

Session 20-02, a Regular Meeting of the Parks, Art, Recreation and Culture Advisory Commission was called to order by Chair David Lewis at 5:38 p.m. on February 18, 2021 via Zoom Webinar from the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska. Due to connections issues the meeting start time was delayed.

**PRESENT:** COMMISSIONERS ARCHIBALD, LEWIS, ROEDL, LOWNEY, HARRALD, GALBRAITH, AND STUDENT REPRESENTATIVE BLANTON-YOURKOWSKI

**ABSENT:** COMMISSIONER FAIR (EXCUSED)

**STAFF:** PARKS SUPERINTENDENT STEFFY  
COMMUNITY RECREATION MANAGER ILLG  
DEPUTY CITY CLERK KRAUSE  
PUBLIC WORKS DIRECTOR KEISER  
PORT DIRECTOR/HARBORMASTER HAWKINS

The Commission held a scheduled worksession on February 4, 2021 at 5:30 p.m. On the agenda were discussions on public restrooms and personal watercraft usage.

#### **AGENDA APPROVAL**

Chair Lewis requested a motion to approve the agenda.

ARCHIBALD/ROEDL MOVED TO APPROVE THE AGENDA.

There was no discussion.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT.

Motion carried.

#### **PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA**

Penelope Hass, Kachemak Bay Conservation Society, referenced the materials that she has forwarded to the Commission in regards to the Personal Watercraft. She noted that there were not that many people in the audience attending the meeting but that she knew there were a lot of members of the public who would like to weigh in on this particular issue. Ms. Haas stated that they collected 800 signatures of people who live in Homer who were really opposed to ban reversal and she was pretty sure that those same 800 people have concerns about what will happen around the city tidelands. She expressed that the fact of the matter is that data shows that personal watercraft are a distinct danger and threat to other users not just wildlife

because of the way they are used on average they hit people and push animals out of their homes. DNR is onboard to support the education component of the proposed ordinance. They realize that there is limited funding with the city to manage Personal Watercraft and so the logical thing would be to close the waters to these things. Otherwise the city is going to have problems and since they own the tidelands it would be their responsibility to keep the public safe at all times. She further encouraged the Commission to forward the Ordinance to the City Council as a lot of people want to weigh in on this subject and that is the appropriate place.

Tom Zitzmann, city resident, spoke about the impact of vehicles on the beach, regarding the beach policy in relation to the critical habitat and the degradation of the intertidal zone at Bishop's Beach in particular. He expressed his concerns regarding the protection of this critical web of the ecosystem. He was not sure who would have jurisdiction over the tidal flats and the beach, it may not be within the city's purview or control but it is important to the public to know who is able to provide oversight, guidance and control the vehicular traffic. Mr. Zitzmann opined that prohibiting vehicles all year would be a mistake but the problem is the racing and high rates of speed driving on the mud flats and critical habitat areas by the summer traffic. There is no policy or statement with regard to the traffic or rate of speed. This also applies to ATV's and motorcycles on the beach and you rarely see an ATV unless they are gathering coal now. He advocated for the Commission to consider restricting vehicles and how they use them on the beach in the summer months when they were deliberating the Beach Policy.

Patricia Cue, non-resident, commented that she wanted to reiterate what Ms. Haas stated previously and move the proposed ordinance to City Council she further encourage the Commission to limit the launching of personal watercraft from Bishop's Beach and other areas that are critical habitat areas for bird nesting and wildlife. She further noted the large number of people that are walking and viewing the wildlife too. Ms. Cue stated that the origination of the Beach Policy was erosion that was occurring due to the vehicular traffic in some areas of Bishop's Beach and Beluga Slough. She continued by saying that vehicles promote erosion and more and more vehicles that drive upland will increase the erosion. She does not live in the city limits any longer and hope that they do not discount her comments or observations since she is not a city resident, there are many people who have lived here over the years and have made contributions to the Community through a variety of arenas and we have historical observations that she believed provided some benefit to this process and that they utilize city services and businesses so please do not discount their observations or testimony.

## **VISITORS/PRESENTATIONS**

## **RECONSIDERATION**

**CONSENT AGENDA** All items on the consent agenda are considered routine and non-controversial by the Parks Art Recreation & Culture Advisory Commission and are approved in

one motion. There will be no separate discussion of these items unless requested by a Commissioner or someone from the public, in which case the item will be moved to the regular agenda and considered in normal sequence.

- A. Minutes for the Special Meeting on January 21, 2021 - Laydown
- B. Memorandum from City Clerk re: Advisory Body Reports to City Council
- C. Memorandum from Deputy City Clerk re: Letter to the Editor

Chair Lewis introduced the the items listed on the Consent Agenda and requested a motion to approve.

Deputy City Clerk Krause called a point of order noting that the minutes were not provided as a laydown so an amendment is required.

Commissioner Archibald requested further clarification.

Deputy City Clerk Krause explained that she was unable to complete the minutes timely to provide as a laydown for the meeting so the Consent Agenda needed to be amended.

Chair Lewis called for a motion to amend the Consent Agenda.

ARCHIBALD/LOWNEY MOVED TO APPROVE THE CONSENT AGENDA MINUS ITEM A MINUTES FOR THE JANUARY 21<sup>ST</sup> MEETING.

There was no further discussion.

VOTE. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

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

- A. Public Works Director Report - Jan Keiser

Chair Lewis invited Public Works Director Keiser to provide her report to the Commission.

Public Works Director Keiser reported on the following:

- Items on the agenda at the February Council meeting
- Working on budget priorities for the FY22/23 biennial budget
- Using the CARMA fund to fund improvements at Karen Hornaday Park

- Requesting funding to dredge the Mariner Slough area

B. Community Recreation Report - Mike Illg, Recreation Manager

Chair Lewis invited Recreation Manager Illg to provide his report to the Commission.

Recreation Manager Illg provided a written report for the packet and highlighted the following items:

- HERC is open to the Public on a reservation only basis, it is working quite well, and the public is very happy.
- He will be requesting additional staffing again in his budget even though they are not operating as they normally would since this will be a two year budget.
- He has been assisting in the local vaccination clinics and the venue will be changing from the Church on Bartlett Street to the High School.
- They are hoping to have a soft opening launch for the reservation and online payment software by mid-March.

Recreation Manager Illg responded to questions regarding the status of the gym roof repairs noting that a temporary repair was completed as the cost to replace the roof is \$8 million dollars and the Borough Mayor has recommended a phased approach to the repair. He does not have any details on the plan but as long as it is not raining, there are no leaks. The gym is currently being used.

C. Parks Report - Parks Superintendent Steffy

Chair Lewis invited Parks Superintendent Steffy to provide his report.

Parks Superintendent Steffy noted that he provided a written report in the packet and provided highlights on the following:

- The restroom at Karen Hornaday Park was demolished. Portal toilets will be provided for the public use until a new facility is constructed.
- The concession shack is also gone, the new restroom facility is proposed to have concession space.
- A flood light has been installed in the park to provide increased visibility.
- Successful ongoing vaccination clinic participation.
- Special Use Camping Policy that was implemented last season by City Council and requesting input on that regarding whether they should request variance on the fee schedule, which is later on the agenda.
- The Parks is not going to pursue a Task Force but work with organizations on homelessness.

Parks Superintendent Steffy addressed questions from the Commissioners regarding use of Karen Hornaday Park for the Special Use Camping program and how they implemented it last year.

Chair Lewis noted that the Special Use Camping will be discussed later on the agenda.

## **PUBLIC HEARING**

### **PENDING BUSINESS**

- A. Discussion on Personal Watercraft Use
  - Boundary Lines and Enforcement
  - Jurisdiction on the Water but within City Limits
  - Priorities for Sensitive Areas, Beaches and Harbor Entrance
  - Review of regulations imposed by other Communities
  - Existing Regulations that Apply to Personal Watercraft
  - Review and Recommendation on the Draft Ordinance Submitted by KBSC

Chair Lewis introduced the item by reading of the title.

Commissioner Archibald declared that he has a conflict since he was involved in the writing the proposed ordinance.

Chair Lewis requested a motion.

LOWNEY/ROEDL MOVED THAT COMMISSIONER ARCHIBALD HAS A CONFLICT.

There was a brief discussion.

VOTE. NO. LOWNEY, ROEDL, HARRALD, GALBRAITH, LEWIS.

Motion failed.

Chair Lewis opened the floor to discussion.

Recreation Manager Illg requested clarification citing that at the previous worksession the Commission determined that they should forward motions to the city Manager for review by the city attorney. He believed that they were going to wait until they received a response from the city attorney before further discussion.

Port Director Hawkins reported that the City Manager did forward to the City Attorney but they have not been able to carve out time to review it as yet. The City Manager wanted to the

commission to be aware of that it is on the list but they just haven't had time to address it before this meeting.

Chair Lewis recommended that the Commission should make a policy that personal watercraft have to be launched at the harbor and cannot be launched from beaches or any place else, just like regular boats.

Commissioner Archibald noted that was stated in the proposed language of that ordinance and he would support that recommendation.

LOWNEY/HARRALD MOVED TO RECOMMEND THAT PERSONAL WATERCRAFT BE LAUNCHED FROM THE HARBOR ONLY.

ARCHIBALD/LOWNEY MOVED TO AMEND THE MOTION TO DESIGNATE THE LOAD AND LAUNCH RAMP.

Discussion ensued on clarifying that personal watercraft should only be launched and or retrieved from the Load and Launch Ramp in the Harbor and if they should also include land such as landing on the beach for a respite as an example. It was determined that landing could be addressed in the recommendations.

LOWNEY/MOVED TO AMEND THE MOTION TO DESIGNATE THE LOAD AND LAUNCH RAMP FOR LAUNCHING AND RETRIEVING OF PERSONAL WATERCRAFT.

Discussion ensued on the language in the amendment should be clear that personal watercraft are to be launched or retrieved from the Load and Launch Ramp in the Harbor.

VOTE. (Amendment) NON-OBJECTION. UNANIMOUS CONSENT.

Motion passed.

Chair Lewis asked for any further discussion on the main motion as amended.

VOTE. (Main) NON-OBJECTION. UNANIMOUS CONSENT.

Motion passed.

There was a brief discussion on submitting all recommendations regarding personal watercraft forwarded to the Port & Harbor Advisory Commission for them to review at their next meeting. It was determined that due to agenda deadlines this would be on the Port &

Harbor Commission's March agenda for review and recommendations. It was noted that advice from the City Attorney may be available by that time.

## **NEW BUSINESS**

### **A. Memorandum from Public Works Director re: Special Use Camping 2021**

Chair Lewis introduced the item and invited Public Works Director Keiser to speak on the topic.

Public Works Director Keiser reported that Parks Superintendent Steffy actually co-authored the memorandum and requested that he take the lead giving the briefing.

Parks Superintendent Steffy provided information on the intent to implement some controls this year, working with a camp host, providing some privacy but still maintaining oversight. He then provided some historical background on the issues experience with the transient populations and what is allowed or required by law and what was done previously.

Public Works Director Keiser reported that a recommendation of forming a task force is not really necessary and the City Manager is reluctant to form a city task force but if they can get the conversation on the table. She noted the issues they experienced last year by parks staff becoming social workers and they would like to work with local resources to get support.

Further discussion ensued on reaching out to various persons and organizations that can provide the necessary resources and take the lead to schedule meetings, etc. with a representative of the city sitting in on those meetings, including and establishing a fund or account with the Homer Foundation, effects on the camp host dealing with the variables of because of homelessness.

Commissioner Harrald reported that there is already a Homeless Coalition that deals with this issue and many of the organizations that were mentioned prior are involved and suggested that the Coalition could take charge of some of the issues instead of the Camp Host dealing with them, such as the Food Pantry or the Salvation Army.

Commissioner Lowney commented on the discussions over the last few months being conducted on the Facebook pages regarding where people can camp and expressed concern regarding camping gear and personal items being abandoned at the parks and sometimes on private property and having to deal with it all and that there should be a process to retrieve it or deal with it so it doesn't become someone else's trash.

Commissioner Archibald expressed concerns on having a high concentration of homeless people at Karen Hornaday Park since there were several ballfields, the playground and then regular campers and if they don't want them spread out to other campgrounds. He also inquired how many campsites that would be allocated to the Special Use camping program. He noted the use of the park by children.

Parks Superintendent Steffy responded that due to the decrease in the use by visitors camping and such things as ball games it was determined that use of the campgrounds was better than no use. He then proceeded to described the process and reporting that was undertaken in the 2020 Camping Season. He responded to concerns regarding the possibility of sex offenders and having them located near a heavily used playground.

Further discussion between staff and commissioners ensued on the following:

- Background checks versus inquiries of previous experience within the community
- Valid searches of official registries
- Homeless Coalition involvement and partnership with the city to engage with indigent campers
- Trying to not compromise the beauty of Karen Hornaday Park and selectively placing the campsites used and available for the Special Camping program
- Continuous improvements to clean up and mitigation measures for open but semi private campsite
- Waiving the camping fees will require Council approval will need to be approved for through June 30th then for the next fiscal year. This will be affecting approximately 10-15 campsites and approximately \$30,000 in revenue loss.

Parks Superintendent Steffy requested a motion of support for the Special Use Camping.

HARRALD/LOWNEY – MOVED THAT THE PARKS ART RECREATION & CULTURE ADVISORY COMMISSION SUPPORTS CONTINUING THE SPECIAL USE CAMPING PROGRAM FOR THE 2021 CAMPING SEASON.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

#### B. Beach Policy Review

Chair Lewis introduced the item by reading of the title and requested any amendments to the policy that would relate to the use of personal watercraft, noting the recommendations



previously made under that topic earlier in the agenda. He opened the floor to discussion. Seeing no hands raised to comment, Chair Lewis then opened discussion by offering the following amendment for consideration:

No personal watercraft allowed on city beaches.

Discussion was facilitated between staff and Commissioners on the following:

Banning Personal Watercraft from city beaches

Defining exactly where city limits were to the right of the Bishops Beach Access

Applying the same methods used to control vehicles on Mariner Beach to Bishops Beach

Clarification with the City Attorney if they can block vehicle access west of Bishops Beach Access March 1 to September 30th

Previous complaints from property owners regarding the vehicles, parties, and trash on the beach

Difficulties in enforcing no vehicle access past West Hill, but maybe limiting it to a road bed and keep vehicles from the mud flats

Recommended prohibition of landing motorized watercraft on beaches within city limits

LOWNEY/ARCHIBALD – MOVED THAT MOTORIZED WATERCRAFT ARE PROHIBITED FROM BEING LAUNCHED, LANDED OR RETRIEVED FROM ANY CITY BEACH WITH THE EXCEPTION OF OFFICIAL BUSINESS USE.

Discussion ensued on the language being used is appropriate but allowing emergency responders, Coast Guard, etc. to be able to access the beaches as needed. IT was noted that there was existing language that could be used.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Recreation Manager Illg pointed out the following:

Typographical error on page 16, item 3 title, should read, "...for all Homer Beaches."

Budget \$500 per year for sign repair, updating and replacement, Item B on page 17

Develop and distribute brochures with a coordinated public relations campaign

Budget \$500 per year for advertising the beach rules and etiquette , Item E on page 17

To discourage the use of driftwood maybe we should issue an RFP or something similar

Recreation Manager Illg wanted to make sure that the staff and commission are following the recommendations outlined in the policy regarding public education and information. He can work with Parks Superintendent Steffy on developing a brochure if they do not have one.

Parks Superintendent Steffy reported on previous attempts with regard to supplying firewood and the lack of success. He recommended a vending machine style firewood supply with a money drop box or swipe machine that the customer then takes product. He then provided an example of the bike rentals that they had last year which was a success. He then noted that they would like to allow third party operations in the city parks which are currently not allowed but with expectations of a percentage of revenue being paid to the city as the rental or lease fee.

Commissioner Lowney requested the commission to address the beach clean-up through establishing a day or supplies such as bags and promoting or building energy within the community for beach clean-up. She then requested reviewing and analyzing the beach access points to determine if they are feasible as an access point to the beach. Commissioner Lowney suggested that they may even want to vacate those access points due to the proximity to private property, steepness of the access, etc.

Commissioner Archibald supported the statements made by Commissioner Lowney and then commented on the proposed easement on page 23 of the packet and noted that there is a berm that is walkable but access is difficult when the tide comes in and a person could get stuck in that area of Louie's Lagoon, but it should be pursued by the Commission.

Parks Superintendent Steffy continued reporting on the idea to allow mobile food vendors in city parks which is currently prohibited and will be bringing forward for further discussion.

Public Works Director Keiser reported that she has noticed that one item that she believes is very important is maintaining natural flow of tidal waters where appropriate and in review of the policy this is not addressed. She the reported being asked by several people regarding dredging work to open up the Mariner Beach slough and Beluga Slough areas. She recommended adding on page 18 a section that addressed the requirement to perform dredging efforts to maintain the natural tidal flow into the inland area.

Chair Lewis requested a motion to make that recommendation.

Commissioner Archibald commented on the verbiage used in a motion, since it was natural tidal efforts that closed off those waterways and why those channels must be maintained and opened mechanically.

Parks Superintendent Steffy recommended contacting the Kachemak Bay Research Reserve to get some technical specifications in order to make informed decisions on recreational and ecological function of the two areas.

Commissioner Archibald noted that there is a private property owner that dredges their property and it may be a good idea to contact them to see how often they perform dredging.

Parks Superintendent Steffy noted that he would like to get the information to properly manage those openings before implementing more prescriptive language.

Chair Lewis turned the gavel over to Vice Chair Archibald noting he needed to depart the meeting for a few minutes.

Vice Chair Archibald requested additional recommendations. Hearing none from the Commission he stated that he would like to address motorcycles/dirt bikes, loud vehicles and unlicensed vehicles on the beach. He noted that they spoke about prohibiting unlicensed vehicles on the beach it would prohibit the use of dirt bikes on the beach.

Parks Superintendent Steffy recalled a previous conversation, during the last Beach Policy review, with Chief Robl indicating that laws of the road apply to the beach so if someone was on the beach spinning “brodies” that would be considered reckless driving and they could be cited. But he then noted that he recalled reading that if you are not operating a vehicle on a state maintained road there were some exceptions, so he would need to get some clarification on that issue. He then noted that if they are having issues again then they need to encourage reporting of incidents to the Police Department.

Further discussion made points on enforcement issues and staff resources and creating or marking a dedicated road bed and installation of signage to ensure that vehicles stay out of the mud flats.

The item was requested to be on the March agenda for further review to discuss beach access and recommending that the Commissioners visit the accesses shown so that they can see if there are any that could be developed better so that Bishop’s Beach does not get too crowded. It was suggested that the commissioners visit the beach easement behind the property with all the derelict vessels also before the next meeting.

Recreation Manager Illg suggested that the Commission schedule a worksession since they are representatives to the Homer Community and some of them have no idea where these access locations are collectively.

Chair Lewis stated that they could schedule worksessions in April when the weather is better.

Parks Superintendent Steffy noted that they can schedule the Spring Park Walk Through.

Deputy City Clerk Krause confirmed with the Commission that a worksession will be scheduled prior to the April regular meeting.

### **INFORMATIONAL MATERIALS**

- A. 2021 Commission Annual Calendar
- B. 2021 Commissioner Attendance at City Council Meetings

Chair Lewis requested a volunteer to speak at the upcoming Council meeting.

Public Works Director Keiser noted that there will be an ordinance introduced requesting funding for ADA improvements on Main Street project for the Bayview Park.

Commissioner Archibald volunteered to report and Commissioner Roedl offered to submit written comment to the City Council.

Public Works Director Keiser will provide talking points to the Clerk to forward to Commissioners.

- C. City Manager's Report from February 8, 2021 City Council Meeting

### **COMMENTS OF THE AUDIENCE**

#### **COMMENTS OF THE CITY STAFF**

Parks Superintendent Steffy commented that it was a great meeting, he appreciated the input from the Commission and was able to refocus on parks and camping is just right around the corner if it would just stop snowing.

Recreation Manager Illg commented that this commission was his favorite, he provided a shout out to Matt and Jan and all the work they do and the City Manager as he is very supportive of Parks and Recreation and we are very fortunate to have him in a leadership role. Great things all coming and this Commission will be a part of it.

Public Works Director Keiser commented it was a great meeting.

#### **COMMENTS OF THE COMMISSION**

Commissioner Harrauld commented that it was a good meeting apologized for being quiet tonight but she had a headache. She expressed appreciation for the work of the others.

Commissioner Galbraith thanked Robert for attending Council meeting and acknowledged that he needs to volunteer to attend a upcoming council meeting. It was a good meeting.

Commissioner Roedl thanked everyone and it was a good meeting and he will be writing a letter tonight.

Commissioner Archibald expressed similar sentiments on getting so much done and appreciated the efforts of staff.

### **COMMENTS OF THE CHAIR**

Chair Lewis noted that this was fun as usual and adjourned the meeting.

### **ADJOURNMENT**

There being no further business to come before the Commission the meeting adjourned at 7:40 p.m. The next regular meeting is scheduled via Zoom on Thursday, March 18, 2021 at 5:30 p.m. at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

*Renée Krause*  
RENEE KRAUSE, MMC, DEPUTY CITY CLERK

Approved: *March 18, 2021*