

Session 22-06, a Regular Meeting of the Port and Harbor Advisory Commission was called to order by Chair Crisi Matthews at 6:17 p.m. on June 22, 2022 in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska and via Zoom Webinar. There was a delay in calling the meeting to order due to late arrivals to make quorum.

**PRESENT:** COMMISSIONERS MATTHEWS, SIEKANIEC, SHAVELSON, FRIEND, AND ULMER (arrived at 6:27 p.m.)

**ABSENT:** COMMISSIONERS ZEISET (excused), PITZMAN (unexcused), AND STUDENT REPRESENTATIVE STONOROV (excused)

**STAFF:** PORT & HARBOR DIRECTOR/HARBORMASTER HAWKINS  
DEPUTY CITY CLERK TUSSEY

#### **AGENDA APPROVAL**

FRIEND/SHAVELSON MOVED TO APPROVE THE AGENDA.

There was no discussion.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT.

Motion carried.

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

#### **RECONSIDERATION**

#### **APPROVAL OF MINUTES**

A. May 25, 2022 Regular Meeting Minutes

SIEKANIEC/SHAVELSON MOVED TO APPROVE THE MINUTES OF MAY 25<sup>TH</sup>.

There was no discussion.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT.

Motion carried.

#### **VISITORS/PRESENTATIONS**

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

A. Port & Harbor Staff Report for June 2022

Port and Harbor Director Hawkins spoke to his written report, highlighted notable meetings and situations/events that took place in the harbor, and responded to questions from the commission. There was discussion on unlawful dumping of other used materials or fluids in the used oil collection tanks, and the challenges staff faces in correcting the issues.

Commissioner Ulmer arrived at 6:27 p.m.

B. Port & Harbor YTD Budget/Financial Report

Port and Harbor Director Hawkins went through each page of the budget report and facilitated discussion with the commission on various budget line items and comparisons between actual/estimated expenses and revenue.

C. Homer Marine Trades Association Report

**PUBLIC HEARING**

**PENDING BUSINESS**

A. Homer Spit Comprehensive Plan Review & Discussion

Chair Matthews introduced the agenda item by reading the title and recapped the sections of the Homer Spit Comprehensive Plan she had asked the commission to review and to compile their own “wish list” of harbor improvement/expansion projects to share and discuss. Due to commissioner absences, she asked the commission for their feedback on whether to hold off on discussions until the August regular meeting or if the commission was prepared to speak to the sections and their lists.

There was brief discussion on the plan’s introduction, sections that could be revised to include improvement goals such as the Deep Water Dock, the 10-year section, and if there are other or newer studies that can be used for information/research gathering. Commissioners agreed to continue the discussion at the August meeting.

Port and Harbor Director Hawkins responded to Chair Matthew’s request for staff input. He noted the areas of the plan that he felt were in need of improvement, and spoke to the lack of participation from the commercial harbor user group when the plan was last updated. He opined that they should find a way to get more public participation from all the user groups as the commission works through this plan rewrite.

Chair Matthews spoke to plan components and how much of the public outcry voiced back when the plan was written still has not been fully integrated into the overall plan; those are things they can highlight. She recapped her strategy for working through the plan and with the City Planner.

**NEW BUSINESS**

- A. Memorandum from Port Director/Harbormaster re: Lease Application from CGI LLC Transfer of Shogun Restaurant Lease
- i. Letter from Y&C LLC
  - ii. CGI LLC Lease Application Proposal
  - iii. City Manager Checklist and Recommendation
  - iv. Draft Resolution 22-0xx
  - v. Draft Lease

Chair Matthews introduced the agenda item by reading the title and deferred to Port and Harbor Director Hawkins.

Mr. Hawkins summarized the lease transfer proposal from Mr. Corey Gathman, owner of CGI, LLC, the applicant's plans for the building, how much of the lease components are remaining the same with the exception of an additional three years, and staff's recommendation to support the lease transfer.

Chair Matthews opened the floor for discussion.

Commissioner Shavelson inquired if there were any plans to make capital improvements to the property. Mr. Hawkins referenced the applicant's letter, noting there were no development plans to significantly improve or remodel the building. Deputy City Clerk Tussey reminded the commission of the City Manager Checklist and Recommendation memo provided as a laydown item, which offers additional details of the applicant's plan. Commissioner Shavelson voiced his concerns over the typos in the proposal letter and lack of development plan and financial details and credentials in Mr. Gathman's application. He opined that the building is not in great shape and wished there was a better development plan included to address repairs or improvements.

Discussion ensued on financial requirements for lessees and how the City requires proof that an applicant can make their monthly payments but those financial documents are not included in the materials to the commission for them to verify that information themselves. It is noted in the City Manager's memo that the applicant's financial statement is required and may not be complete.

Ms. Tussey pointed out the recommendation coming from Port and Harbor staff and the City Manager's Office is that the PHC recommend City Council approve the lease transfer as allowed per Homer City Code and then authorize the City Manager to execute the appropriate documents; it's possible that the proposal could go through this process with staff finishing reviewing all the documents. She suggested if the commission does not feel the information before them is enough documentation to make a supporting motion, then they should say as such.

Commissioner Siekaniec commented that he believes there are financials out there and pointed out in City Manager Dumouchel's memo it states "Financials adequate to prove ability to fulfil annual lease rent requirements."

SIEKANIEC/ULMER MOVED TO RECOMMEND CITY COUNCIL APPROVE THE LEASE TRANSFER AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE APPROPRIATE DOCUMENTS.

There was no further discussion.

VOTE: YES: ULMER, FRIEND, SIEKANIEC, MATTHEWS

NO: SHAVELSON

Motion carried.

Commissioner Shavelson commented that the proposal was inadequate and he would not be supportive of it until the proposal included more about the use and development information for making improvements to the building.

#### **INFORMATIONAL MATERIALS**

- A. Port & Harbor Monthly Stats for May 2022
- B. Water/Sewer Bills Report for May 2022
- C. Ice & Crane YTD Report

- D. Dock Activity YTD Report
- E. Harbor Rate Comparison
- F. PHC 2022 Meeting Calendar

Chair Matthews facilitated discussion on the moorage rate comparison provided and her laydown that tabulated comparison prices for 40 foot, 50 foot, and 80 foot vessels. She gathered feedback from the commission on the harbor rate comparisons to prepare a revised version for the next meeting.

There was discussion on Commissioner Ulmer being available to give the June City Council report and potentially cancelling the July meeting due to schedules. Chair Matthews confirmed with Deputy City Clerk Tussey that she will send an email out to verify quorum.

#### **COMMENTS OF THE AUDIENCE**

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

Commissioner Siekaniec commented it was a good meeting.

Commissioner Friend thanked the commission and apologized for his delayed arrival. He commented on his need to work on the harbor project wish list that Chair Matthews requested.

Commissioners Ulmer, Shavelson, and Chair Matthews had no further comments.

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

Port and Harbor Director Hawkins shared a copy he brought of the Deep Water Dock Expansion Study and spoke to its contents. He offered to meet with any commissioner interested in knowing more about it or to have it on a future meeting agenda.

Deputy City Clerk Tussey had no comments.

#### **ADJOURNMENT**

There being no further business to come before the Commission, Chair Matthews adjourned the meeting at 7:30 p.m. The next regular meeting is scheduled for Wednesday, July 27, 2022 at 6:00 p.m. All meetings are scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska and via Zoom Webinar.

  
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RACHEL TUSSEY, CMC, DEPUTY CITY CLERK II

Approved: August 24, 2022