon fishing hole on the Spit as well as Pier 1 Theatre; and

WHEREAS, the Parks and Recreation Commission at a special meeting held March 31, 1989 recommended that the City Council reserve the land in the vicinity of the lagoon and Pier 1 Theatre as indicated in the Interim Spit Plan for recreation/parking.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Homer, Alaska that the recreational/parking designation as indicated in the Spit Interim Plan is hereby acknowledge and continued for such period of time as sport fishing in the lagoon and the summer theatre activities at that location continue.

DATED at Homer, Alaska this 10th day of April, 1989.

CITY OF HOMER

  
John P. Calhoun, Mayor

ATTEST:

  
Patti J. Whalen, City Clerk



HOMER CITY COUNCIL  
REGULAR MEETING MINUTES  
APRIL 10, 1989

questions and also had a recommended change to the resolution. Mr. Strutz advised that he had talked with Borough Mayor Don Gillman who has assured him that if the City formally requested that the 25-acres of land be deeded to the City, that he felt it would go through. Mr. Strutz requested this amendment be made to the resolution.

HENRY/RINGER - MOVED TO AMEND RESOLUTION 89-34 TITLE FOR THE KENAI PENINSULA BOROUGH TO DEED THE TWENTY-FIVE ACRES OF LAND TO THE CITY OF HOMER FOR PUBLIC USE AND NOW THEREFORE CLAUSE TO CHANGE WORD CLASSIFY TO DEED.

VOTE: YES: Hanoski, Henry, Gregoire, Ringer, Ronda Calhoun

Motion Carried.

VOTE (Main Amended Motion): YES: Calhoun, Hanoski, Henry Gregoire, Ringer, Ronda

Motion Carried.

PARKS/PUBLIC  
USE LAND

Paul Banks Elementary

C. RESOLUTION 89-35, OF THE HOMER CITY COUNCIL REQUESTING USE PERMIT TO UTILIZE A PORTION OF THE PAUL BANKS SCHOOL PROPERTY FOR PUBLIC USE.

HENRY/CALHOUN - MOVED FOR ADOPTION OF RESOLUTION 89-35 BY READING OF TITLE ONLY.

HENRY/CALHOUN - MOVED TO AMEND RESOLUTION 89-35 TO ADD WORDING TO TITLE AND NOW THEREFORE CLAUSE AFTER USE PERMIT TO READ, OR JOINT USE AGREEMENT.

VOTE: YES: Gregoire, Ringer, Ronda, Calhoun, Hanoski, Henry

Motion Carried.

RONDA/CALHOUN - MOVED TO AMEND TITLE TO INSERT WORD "PARK" BETWEEN PUBLIC AND USE.

VOTE: YES: Ringer, Ronda, Calhoun, Hanoski, Henry, Gregoire

Motion Carried.

VOTE (Main Amended Motion): YES: Henry, Gregoire, Ringer, Ronda, Calhoun, Hanoski

Motion Carried.

PARKS/PUBLIC  
RECREATION  
LAND

D. RESOLUTION 89-36, OF THE HOMER CITY COUNCIL RESERVING LAND AROUND THE LAGOON ON THE SPIT FOR PUBLIC RECREATIONAL PURPOSES.

CALHOUN/HENRY - MOVED FOR ADOPTION OF RESOLUTION 89-36 BY READING OF TITLE ONLY.

Councilmember Ronda noted that the "disclaimer" at the end of the resolution noting that the recreational/parking designation will be continued for only such time as sport fishing in the lagoon and the summer theatre activities continue was needed and was in fact the intent of the Council.

RONDA/CALHOUN - MOVED TO AMEND RESOLUTION 89-36 BY INSERTING THE WORD AT THAT LOCATION BETWEEN ACTIVITIES AND CONTINUE IN THE NOW THEREFORE CLAUSE.

VOTE: YES: Calhoun, Hanoski, Henry, Gregoire, Ringer, Ronda

Motion Carried.

VOTE (Main Amended Motion): YES: Ronda, Calhoun, Hanoski, Henry, Gregoire, Ringer

Motion Carried.

Nick Dudiak of the Homer Fish & Game Office was present and spoke to Council noting the importance of local government support for fish & game stocking projects to keep the funding for them, such as the lagoon.

E. RESOLUTION 89-37, OF THE COMMON COUNCIL OF THE CITY OF HOMER ADOPTING REVISIONS TO THE LIBRARY ADVISORY BOARD BY-LAWS. (Memorandum 89-106 from Librarian Barbara J. Mauseth.)

LIBRARY/  
ADVISORY BO.  
BYLAWS

CALHOUN/RONDA - MOVED FOR ADOPTION OF RESOLUTION 89-37 BY READING OF TITLE ONLY.

VOTE: YES: Hanoski, Henry, Gregoire, Ringer, Ronda, Calhoun

Motion Carried.

#### INFORMATIONAL MATERIALS

#### INFORMATION MATERIALS

##### A. Minutes

1. Planning Commission Minutes of March 29, 1989.
2. Port/Harbor Commission Minutes of March 15, 1989.
3. Parks/Recreation Commission Special Minutes of March 31, 1989.
4. Library Advisory Board Minutes of March 13, 1989.

EXXON VALDE  
OIL SPILL/  
UPDATE FROM  
City Manager

##### B. Staff Reports/Memorandums

1. Memorandum to Council from City Manager, Oil Spill update.

LAND ACQUIS:  
HAZEL HEATH  
Glacierview  
#18-Lot 1  
PUBLIC SAFE  
HOMER PD  
Commendation  
from Asst. i

##### C. Correspondence

1. Letter to Hazel Heath from City Manager dated April 4, 1989, negotiations for Lot 1, Glacier View #18.
2. Letter to Chief Daugherty from Assist. D/A Shannon Turner dated March 29, 1989, regarding commending Homer Police Department.



**CITY OF HOMER  
HOMER, ALASKA**

City Manager/Lease Committee

**RESOLUTION 11-104(A)**

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA, APPROVING A NEW LEASE FOR THE PIER ONE THEATRE FOR A TERM OF FIVE YEARS AND A RENTAL RATE OF ONE DOLLAR PER YEAR AND FINDING THAT IT IS IN THE PUBLIC INTEREST TO AWARD THE LEASE WITHOUT A COMPETITIVE BIDDING PROCESS AND AT LESS THAN FAIR MARKET RENT.

WHEREAS, The City lease with the Pier One Theatre expires on December 9, 2011 and the Theatre has submitted a proposal for a new lease with the same term and rent as the current lease; and

WHEREAS, The Lease Committee considered this proposal at a Special Meeting on November 10, 2011; and

WHEREAS, When reviewing the Pier One Proposal, the Committee relied on the proposal evaluation criteria contained in Sections 6.2 (B), 7.2 (A) (4) and 11.2 (F) of the Lease Policies; and

WHEREAS, The Lease Committee recommends that a new lease be granted to the Pier One Theatre for a term of five years and a rental rate of \$1.00 per year subject to review by the Planning Department and the State Fire Marshall; and

WHEREAS, The Lease Committee recommends further that a new lease for less than fair market value and without a competitive bidding process is justified for the reasons outlined in the staff report.

NOW, THEREFORE, BE IT RESOLVED that the Homer City Council hereby approves a new lease for the Pier One Theatre for a term of five years and a rental rate of \$1.00 per year, subject to Planning Department and Fire Marshall approval Certificate of Occupancy, and authorizes the City Manager to execute the appropriate documents.

BE IT FURTHER RESOLVED that the Council finds that it is in the best interest of the community to approve a lease without a competitive bidding process under Section 11.2 (F) of the Lease Policies for the following reasons:


- Pier One Theatre has been an excellent tenant and has performed well under the terms of the lease.
- Pier One has made improvements to the building, including improvements requested by the Fire Marshall.
- The proposed use of the property is compatible with adjacent uses.
- The proposed use is consistent with the Spit Comprehensive Plan, the Comprehensive Economic Development Strategy, and Resolution 98-36(A).
- There are substantial economic, social, cultural, and educational benefits which derive from this use.
- The lease term is short and the City can terminate with 90 days notice.
- There are few if any alternative uses of the building.
- The City has yet to develop a long term plan for the property and is therefore not ready to issue an RFP.

BE IT FURTHER RESOLVED that the Council finds that it is in the public interest to approve a lease for less than fair market rent under Section 7.2 (A) (4) for the following reasons:

- History / tradition: The City has leased this building for \$1.00 per year for decades. The Council has consistently determined that it was in the public interest to do so.
- The building was an old harbor building that was ready for destruction. The Theatre salvaged it and made various improvements to make it suitable for its present use. The City has little investment in the building.
- The Theatre is operated by volunteers and has a very limited budget and financial resources. It cannot afford to pay rent at this time.
- The economic, social, cultural, and educational benefits derived from the Theatre's activities are substantial.

PASSED AND ADOPTED by the Homer City Council this 28<sup>th</sup> day of November, 2011.

CITY OF HOMER

  
MARY E. WYTHE, MAYOR PRO TEMPORE

ATTEST:

  
JO JOHNSON, CMC, CITY CLERK

Fiscal Note: Rent \$1.000 per year. No utility costs and minimal maintenance costs.

## Goal 1.2 Improve the permanence and character of new commercial development.

Objective	Strategies	Responsibilities
Develop standards for public property development	Revisit design guidelines for overslope development to provide more specificity for development at harbor overslope, considering issues such as lot size, legal access, and parking policies.	City Council

## Goal 1.3 Provide public facilities that attract residents and visitors to the Spit.

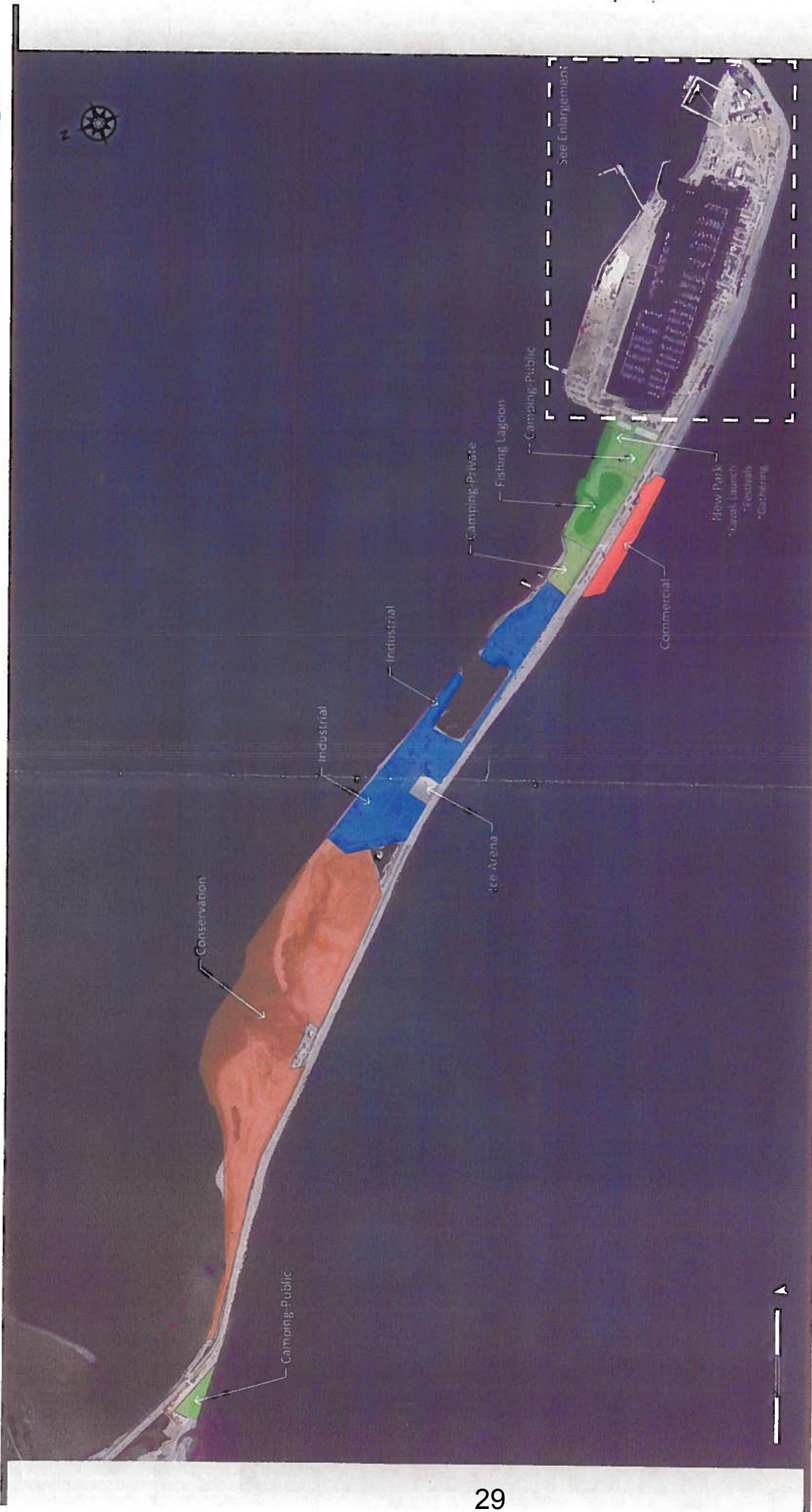
Objective	Strategies	Responsibilities
Provide amenities that aid residents and visitors	Identify locations and needs for restrooms/showers.	Port and Harbor Department, harbor users, leaseholders
Provide enhanced park and recreation facilities	<p>Identify and prioritize public recreation needs on the spit, and include projects on the CIP. Refer to the Master Parks and Recreation Plan, chapter 7, in the 2008 Comprehensive Plan.</p> <p>Prepare a master plan for development of a new community gathering space at the site of the existing City campground north of Freight Dock Road (pier 1 area).</p> <p>Provide kayak launching facilities.</p> <p>Set aside a new community park.</p> <p>Evaluate and develop a plan for non-boating access to fishing opportunities.</p> <p>Construct weather-protected picnic and outdoor meeting facilities.</p> <p>Open space recreation uses shall be encouraged on the west side of the Spit on public land.</p>	Public Works Department/ Parks and Recreation Division Chamber of Commerce

## Goal 1.4 All development should recognize, value, and complement the unique natural resources on the Homer Spit.

Objective	Strategies	Responsibilities
Preserve and protect important wildlife and bird sanctuary areas.	<p>Require site-specific handling requirements for all runoff from parking areas.</p> <p>Provide information on preventing the growth of noxious weeds.</p> <p>Encourage the use of native plant materials for all landscaped areas.</p> <p>Encourage the presence of interpretive programs to identify plant and animal resources.</p> <p>Clearly sign beach areas designated off-limits for motorized travel.</p>	<p>Planning Department</p> <p>Parks and Recreation Division</p> <p>State of Alaska, DNR Parks</p> <p>Non-profit Organizations</p> <p>US Fish &amp; Wildlife Services</p>

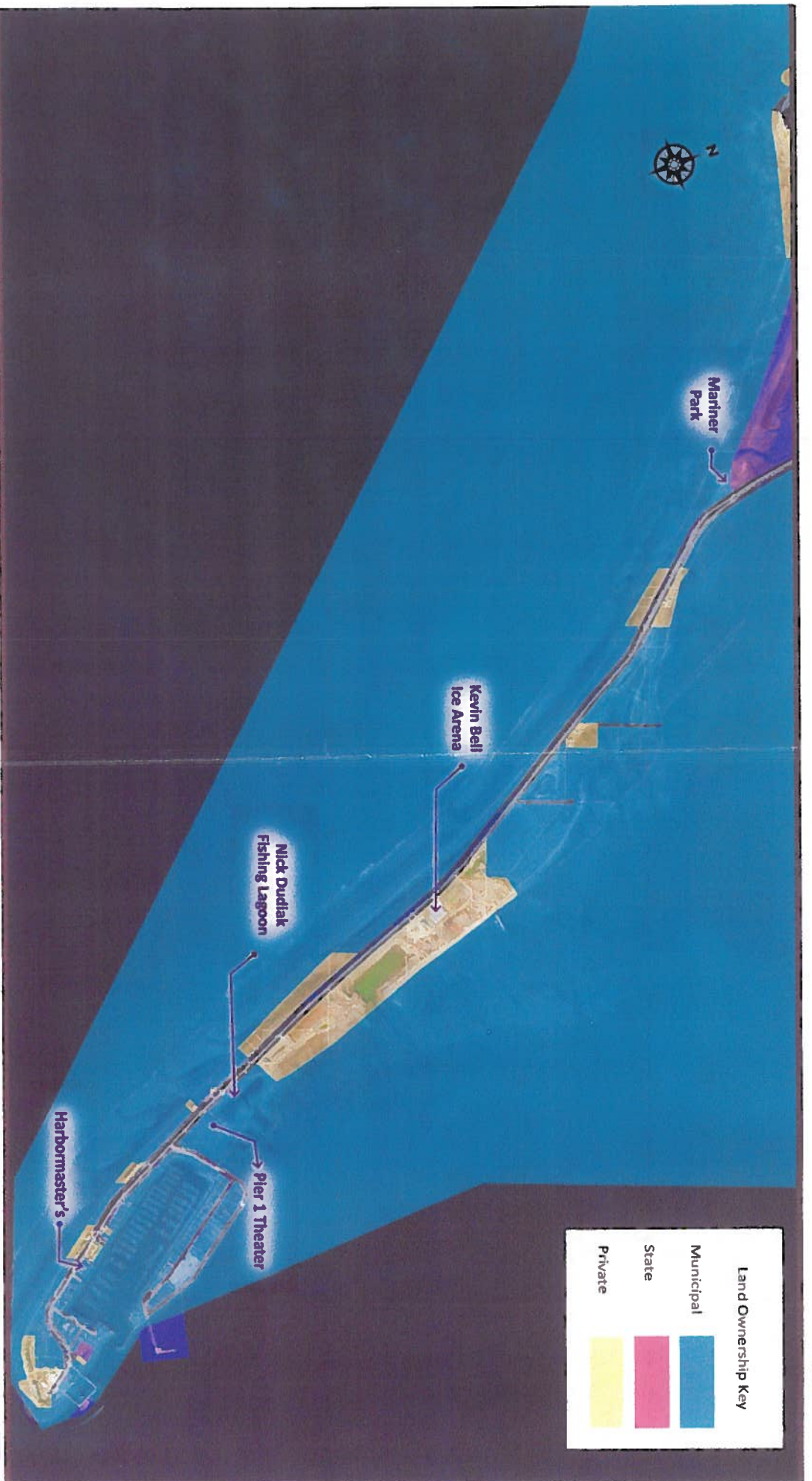


Map 4: FUTURE LAND USE





Map 3: CURRENT LAND OWNERSHIP






39 WHEREAS, The structure installed for the Kachemak Bay Water Trail Head will be  
40 constructed and installed in a way that it can be moved if future development of the lot between  
41 Freight Dock Road and the Nick Dudiak Fishing Lagoon is required; and  
42

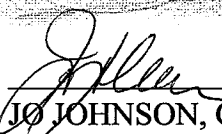
43 NOW, THEREFORE, BE IT RESOLVED that the City of Homer designates the north  
44 east corner of the area between Freight Dock Road and the Nick Dudiak Fishing Lagoon on the  
45 Homer Spit as a Kachemak Bay Water Trail Head.  
46

47 PASSED AND ADOPTED by the Homer City Council this 11th day of February, 2013.  
48

49 CITY OF HOMER

50  
51   
52 MARY E. WYTHE, MAYOR  
53

54 ATTEST:

55   
56  
57 JO JOHNSON, CMC, CITY CLERK  
58  
59



# Port & Harbor Monthly Statistical & Performance Report

For the Month of: **March 2014**

<b><u>Moorage Sales</u></b>			<b><u>Stall Wait List</u></b>		
	<u>2014</u>	<u>2013</u>	No. on list at Month's End	<u>2014</u>	<u>2013</u>
Daily Transient	153	108	18' Stall	11	4
Monthly Transient	54	71	20' Stall	0	1
Semi-Annual Transient	3	5	24' Stall	14	12
Annual Transient	0	2	32' Stall	21	25
Annual Reserved	0	0	40' Stall	30	29
			50' Stall	20	15
			75' Stall	7	8
			Total:	103	94
<b><u>Grid Usage</u></b>			<b><u>Docking &amp; Beach/Barge Use</u></b>		
1 Unit = 1 Grid Tide Use	<u>2014</u>	<u>2013</u>	1 Unit = 1 or 1/2 Day Use	<u>2014</u>	<u>2013</u>
Wood Grid	7	3	Deep Water Dock	32	77
Steel Grid	0	5	Pioneer Dock	21	19
			Beach Landings	34	27
			Barge Ramp	14	9
<b><u>Services &amp; Incidents</u></b>			<b><u>Wharfage (in short tons)</u></b>		
Vessels Towed	0	0	In Tons, Converted from Lb./Gal.	<u>2014</u>	<u>2013</u>
Vessels Moved	3	8	Seafood	823	800
Vessels Pumped	4	2	Cargo/Other	842	830
Vessels Sunk	0	0	Fuel	45,667	24,529
Vessel Accidents	0	1			
Vessel Impounds	0	1			
Equipment Impounds	0	0			
Vehicle Impounds	0	0			
Property Damage	2	3			
Pollution Incident	1	2			
Fires Reported/Assists	0	1			
EMT Assists	1	2			
Police Assists	2	2			
Public Assists	24	4			
Thefts Reported	1	0			
			<b><u>Crane Hours</u></b>	<u>2014</u>	<u>2013</u>
				156.2	161.2
			<b><u>Ice Sales</u></b>	<u>2014</u>	<u>2013</u>
			For the Month of March	90	37
			Year to Date Total	90	37
<b><u>Parking Passes</u></b>	<u>2014</u>	<u>2013</u>	<b><u>Difference between</u></b>		
Long-term Pass	3	3	<b><u>2013 YTD and 2014 YTD:</u></b>	53 tons more	
Monthly Long-term Pass	0	0			
Seasonal Pass	0	0			



**WEEKLY CRANE TIME / TONS OF ICE**  
**City of Homer - Fish Dock 2014**

<b>Date From</b>	<b>Date To</b>	<b>Crane Hours (Weekly)</b>	<b>YTD Crane</b>	<b>Tons of Ice (Weekly)</b>	<b>YTD Ice</b>
12/30/2013	1/5/2014	6.8	6.8	shut down for maintenance	
1/6/2014	1/12/2014	9.5	16.3	shut down for maintenance	
1/13/2014	1/19/2014	9.4	25.7	shut down for maintenance	
1/20/2014	1/26/2014	11.2	36.9	shut down for maintenance	
1/27/2014	2/2/2014	14.9	51.8	shut down for maintenance	
2/3/2014	2/9/2014	14.5	66.3	shut down for maintenance	
2/10/2014	2/16/2014	13.4	79.7	shut down for maintenance	
2/17/2014	2/23/2014	11.9	91.6	shut down for maintenance	
2/24/2014	3/2/2014	44.9	136.5	shut down for maintenance	
3/3/2014	3/9/2014	45.4	181.9	14	14
3/10/2014	3/16/2014	24.2	206.1	5	19
3/17/2014	3/23/2014	29.4	235.5	33	52
3/24/2014	3/30/2014	57.2	292.7	38	90
3/31/2014	4/6/2014	68.4	361.1	58	148
4/7/2014	4/13/2014	31.1	392.2	52	200
4/14/2014	4/20/2014				
4/21/2014	4/27/2014				
4/28/2014	5/4/2014				
5/5/2014	5/11/2014				
5/12/2014	5/18/2014				
5/19/2014	5/25/2014				
5/26/2014	6/1/2014				
6/2/2014	6/8/2014				
6/9/2014	6/15/2014				
6/16/2014	6/22/2014				
6/23/2014	6/29/2014				
6/30/2014	7/6/2014				
7/7/2014	7/13/2014				
7/14/2014	7/20/2014				
7/21/2014	7/27/2014				
7/28/2014	8/3/2014				
8/4/2014	8/10/2014				
8/11/2014	8/17/2014				
8/18/2014	8/24/2014				
8/25/2014	8/31/2014				
9/1/2014	9/7/2014				
9/8/2014	9/14/2014				
9/15/2014	9/21/2014				
9/22/2014	9/28/2014				
9/29/2014	10/5/2014				
10/6/2014	10/12/2014				
10/13/2014	10/19/2014				
10/20/2014	10/26/2014				
10/27/2014	11/2/2014				
11/3/2014	11/9/2014				
11/10/2014	11/16/2014				
11/17/2014	11/23/2014			shut down for maintenance	
11/24/2014	11/30/2014			shut down for maintenance	
12/1/2014	12/7/2014			shut down for maintenance	
12/8/2014	12/14/2014			shut down for maintenance	
12/15/2014	12/21/2014			shut down for maintenance	
12/22/2014	12/28/2014			shut down for maintenance	



## Deep Water Dock 2014

Date	Vessel	LOA	Times	Billed	\$ Dock	Srv Chg
1/2	Red Dog	98	1000/1400	Buccaneer	\$338.00	\$52.00
1/2	Endeavor	181	1520/1830	Cispri	\$506.00	\$52.00
1/3	Sovereign	180	0800/1235	Ocean Marine	\$253.00	na
1/3	Red Dog INSIDE rate	98	0930/1000 1015/1520	Buccaneer	\$56.31	na
1/3	Endeavor INSIDE rate	181	1030/1755	Cispri	\$253.00	na
1/8	Red Dog	98	0930/12(19)00	Buccaneer	\$338.00	\$52.00
1/9	Pacific Challenger	114	0930/1000	Kirby Offshore	\$506.00	\$52.00
1/9	Sovereign INSIDE rate	180	0515/0800	Ocean Marine	\$84.30	na
1/9	Sovereign INSIDE rate	180	1300/1345	Ocean Marine	\$84.30	na
1/9	Red Dog	98	1245/1515	Buccaneer	\$56.31	na
1/10	Sovereign INSIDE rate	180	0755/1215	Ocean Marine	\$253.00	na
1/13	Red Dog INSIDE	98	1145/1300	Buccaneer	\$56.31	na
1/15	Red Dog INSIDE	98	1345/1440	Buccaneer	\$56.31	na
1/16	Endeavor	181	1945/2240	CISPRI	\$506.00	\$52.00
1/17	Sovereign INSIDE RATE	180	1000/1445	Ocean Mar	\$253.00	na
1/17	Red Dog	98	1200/	Buccaneer	\$338.00	\$52.00
1/21	Pacific Chall&DBL 54	300	0510/2045	Kirby	\$788.00	\$52.00
1/22	Red Dog	98	1140/	Buccaneer	\$338.00	\$52.00
1/23	Sovereign INSIDE RATE	180	0645/0815	Ocean Mar	\$84.30	na
1/24	Sovereign INSIDE RATE	180	0740/1200	Ocean Mar	\$253.00	na
1/30	Endeavor	181	1430/2045	CISPRI	\$506.00	\$52.00
1/31	Sovereign INSIDE RATE	180	0545/1145	Ocean Mar	\$253.00	na
1/31	Red Dog INSIDE RATE	98	1145/1430	Buccaneer	\$56.31	na
2/1	Sovereign	180	0900/1100	Ocean Mar	\$506.00	\$52.00
2/3	Red Dog	98	0640/0730	Buccaneer	\$338.00	\$52.00
2/6	Sovereign	180	0715/1100	Ocean Mar	\$506.00	\$52.00
2/6	Discovery	183	1115/1600	Ocean Mar	\$506.00	\$52.00
2/8	Sovereign	180	0800/1230	Ocean Mar	\$506.00	\$52.00
2/8	Discovery	183	0930/1415	Ocean Mar	\$506.00	\$52.00
2/8	Red Dog INSIDE	98	1100/1430	Buccaneer	\$56.31	na
2/9	Tustumena	296	0725/1145	St Of Ak	\$788.00	\$52.00
2/9	Tustumena	296	1830/2200	St Of Ak	\$788.00	\$52.00
2/11	Red Dog INSIDE	98	1130/1500	Buccaneer	\$56.31	na
2/11	Pacific Chall&DBL 54	300	0830/	Kirby	\$788.00	\$52.00
2/12	Pacific Chall&DBL 54	300	/1100	Kirby	\$788.00	
2/12	Red Dog	98	1300/1400	Buccaneer	\$338.00	\$52.00
2/13	Pacific Chall&DBL 54	300	0830/1300	Kirby	\$788.00	\$52.00
2/14	Discovery INSIDE RATE	183	0745/1225	Ocean Mar	\$253.00	na
2/14	Red Dog INSIDE RATE	98	0945/1300	Buccaneer	\$56.31	na
2/18	Endeavor INSIDE	181	1200/1320	Cispri	\$84.30	na
2/20	Red Dog INSIDE	98	1645/1800	Buccaneer	\$56.31	na
2/20	Discovery	183	0745/0900	Ocean Marine	\$506.00	\$52.00
2/20	Discovery	183	1510/1915	Ocean Marine	chrgd above	
2/21	Discovery	183	0830/1215	Ocean Marine	\$506.00	\$52.00
2/21	Red Dog INSIDE	98	1000/1400	Buccaneer	\$56.31	na
2/25	Tustumena	296	1900/2315	St of AK	\$788.00	\$52.00
2/27	Discovery	183	1200/1910	Ocean Marine	\$506.00	\$52.00
2/27	Red Dog INSIDE	98	1245/1400	Buccaneer	\$56.31	na

## Deep Water Dock 2014

2/28	Discovery	183	0730/1400	Ocean Marine	\$506.00	\$52.00
2/28	Red Dog	98	1200/1500	Buccaneer	\$338.00	\$52.00
3/3	Red Dog	98	1315/1430	Buccaneer	\$338.00	\$52.00
3/3	Harry M & Andrew barge	112	2100/	Manson Cons	\$506.00	\$52.00
3/4	Barge Andrew	112		Manson Cons	\$506.00	
3/5	Barge Andrew	112		Manson Cons	\$506.00	
3/6	Barge Andrew	112	/0800	Manson Cons	\$506.00	
3/6	Discovery INSIDE	183	0620/0830	Ocean Marine	\$84.30	na
3/7	Discovery INSIDE	183	0845/1700	Ocean Marine	\$253.00	na
3/7	Red Dog INSIDE	98	0845/1330	Buccaneer	\$169.00	na
3/7	Perseverance	189	1945/	Cispri	\$253.00	na
3/8	Perseverance	189	/1500	Cispri	\$506.00	
3/12	Discovery	189	1300/1450	Ocean Marine	\$506.00	\$52.00
3/14	Discovery	189	0615/1245	Ocean Marine	\$506.00	\$52.00
3/18	Endeavor INSIDE	181	1000/	Cispri	\$506.00	na
3/19	Red Dog	98	1230/1300	Buccaneer	\$338.00	\$52.00
3/19	Endeavor INSIDE	181		Cispri	\$506.00	
3/20	Discovery	183	0700/0745	Ocean Marine	\$84.30	na
3/20	Discovery	183	1300/1900	Ocean Marine	\$253.00	na
3/20	Endeavor INSIDE	181	/1300	Cispri	\$506.00	
3/21	Red Dog	98	0930/1430	Buccaneer	\$338.00	\$52.00
3/21	Discovery INSIDE	183	0700/	Ocean Marine	\$506.00	na
3/24	Red Dog	98	1130/1300	Buccaneer	\$338.00	\$52.00
3/26	Red Dog	98	1100/1230	Buccaneer	\$338.00	\$52.00
3/27	Red Dog	98	1300/1340	Buccaneer	\$338.00	\$52.00
3/27	Sovereign	180	1200/1530	Ocean Marine	\$84.30	na
3/28	Discovery	183	0745/1300	Ocean Marine	\$506.00	\$52.00
			<b>Year to Date Totals:</b>		<b>\$26,468.51</b>	<b>\$1,872.00</b>
	<b>04/18/14</b>					

## Pioneer Dock 2014

Date	Vessel	LOA	Times	Billed	\$ Dock	Srv Chg
1/3	Bob Franco	120	1015/1345	Olympic Tug	\$506.00	\$52.00
1/9	Pacific Challenger&54	300	0815/1600	Kirby Offshore	\$788.00	\$52.00
1/18	Endeavor	181	0830/1430	CISPRI	\$506.00	\$52.00
/21-22/14	Pacific Challenger & DBL 54	300	2145/ 0200	Kirby	\$788.00	\$52.00
1/22	Perseverance	189	0900/1200	Cispri	\$506.00	\$52.00
1/24	Sovereign	180	1200/1445	Ocean Mar	\$506.00	\$52.00
1/30	Bob Franco	120	1200/1515	Olympic Tug	\$506.00	\$52.00
2/3	Pacific Challenger & DBL 54	300	1120/	Kirby	\$788.00	\$52.00
2/11	Discovery	183	1300/1800	Ocean Mar	\$506.00	\$52.00
2/11	Sovereign	180	1445/1815	Ocean Mar	\$506.00	\$52.00
2/12	Discovery	183	0930/1100	Ocean Mar	\$506.00	\$52.00
2/12	Pacific Challenger & DBL 54	300	1130/1500	Kirby	\$788.00	\$52.00
2/14	Discovery	183	1235/1630	Ocean Mar	\$506.00	\$52.00
2/25	Pacific Challenger&54	300	1315/1730	Kirby	\$788.00	\$52.00
3/5	Harry M	93	0830/1245	Manson Cons	\$338.00	\$52.00
3/7	Pacific Challenger& 54	300	0815/1700	Kirby Offshore	\$788.00	\$52.00
3/7	Perseverance	189	1715/1930	Cispri	\$506.00	\$52.00
3/13	Bob Franco	120	0900/1200	Olympic Tug	\$506.00	\$52.00
3/13	Endeavor	181	1330/1800	Cispri	\$506.00	\$52.00
3/26/14	Discovery	183	1630/2000	Ocean Mar	\$506.00	\$52.00
3/27/14	Pacific Challenger & DBL 54	300	0800/1530	Kirby	\$788.00	\$52.00
			<b>Year to Date Totals:</b>		<b>\$12,432.00</b>	<b>\$1,092.00</b>
<b>04/18/14</b>						

### Ferry Landings 2014

	Pioneer Dock	Deep Water Dock
January	13	
February	21>2/27	
March	14 > 3/30	
April		
May		
June		
July		
August		
September		
October		
November		
December		





## Water Usage 2014

Pioneer Dock							Deep Water Dock						
Date	Vessel	Beg. Read	End Read	Gal.	Charged	Conx Fee	Date	Vessel	Beg. Read	End Read	Gal.	Charged	Conx Fee
1/2	Tustumena	2,322,300	2,341,100	18,800	\$ 729.63	\$ 102.00	1/2	Endeavor	4,735,000	4,750,000	15,000	\$ 582.15	\$ 102.00
1/5	Tustumena	2,341,100	2,345,960	4,860	\$ 194.05	\$ 102.00	1/6	Bob Franco	4,750,000	4,753,000	3,000	\$ 194.05	\$ 102.00
1/18	Endeavor	2,345,900	2,364,300	18,400	\$ 714.10	\$ 102.00	1/9	Sovereign	4,752,000	4,769,000	17,000	\$ 659.77	\$ 102.00
1/21	Tustumena	2,364,300	2,369,600	5,300	\$ 205.69	\$ 102.00	1/10	Sovereign	4,769,000	4,782,000	13,000	\$ 504.53	\$ 102.00
2/13	Tustumena	2,369,600	2,380,400	10,800	\$ 419.15	\$ 102.00	1/16	Endeavor	4,782,620	4,809,000	26,380	\$ 1,023.81	\$ 102.00
2/16	Tustumena	2,380,400	2,387,100	6,700	\$ 260.03	\$ 102.00	1/17	Sovereign	4,809,250	4,828,050	18,800	\$ 729.63	\$ 102.00
2/25	Pacific Challen	2,396,600	2,398,500	1,900	\$ 194.05	\$ 102.00	1/24	Sovereign	4,827,000	4,845,840	18,840	\$ 731.18	\$ 102.00
2/27	Tustumena	2,398,500	2,404,165	5,665	\$ 219.86	\$ 102.00	1/25	Bob Franco	4,845,000	4,850,150	5,150	\$ 199.87	\$ 102.00
3/13	Endeavor	2,419,485	2,431,885	12,400	\$ 481.24	\$ 102.00	1/30	Endeavor	4,850,150	4,877,320	27,170	\$ 1,054.47	\$ 102.00
				-			1/31	Sovereign	4,877,000	4,895,500	18,500	\$ 717.99	\$ 102.00
				-			1/31	Bob Franco	4,895,500	4,898,800	3,300	\$ 194.05	\$ 102.00
				-			1/31	Red Dog okperMC	4,898,800	4,899,100	300	\$ 194.05	\$ 102.00
				-			2/1	Sovereign	4,899,000	4,918,000	19,000	\$ 737.39	\$ 102.00
				-			2/6	Sovereign	4,918,000	4,959,000	41,000	\$ 1,591.21	\$ 102.00
				-			2/6	Discovery	4,959,000	5,008,000	49,000	\$ 1,901.69	\$ 102.00
				-			2/8	Sovereign	5,008,000	5,026,000	18,000	\$ 698.58	\$ 102.00
				-			2/13	Pacific Challenger	5,026,000	5,030,000	4,000	\$ 194.05	\$ 102.00
				-			2/14	Bob Franco	5,030,000	5,034,000	4,000	\$ 194.05	\$ 102.00
							2/20	Discovery	5,034,000	5,073,500	39,500	\$ 1,532.99	\$ 102.00
							2/24	Bob Franco	5,073,500	5,078,000	4,500	\$ 194.05	\$ 102.00
				-			2/25	Tustumena	5,078,000	5,092,000	14,000	\$ 543.34	\$ 102.00
							2/27	Discovery	5,092,000	5,159,300	67,300	\$ 2,611.91	\$ 102.00
							3/7	Discovery	5,159,000	5,196,700	37,700	\$ 1,463.14	\$ 102.00
							3/13	Bob Franco	5,196,700	5,201,400	4,700	\$ 194.05	\$ 102.00
							3/20	Discovery	5,201,400	5,259,870	58,470	\$ 2,269.22	\$ 102.00
							3/21	Discovery	5,259,000	5,267,000	8,000	\$ 310.48	\$ 102.00
							3/24	Bob Franco	5,267,000	5,270,000	3,000	\$ 194.05	\$ 102.00
							3/28	Discovery	5,270,000	5,326,475	56,475	\$ 2,191.79	\$ 102.00
				-							-		
				84,825	\$ 3,417.80	\$ 918.00					595,085	\$ 23,607.54	\$ 2,856.00
Notes:							Notes:						
Washing down dock results in missing begin/end reads							Washing down dock results in missing begin/end reads						
\$194.05 Min Charge							\$194.05 Min Charge						
\$102.00 CONX							\$102.00 CONX						



## Homer Spit Lease Expiration Calendar

updated 4/17/2014

Expiration	Leaseholder	Details
7/31/2010	Fish Factory	6 mo. lease for 12B strip expires - Paying month-to-month until CUP requirements are met, which then will be included in their 12A lease as an amendment.
9/30/2010	Snug Harbor	Lease expires - Paying month-to-month until new lease is signed; negotiations are complete, a final appraisal is in process before the lease will be signed/finalized.
11/1/2012	Peninsula Scrap & Salvage	6 mo. lease expires - Paying month-to-month until new short-term lease is signed.
12/29/2012	Norton Sound DEC	6 mo. lease expires - Daniel D Takak on Concrete Pad for repairs. Paying month-to-month until company has settled with their insurance.
3/3/2014	ACS MACTel cellular	Lease expires; no options remain - The new lease has been completed; signing will be done before the end of April.
12/31/2014	Happy Face Restaurant	lease expires; no options remain - Reassignment of lease has been approved. Finalizing new lease with new owners will be complete before the end of April.
11/30/2015	Mike Yourkowski	lease expires; one 10 yr option
2/1/2016	El Pescador	lease expires; no options remain
9/30/2016	USCG - Roanoke Island	lease expires? Not in file
5/1/2017	Pier One Theatre	lease expires
3/31/2018	Sportsman Supply	lease expires; no options remain
3/31/2018	AK High Hopes-Bob's Trophy Charters	lease expires; no options remain
12/1/2018	Harbor Enterprise - 30 Acres	lease expires; no options remain
3/31/2020	Fish Factory	lease expires; two 10 yr options
4/15/2022	Kachemak Bay Seafoods - Sullivan	lease expires; two 2.5 year options remain
9/30/2022	USCG-Pioneer Dock	lease expires; no options remain
11/15/2022	Southcentral Radar	lease expires; two 5 yr options
4/30/2023	Fortune Sea	Lease expires; no options
9/30/2023	USCG-Lot #20 by PD	lease expires; no options remain
10/15/2024	Kachemak Bay Seafoods - Sullivan	lease expires; one 2.5 year options remain

1/31/2026	Salty Dawg	lease expires; no options remain
12/21/2026	Homer Spit Campground	lease expires; two 3 yr options
4/15/2027	Kachemak Bay Seafoods - Sullivan	lease expires; no options remain
3/31/2028	Harbor Leasing LLC	lease expires; two 5 yr options
9/14/2029	Icicle Seafoods	lease expires; no options remain
11/1/2029	Homer Enterprise - Sport Shed	lease expires; two 5 year options remain
5/31/2030	Seldovia Village Tribe	Lease Expires, two 5 year options
7/31/2033	Alaska Custom Seafoods	lease expires; two 5 yr options remain
7/31/2038	Alaska Custom Seafoods	lease expires; one 5 yr option remain
7/31/2043	Alaska Custom Seafoods	lease expires; no options remain
4/30/2060	AK Marine Highway	lease expires

## Melissa Jacobsen

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**From:** Jo Johnson  
**Sent:** Thursday, March 13, 2014 2:48 PM  
**To:** Melissa Jacobsen; Renee Krause; Julie Engebretsen; Katie Koester; Rick Abboud  
**Cc:** Ann Dixon; Bryan Hawkins  
**Subject:** FW: Open Meetings and Advisory Commissions

Please include this email from City Attorney Klinkner in your next board and commission packets.

*Jo Johnson*, MMC  
City Clerk

City of Homer  
491 E. Pioneer Avenue  
Homer, Alaska 99603  
907-235-3130  
[jjohnson@ci.homer.ak.us](mailto:jjohnson@ci.homer.ak.us)

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**From:** Thomas Klinkner [mailto:tklinkner@BHB.com]  
**Sent:** Tuesday, March 11, 2014 2:32 PM  
**To:** Jo Johnson  
**Cc:** Walt Wrede; Holly Wells  
**Subject:** Open Meetings and Advisory Commissions

Jo,

At last night's Council meeting a Parks and Recreation Advisory Board member asked how the Open Meetings Act applied to City boards and commissions whose functions are solely advisory. The board member who spoke to me asked whether he was correct in believing that as few as two members of that Commission could constitute a meeting subject to the Open Meetings Act. The answer to that question is that he correctly stated the law before a 2009 amendment to the Open Meetings Act, but since that amendment more than three members or a majority of the members, whichever is less, also must be present to constitute a meeting of an advisory body under the Open Meetings Act. The purpose of this message is to provide the answer to this question in a form that can be shared with members of all such boards and commissions.

AS 44.62.310(h)(2) contains two alternative definitions of the term "meeting" for the purpose of the requirement that all meetings of a governmental body of a public entity must be open to the public:

(2) "meeting" means a gathering of members of a governmental body when

(A) more than three members or a majority of the members, whichever is less, are present, ***a matter upon which the governmental body is empowered to act is considered by the members collectively,***

and the governmental body has the authority to establish policies or make decisions for a public entity;  
**or**  
(B) more than three members or a majority of the members, whichever is less, are present, ***the gathering is prearranged for the purpose of considering a matter upon which the governmental body is empowered to act***, and the governmental body has only authority to advise or make recommendations for a public entity but has no authority to establish policies or make decisions for the public entity;

Separate definitions of “meeting” apply to (i) a body that has the authority to establish policies or make decisions (such as the Council or the Planning Commission), and (ii) a body that has only authority to advise or make recommendations (such as the Parks and Recreation Advisory Commission). In each case the number of members who must be present to constitute a meeting (more than three or a majority, whichever is less) is the same. The “more than three members or a majority of the members” language only was added to the definition of a meeting of an advisory body in 2009. Before that amendment, a gathering of as few as two members of an advisory body could constitute a meeting subject to the Open Meetings Act.

Since the 2009 amendment, the only distinction between the two definitions of “meeting” is in the formality of the gathering that is required. The necessary number of members constitutes a meeting of a body that has the authority to establish policies or make decisions whenever the members consider collectively a matter upon which the body is empowered to act, regardless of the formality with which the gathering is convened. In contrast, the necessary number of members constitutes a meeting of a body that has only authority to advise or make recommendations when ***the gathering is prearranged for the purpose of considering a matter upon which the body is empowered to act***. Thus, a gathering of members of an advisory body is not a meeting unless the gathering is prearranged. A spontaneous encounter among members of the body, regardless of what the members may consider, is not a meeting subject to the Open Meetings Act.

Let me know if you have any questions.

**Thomas F. Klinkner** | Birch Horton Bittner & Cherot  
1127 W 7th Avenue | Anchorage, AK 99501  
Tel: (907) 276-1550 | Fax: (907) 276-3680  
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2014 Homer City Council Meetings  
Port & Harbor Advisory Commission Attendance

It is a goal of the Commission to have a member speak regularly to the City Council at council meetings. There is a special place on the council's agenda specifically for this. After the Council approves the consent agenda, there is a spot for visitors, and then agenda item number seven, announcements, reports from Commissions, the Borough, etc. That is when you would jump up and speak. If the mayor moves on to public hearings, you have waited too long! Typically if there is no visitor or special presentation, you would be talking within the first half hour (or less) of the Council meeting. The Regular meeting start time is 6:00 p.m.

Each commissioner is assigned a month and is responsible for attending one of the two council meetings, ***OR finding another commissioner to do it in their place*** if they will not be attending the meeting.

<u>Meeting Date</u>	<u>Commissioner</u>
January 13, 27	<u>Ulmer</u>
February 10, 24	<u>Stockburger</u>
March 10, 24	<u>Zimmerman</u>
April 14, 28	<u>Hartley</u>
May 12, 27 (Tuesday)	<u>Zimmerman</u>
June 9, 23	<u>Ulmer</u>
July 28	<u>Carroll</u>
August 11, 25	<u>Howard</u>
September 8, 22	<u>Howard</u>
October 13, 27	<u>Hartley</u>
November 24	<u>Donich</u>
December 8	<u>Stockburger</u>

Budget is given to department heads in July, August to return to city manager for first presentation to council on September.

Budget related council meetings, check schedule at that time: October, November, December

The regular December meeting is when the Budget is finally approved by City Council.

Any Special Meetings are usually schedule the first Monday of the month.

