

Session 22-22 a Regular Meeting of the City Council of Homer, Alaska was called to order on November 14, 2022 by Mayor Ken Castner at 6:00 p.m. at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska, and opened with the Pledge of Allegiance.

PRESENT: COUNCILMEMBERS ADERHOLD, DAVIS, HANSEN, LORD, VENUTI

ABSENT: COUNCILMEMBER ERICKSON (excused)

STAFF: CITY MANAGER DUMOUCHEL
DEPUTY CITY CLERK KRAUSE
FINANCE DIRECTOR WALTON
PUBLIC WORKS DIRECTOR KEISER
FIRE CHIEF KIRKO
DEPUTY FIRE CHIEF KAHLES
NETWORK ADMINISTRATOR SULCZYNSKI
CITY ATTORNEY GATTI

AGENDA APPROVAL (Addition of items to or removing items from the agenda will be by unanimous consent of the Council. HCC 2.08.040.)

Mayor Castner announced the supplemental packet items: **ANNOUNCEMENTS/PRESENTATIONS/REPORTS** Borough Report Kenai Peninsula Borough Solid Waste Department Memorandums re: Central Peninsula Landfill - Landfill Gas to Energy Update and South Peninsula Future Inert Waste Landfill Search **CITY MANAGER'S REPORT** Photo of Attendance on November 9, 2022 Transportation Planning Public meeting at KBC

ADERHOLD/VENUTI MOVED TO APPROVE THE AGENDA.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

MAYORAL PROCLAMATIONS AND RECOGNITIONS

PUBLIC COMMENT ON MATTERS ALREADY ON THE AGENDA

Pat Case, city resident, expressed his sincere apology for the harshness of his words at the last meeting towards the City Attorney.

Deb Lowney, city resident, expressed her support of Ordinance 22-77 regarding the HART funds for the Kachemak Bay Conservation Society and Ordinance 22-78 in reference to the design of parking improvements on the Spit.

RECONSIDERATION

CONSENT AGENDA (Items listed below will be enacted by one motion. If a separate discussion is desired on an item, that item may be removed from the Consent Agenda and placed on the Regular Meeting Agenda at the request of a Councilmember.)

- a. Homer City Council Unapproved Regular Meeting Minutes of October 24, 2022. City Clerk. Recommend approval.

- b. Memorandum 22-188 from City Clerk Re: Liquor License Renewal for American Legion Post 16. Recommend adoption.
- c. Memorandum 22-189 from Mayor Re: Appointment of Gordon Pitzman to the Economic Development Advisory Commission. Recommend approval.
- d. Ordinance 22-74, An Ordinance of the City Council of Homer, Alaska, Amending the FY23 Capital Budget by Appropriating \$7,400 from the Port Reserve Fund to Repair and Replace the City Ice Plant's Ammonia Lines and Valves and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents to Contract with Alaska Industrial Services for the Repair. City Manager/Port Director. Recommended dates Introduction November 14, 2022 Public Hearing and Second Reading November 28, 2022.

Memorandum 22-192 from Port Director/Harbormaster as backup.

- e. Ordinance 22-75, An Ordinance of the City Council of Homer, Alaska, Amending the FY23 Capital Budget by Accepting and Appropriating a Matching Grant from the State of Alaska Municipal Harbor Grant Program in the Amount of \$366,000 for the Harbor Basin Cathodic Protection Project and Appropriating an Additional \$174,050.90 from the Port Reserve Fund to fulfill the City's 50% Match Requirement. City Manager/Port Director. Recommended dates Introduction November 14, 2022 Public Hearing and Second Reading November 28, 2022.

Memorandum 22-193 from Port Director/Harbormaster as backup.

- f. Ordinance 22-76, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating an FY22 State Homeland Security Grant in the Amount of \$43,702.43 from the Alaska Division of Homeland Security & Emergency Management (DHS&EM) to Upgrade the City's Radio Communication System, Authorizing a Sole Source Request to Contract with ProComm Alaska and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager. Recommended dates Introduction November 14, 2022 Public Hearing and Second Reading November 28, 2022.

Memorandum 22-194 from Police Chief as backup.

- g. Ordinance 22-77, An Ordinance of the City Council of Homer, Alaska, Amending the FY23 Capital Budget by Appropriating \$25,000 from the Homer Accelerated Roads and Trails (HART) Road Fund for an On-Call Services Contract with the Kachemak Bay Conservation Society and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Public Works Director. Recommended dates Introduction November 14, 2022 Public Hearing and Second Reading November 28, 2022.

Memorandum 22-195 from Public Works Director as backup.

- h. Ordinance 22-78, An Ordinance of the City Council of Homer, Alaska, Amending the FY23 Capital Budget by Appropriating \$49,690 from the Port and Harbor Reserves for the Design of Parking Improvements to the Parking Lots at the Boathouse Pavilion, Seafarer's Memorial, and Harbor Ramps Three and Four and Authorizing the a Task Order to HDL Engineering to Complete the Work. City Manager/Port Director. Recommended dates Introduction November 14, 2022 Public Hearing and Second Reading November 28, 2022.

Memorandum 22-196 from Port Director/Harbormaster as backup.

- i. Ordinance 22-80, An Ordinance of the City Council of Homer, Alaska, Amending the FY23 Capital Budget by Appropriating \$271,517 from the Sewer Capital Asset Repair and Maintenance Fund for the Rehabilitation of the Electrical Control Works for the City's Sewage Lift Stations. City Manager/Public Works Director. Recommended dates Introduction November 14, 2022 Public Hearing and Second Reading November 28, 2022.

Memorandum 22-198 from Public Works Director as backup.

- j. Ordinance 22-81, An Ordinance of the City Council of Homer, Alaska, Amending the FY23 Capital Budget by Accepting and Appropriating a Reimbursable Code Blue Grant in the Amount of \$55,000 and Appropriating an Amount not to exceed \$300,000 from the General Fund Fleet Capital Asset Repair and Maintenance (CARMA) Fund for the Purchase of an Ambulance. City Manager/Fire Chief. Recommended dates Introduction November 14, 2022 Public Hearing and Second Reading November 28, 2022.

Memorandum 22-199 from City Manager as backup.

- k. Ordinance 22-82, An Ordinance of the City Council of Homer, Alaska, Amending the FY23 Operating Budget by Appropriating \$652,500 from the General Fund Unassigned Fund Balance to Fund Two Full-Time Firefighter/EMT Positions through the end of FY25. City Manager. Recommended dates Introduction November 14, 2022 Public Hearing and Second Reading November 28, 2022.

Memorandum 22-199 from City Manager as backup.

- l. Resolution 22-083, A Resolution of the City Council of Homer, Alaska Approving a Lobbyist Contract with J&H Consulting, LLC of Juneau, Alaska for a Term of One Year Commencing on December 15, 2022 and Ending December 15, 2023 in the Amount of \$42,000 and Authorizing the City Manager to Negotiate and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Recommend adoption.

Memorandum 22-200 from City Manager as backup.

- m. Resolution 22-084, A Resolution of the City Council of Homer, Alaska Approving a Lease Assignment from Kachemak Corporation, DBA Bob's Trophy Charters; Approving Amendments to the Assigned Lease Under Sections 6.01 Use of Property, 6.02 Required Improvements, and 14.04 Address for Notices; and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents for the Continuation of the Current Twenty Year Lease with Options for Two Consecutive Five Year Renewals at an Initial Annual Base Rent of \$7,026.60 for Tract 1-B, Fishing Hole Subdivision No. 2. City Manager. Recommend adoption.

Memorandum 22-201 from Deputy City Clerk as backup.

Item l. moved to Resolutions item a. by Councilmember Davis

ADERHOLD/VENUTI MOVED TO ADOPT THE RECOMMENDATIONS OF THE CONSENT AGENDA AS READ.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

VISITORS

- a. South Peninsula Hospital Annual Report - Derotha Ferraro, South Peninsula Hospital Public Information Officer and Angela Hennigan, Chief Operating Officer standing in for Ryan Smith.

Ms. Hennigan and Ms. Ferraro presented the annual report which included the growth of South Peninsula Hospital and services provided to the Southern Kenai Peninsula, reviewed charts on hospital finances, information on how the hospital rated against Central Peninsula Hospital and Providence Hospital in Anchorage; cost comparisons, and the additions, changes made to members of the medical staff.

- b. Pratt Museum Annual Report - Jennifer Gibbins, Executive Director and Karin Marks, Economic Development Advisory Commission Chair and Representative Liaison to Kenai Peninsula Economic Development District

Ms. Gibbins, Executive Director reported to Council on the historical use of the museum, challenges over the recent years, impacts from COVID, federal funding received and other funding provided by Community members, organizations and the City has made their service to the community possible. She noted that this funding provides for the overhead support needed to operate and seek additional outside funding, host exhibits, partnering with local organizations; lending space and equipment to facilitate other organizations missions. The museum rebranded themselves to include Park in their title, to encourage outdoor programing on their property; contain and build new partnerships; worked with Pier One to produce Sherwood; recently received grants helping the museum get new memberships and an EDA planning grant to be used for a robust planning process for the future of the Pratt.

Karin Marks, reported how the Kenai Peninsula Economic Development District (KPEDD) assisted the Pratt in receiving the grant, and advised that KPEDD was an excellent source for grants, for all non-profits which includes local governments. She then briefly promoted the Downtown Revitalization Project and encouraged local organizations to contact KPEDD for further information.

- c. Homer Chamber of Commerce Annual Report - Brad Anderson, Executive Director and Tom Sunderholm, Board President

Mr. Anderson and Mr. Sunderholm presented information on Chamber programs, website and program changes and events for 2022 and highlighted some upcoming planned events for the 2022 – 2023 winter season, and finalizing the Chamber of Commerce Strategic Plan.¹

ANNOUNCEMENTS / PRESENTATIONS / REPORTS (5 Minute limit per report)

¹ Presentation submitted was incorrect. Correct Presentation submitted after the meeting and uploaded to the meeting webpage.

a. Committee of the Whole Report

Council Member Aderhold reported Council discussed the following:

- Ordinance 22-78
 - Recommended including dedication of parking revenue as referenced on Line 25 within the ordinance to counter the expense.
 - Expressed concerns for visitors to the Spit occupying “free” parking in front of boardwalks and businesses before use of the “fee” parking.
- Ordinance 22- 80
 - Memorandum 22-198 states the purpose is to award sole source contract but that is not reflected within whereas’ of the ordinance.
- Ordinances 22-81 & 22-82
 - Accepting a grant and funding remaining balance to replace aging ambulance
 - Funding two additional FTE EMT/Firefighter positions

c. Mayor's Report

Mayor Castner reported his activities over the last period consisted of hearing citizen requests and concerns on the state of the city streets and the quick rise in water rates. He then mentioned his concerns on Council appropriating beyond their two year budgetary limits.

d. Borough Report

Borough Assembly Member Lane Chesley reported that Johni Blankenship, Kenai Peninsula Borough Clerk will be leaving at the end of November and taking the position of City Clerk for the City of Soldotna, there will be a Special Election on February 14, 2023 for Borough Mayor, with a runoff election conducted on March 17, 2023 if needed. He referred to the memorandums in the Supplemental Packet commenting on the project to convert methane gas into energy and HEA was awarded an \$884,086 that will get the project to design. The Borough and HEA have been working on this project for a year and it is exciting to move forward. Mr. Chesley then reported on the progress of the Solid Waste Inert Waste Disposal cell has a life expectancy of 6-7 years and the Borough has located a potential 80 acre site and investigative studies will begin to see if this location will be suitable. He reminded Council on the household waste will continue to be trucked up to the Central Landfill for the foreseeable future.

Councilmember Lord expressed her hopes on moving forward with the gas to energy conversion project and hoped that HEA and Borough can make that work. She then commented that the proposed selected location for the Inert Waste location is next to a king salmon stream.

e. Advisory Body Reports

- i. Port & Harbor Advisory Commission

Bruce Friend, Commissioner, reported on his appointment to the Commission and that there are many projects and things going on related to the Harbor, expressed the vital need and benefit for the federal funding for the new harbor and feasibility study. He reported on the support and importance to the Harbor for the approval of the following:

- Ordinance 22-75 - Funding related to the Harbor Basin Cathodic Protection Project which is critical to the protection and investment of the boats that use the harbor.
- Ordinance 22-74 - Funding the repairs necessary for the Ice Plant to correct the deficiencies in the facility that is vital in the commercial fishing industry the Port supports.
- Ordinance 22-78 - Addressing the parking needs but showing a value for the fees charged, working with the private owners and businesses, extending discounts to slip rentals, use of technology to create improvements, and enforcement.

Councilmember Lord expressed her appreciation for Commissioner Friend service on the Commission and providing the report to Council.

ii. Economic Development Advisory Commission

Jay Cherok, Commissioner reported on the activities of the Commission over the previous month as follows:

- Transportation Plan presentation
- Strategic Plan discussion
- Community Housing issues
- Implementation of the Wayfinding and Streetscape Plan
- Learning more about resiliency through diversity and efficiency
 - Planning for a guest speaker to attend a future meeting to speak on energy as it impacts the costs of doing business and living
- Approved the Annual Report which will be presented to Council

iii. Prince William Sound RCAC

A written report was provided in the packet.

PUBLIC HEARING(S)

- a. Ordinance 22-42(S-2), An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Sections 11.04.120, 22.10.050, and 22.10.051 to Specify when New Streets are Required to Provide for Non-Motorized Transportation. Davis/Erickson. Introduction July 25, 2022, Referred to Planning Commission, Parks Art Recreation & Culture Advisory Commission, and Public Works, Public Hearing and Second Reading Postponed to October 10, 2022 Postponed to October 24, 2022, Postponed to November 14, 2022.

Ordinance 22-42(S-3), An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Sections 11.04.120, 22.10.050, and 22.10.051 to Specify when New Streets are Required to Provide for Non-Motorized Transportation. Davis/Erickson.

Memorandum 22-165 from Planning Commission as backup.

Memorandum 22-166 from Parks Art Recreation & Culture Advisory Commission as backup.

Mayor Castner opened the public hearing.

Pat Case, city resident, commented in support of Ordinance 22-42 expressing his appreciation for Council's diligence in getting it correct, the learning experience this has provided him to understand how the process works. Mr. Case emphasized the importance of existing streets needing sidewalks and commented on hearing the joy and excitement in the City Manager's voice when he speaks about the new sidewalks. He then stated that this experience has encouraged him to become involved in another project regarding mobility for the disabled which he will tell Council about later.

Public Works Director Keiser reported on the changes brought forward at the last meeting noting the outstanding questions such as the City Attorney review of the proposed amendments which brings the S-3 document before Council for consideration. This version provides specificity on drainage easements usage for sidewalks based on a case by case basis; removes Beluga Slough area of interest from the 2022 Implementation Plan. She added that there may be a variation as they proceed through the Master Transportation Plan development.

Mayor Castner closed the public hearing.

DAVIS/ VENUTI MOVED TO ADOPT ORDINANCE 22-42(S-2) BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

Mayor Castner requested a motion to substitute.

DAVIS/VENUTI MOVED TO SUBSTITUTE ORDINANCE 22-42(S-3) FOR ORDINANCE 22-42(S-2).

Councilmember Davis recognized the efforts of the Public Works Director.²

Councilmember Lord expressed her concerns on not seeing the amendments presented in the typical strikeouts and bold/underline formatting they usually do to define what exactly was amended and that she would be amenable to adopting the substitute but would have preferred a memoranda outlining the changes. She would appreciate to know the changes made and requested that going forward those changes or memorandum regarding changes are included.

Public Works Director Keiser reported that the City Attorney questioned the language used within the ordinance so the changes were legalistically editorial in nature, rather than a substantive change of intent of the ordinance.

City Attorney Gatti provided the following amendments that he recommended and stated he was not sure why they were not shown:

² There were technical issues regarding sound.

- Line 14, after the word “*bikeways*” deleted language “but with no criteria, enforcement mechanisms or timelines.” Lines 11-14 in Ordinance 22-42(S-3).
- Lines 25-27, after the word “standards” deleted the language, “adopted in the final draft of the Master Transportation Plan currently in process” and then moved this amended whereas to fifth position. Lines 31-32 in Ordinance 22-42 (S-3).
- Lines 29-32, deleted language, “these matters, but the City Council has determined immediate remedial action is in the City’s best interests and editorial adjustments can be made at a later date, if required” and inserted the language after the word “address”, “standards regarding non-motorized transportation in new developments more comprehensively”. This whereas was then moved to fourth position. Lines 27-29 in Ordinance 22-42 (S-3).
- Lines 47-49, a. **Purpose.** The purpose of this section is to enhance public safety, convenience and mobility ~~by ensuring access by~~ **through the development of** non-motorized ~~traffic~~ **transportation routes for access** to places of public assembly ~~to participate in~~ recreational, cultural, civic, educational and ~~essential~~ business activities.
- Lines 55, b. **Non-motorized routes required.** Line 45 in Ordinance 22-42(S-3).
- Line 63 deleted the word “essential” Line 53 in Ordinance 22-42(S-3).
- Line 65, deleted “2022 Trails Work Plan” inserted “City of Homer Non-Motorized Transportation and Trails 2022 Implementation Plan (2022 TIP)” Lines 54-57 in Ordinance 22-42(S-3).
- Lines 67-68, deleted 2022 Trails Work Plan and inserted 2022 TIP. Line 58-59 in Ordinance 22-42(S-3).
- Line 84, deleted the word “essential”. Line 72 in Ordinance 22-42(S-3).
- Line 87, changed the word “road” to “street”. Line 74 in Ordinance 22-42(S-3).
- Lines 106-110, Design/Construction Standards, moved to item e. after Drainage and Utility Easements in Ordinance 22-42(S-3).
- Lines 101-104 Betterments. moved to item f., after Design/Construction Standards in Ordinance 22-42(S-3)
- Lines 96-99 Developer’s Option. Re-identified as item g. in Ordinance 22-42(S-3).
- Line 99, last two words “design manuals” deleted and “standards” inserted in Ordinance 22-42(S-3).
- Lines 115-119, appeals are related to the plat and were deleted.
- Lines 152-153, deleted “to be constructed as part of a subdivision improvement” in Ordinance 22-42(S-3)
- Ordinance 22-42(S-3) Lines 137-140 were restructured, same verbiage was used.

VOTE (substitution): NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

Councilmembers commented on arriving at a very comprehensive solution, expressing their appreciation for the Public Works Director assistance in bringing forward the intent of ordinance to address non-motorized transportation, and those connections, to expressing the frustration of not having tracked changes in the S-3 document but knowing that the City Attorney has thoroughly reviewed those revisions and the Public Works Director has made those changes they would support the passage of the substitute. A further minor correction was noted and the Clerk could address, in the header of the document it should read (S-3) not (S-2).

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- c. Ordinance 22-71, An Ordinance of the City Council of Homer, Alaska, Amending the FY23 Capital Budget by Appropriating \$20,250 From the Port Reserve Fund to Pump, Dispose/Recycle, and Replace the City Ice Plant's Ammonia Stores and Authorizing the City Manager to Execute the Appropriate Documents for a Sole Source Contract with Multifrost. Introduction October 24, 2022 Public Hearing and Second Reading November 14, 2022.

Memorandum 22-180 from Port Director/Harbormaster as backup.

Mayor Castner opened the public hearing. There was no testimony and the public hearing was closed.

ADERHOLD/VENUTI MOVED TO ADOPT ORDINANCE 22-71 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

- d. Ordinance 22-73(S), An Ordinance of the City Council of Homer, Alaska, Amending the FY~~2223~~ Capital Budget to Authorize the Expenditure **by Appropriating** of \$97,860.73 **98,281** from the Sewer CARMA Fund to Fully Fund Repairs of the Broken Clarifier Belt at the Waste Water Treatment Plant. City Manager/Public Works Director. Introduction October 24, 2022 Public Hearing and Second Reading November 14, 2022.

Memorandum 22-183 from Public Works Director as backup.

Mayor Castner opened the public hearing. There was no testimony and the public hearing was closed.

ADERHOLD/VENUTI MOVED TO ADOPT ORDINANCE 22-73(S) BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

There was a brief discussion for clarification that the ordinance in the packet was the substitute since there are tracked changes but the title did not have the (S) to indicate it as the substitute, additionally the figures within the ordinance did not match the title or the memoranda.

Public Works Director Keiser confirmed that she made an error in her calculations and the City Clerk provided the correction.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

ORDINANCE(S)

- a. Ordinance 22-79, An Ordinance of the City Council of Homer, Alaska, Amending the FY23 Capital Budget by Appropriating \$408,073 from the Port Reserves for an Owner's Representative for the New Large Vessel Harbor and Issuing a Task Order to HDR to Provide Owner's Representative Services. City Manager/Port Director. Recommended dates Introduction November 14, 2022 Public Hearing and Second Reading November 28, 2022.

Memorandum 22-197 from Port Director/Harbormaster as backup.

ADERHOLD/VENUTI MOVED TO INTRODUCE ORDINANCE 22-79 BY READING OF TITLE ONLY.

There was discussion on the timeliness of this action, the importance of being able to sending a delegation to Juneau to lobby for this project at a direct invite from the Governor. It was stated that this has been on the horizon for some time and not a project that would be done in-house. The skills, breadth of knowledge and history of the consultant working with the City was recognized. Clarification was provided on the phasing in relation to funding requested.

Port Director Hawkins will provide some further clarification for the next meeting.

Councilmember Aderhold declared that she previously worked for HDR and knew several people proposed to work on this project although it has been some time since she has spoken to anyone.

Mayor Castner declared for the record that Councilmember Aderhold did not have a conflict.

CITY MANAGER'S REPORT

- a. City Manager's Report

City Manager Dumouchel commented regarding the Main Street Sidewalk ribbon cutting ceremony, updated the Council on the alternative ordinance that will come before them after review by the Parks, Art, Recreation and Culture Advisory Commission regarding animal control. He announced that he is working with staff to sketch out a housing event for February or March that will include short term rentals, and housing challenges in Homer. The data gathered can be used for the Comprehensive Plan and Title 21 Zoning Update.

Councilmember Aderhold expressed her appreciation for the housing update and planned event and stressed how diverse perspectives are needed on this subject.

Councilmember Lord inquired when they will have a new timer for Council Chambers and advocated the benefits for the public who comes to speak to them at these meetings.

PENDING BUSINESS

NEW BUSINESS

- a. Memorandum 22-191 from City Clerk re: Selection of Mayor Pro Tempore for 2022/2023.

Mayor Castner asked about seating selections, directing his question to Councilmember Aderhold as the most senior member of Council to start first.

Councilmember Aderhold noted that they need to select the Mayor Pro Tem first as they get first choice then seat selection goes by seniority of members.

Mayor Castner opened the floor for nominations.

VENUTI/LORD MOVED TO APPOINT COUNCILMEMBER ADERHOLD AS MAYOR PRO TEM.

Councilmember Davis nominated Councilmember Lord.

Councilmember Lord declined the nomination.

Mayor Castner hearing no further nominations from the floor called for the vote.

VOTE: NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Seat selection was conducted with Councilmember Aderhold moving to the center seat at the dais.

The remaining Council members elected to stay seated where they were.

RESOLUTIONS

- a. Resolution 22-083, A Resolution of the City Council of Homer, Alaska Approving a Lobbyist Contract with J&H Consulting, LLC of Juneau, Alaska for a Term of One Year Commencing on December 15, 2022 and Ending December 15, 2023 in the Amount of \$42,000 and Authorizing the City Manager to Negotiate and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Recommend adoption.

Memorandum 22-200 from City Manager as backup.

ADERHOLD/VENUTI MOVED TO ADOPT RESOLUTION 22-083 BY READING OF TITLE ONLY.

Councilmember Davis stated his reasons to pull this from the Consent Agenda was based on two things: process that the city issues a Request for Proposals, then keeps renewing contracts without seeing what else is available. He stated that he had no issues with the Consultants performance, expressing appreciation for their results. The second was he spoke with Councilmember Erickson who was unable to attend this meeting, and without characterizing the nature of her concerns, she expressed concerns with the consultant and I would prefer to postpone this matter to allow Councilmember Erickson to speak to those concerns. Councilmember Davis expressed his appreciation to the City Manager for providing the list of meetings that J & H Consulting were able to obtain on behalf of the City. He stated that he would like discussion before making a motion to postpone.

Discussion followed on the forfeiture of investment when changes are made in relationship based partnerships and contracts that the City has; there can be compelling reasons to end those partnerships and contracts and certainly if Council has concerns or criticisms, those could have been brought forward between the end of one

session and the beginning of the next legislative session. Additionally, the City has received positive feedback from staff working with J & H Consulting and there have been positive results in their knowledge, background and established relationships in Juneau. It was stated that there was no reason not to have a multi-year contract issued versus a single year. Council was reminded about the many years that the City did not have a lobbyist as the State of Alaska did not have a capital budget.

Councilmember Lord expressed her support for the Resolution and the performance of J & H Consulting.

Councilmember Aderhold expressed her participation on the selection committee and then reported the previous lobbyist's performance and results that did not compare to what the City receives with J & H Consulting. She stated her support for the resolution.

Councilmember Venuti stated her support for the resolution and expressed appreciation for the manner in which J & H Consulting presented and interacted with the City and did not want to postpone action tonight.

Mayor Castner weighed in with his prior experience lobbying and the broad experience that J & H Consulting offer the City; he agreed with the comments regarding the performance of the past lobbyist expressed by Councilmembers Aderhold and Lord.

Councilmember Davis commented that it appears he would not get four votes so he will not offer a motion to postpone and then stated that he would be voting no on this action, not because he wants to stop it as he thought J & H Consulting did a great job but he wanted to provide a chance for Councilmember Erickson to share her insights as she expressed them to him and she was unable to attend tonight.

Further comments were made regarding the required number of votes needed to pass the resolution putting the deciding vote on Councilmember Hansen.

Councilmember Hansen stated that she would be voting yes on the resolution as she was felt that J & H Consulting did a good job for the City. She further commented that since she was not at the last meeting she wasn't aware of what Councilmember Erickson's concerns were or if she mentioned her concerns at that meeting.

VOTE. YES. HANSEN, ADERHOLD, VENUTI, LORD

VOTE. NO. DAVIS.

Motion carried.

COMMENTS OF THE AUDIENCE

Pat Case, city resident, expressed his appreciation for the work that Council has done and accomplished, stating his support for sidewalks is more than a disability thing but for the safety and benefit of all residents. He announced his intention to joining the Independent Living Center Board of Directors and his first task is a project called Blue Path. Mr. Case provided a brief summary of what the application is about and that it will be a marketing tool for Homer Businesses.

COMMENTS OF THE CITY ATTORNEY

City Attorney Gatti had no comments.

COMMENTS OF THE CITY CLERK

Deputy City Clerk Krause had no comments.

COMMENTS OF THE CITY MANAGER

City Manager Dumouchel had no comments.

COMMENTS OF THE MAYOR

Mayor Castner had no comments.

COMMENTS OF THE CITY COUNCIL

Councilmember Lord thanked Pat Case for showing up and doggedly, intentionally and thoughtfully supporting an issue that he felt so passionate about. It is really that level of commitment and participation that is a huge time suck and it is really appreciated to have that input. She was glad that Council was able to knock this one off his list. Ms. Lord expressed her appreciation for the Volunteer Fire Department attending the Committee of the Whole and regular meeting providing Council with some really important information and heartfelt comments of support. She then expressed her hope that every drives safe during the changing weather and mix of precipitation.

Councilmember Venuti congratulated Mr. Case on his new board position and believed he will do well in his new position. She then expressed her appreciation for the Fire Department attendance at both meetings and it was really nice seeing everyone in their uniforms. Ms. Venuti then mentioned the start of a new recruiting class and that some people have signed up, she was looking forward to helping them. She expressed Holiday greetings and noted that next week was Thanksgiving and expressed her thanks for the city employees, their cheerfulness of working with the public. Ms. Venuti then reported on the registrations being open for spring 2023 classes at the college. She then encouraged everyone to shop locally and reminded that everyone can shop at the Nutcracker Faire.

Councilmember Davis announced the receipt of a grant from Rasmussen Foundation by Kim McNett which will cover the costs for the mural that will be located on the airport grounds; the Chamber of Commerce reporting on everything they have done to promote Homer and word is getting out, there is a quarterly magazine called Edible Alaska and in the new edition there is a section on the Green Can and their cocktail bar, a big spread on Mossy Kilcher with a picture of Jewel when she was maybe twelve and our Library which has recently been in the news a lot but one of the Librarians, Theresa Sundmark, wrote a beautiful article on fermentation farmhouse wines and lots of pictures that may or may not mention that little winery place on Main Street. It was a very good edition of that magazine if anyone wanted to grab a copy.

Councilmember Aderhold stated that she was in Cordova last week and will be in Texas for the next meeting. She will be attending via Zoom. If something happens she will notify the Clerk's office. It was a great night.

Councilmember Hansen commented on the Homer Bucks program and the sports programs offered by the schools and encouraged everyone to go and attend and support the kids and sports.

ADJOURN

There being no further business to come before the Council Mayor Castner adjourned the meeting at 8:17 p.m. The next Regular Meeting is Monday, November 28, 2022, at 6:00 p.m. Committee of the Whole at 5:00 p.m. All meetings are scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

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Renee Krause, MMC, Deputy City Clerk II

Approved: November 28, 2022