



## Homer City Hall

491 E. Pioneer Avenue  
Homer, Alaska 99603

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

# City of Homer Agenda

**City Council Regular Meeting**

**Monday, June 22, 2020 at 6:00 PM**

**Cowles Council Chambers via Zoom Webinar**

**Dial: +1 669 900 6833 or +1 253 215 8782 or Toll Free 877 853 5247 or 888 788 0099**

**Webinar#205093973 Password: 610853**

### **CALL TO ORDER, PLEDGE OF ALLEGIANCE**

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

### **MAYORAL PROCLAMATIONS AND RECOGNITIONS**

### **PUBLIC COMMENT ON MATTERS ALREADY ON THE AGENDA**

### **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 June 8, 2020 and Special Meeting Minutes of June 9 and 10, 2020. Recommend adoption.
- b. Memorandum 20-091 from Deputy City Clerk re: Approval of New Liquor License Application for The Broken Oar. Recommend approval.
- c. Ordinance 20-28, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.60.060(c) Signs on Private Property, Tables 1, 2, and 3. Planning Commission. Recommended dates: Introduction June 22, 2020. Public Hearing and Second Reading July 27, 2020.

Memorandum 20-081 from Acting City Manager as backup

- d. Ordinance 20-29 An Ordinance of the City Council of Homer, Alaska Amending Homer City Code 21.46 Small Boat Harbor Overlay Zoning District, Section 21.46.060 Architectural Standards, to Remove the Requirement for Gabled Roofs. Planning Commission. Recommended dates: introduction June 22, 2020. Public Hearing and Second reading July 27, 2020

Memorandum 20-082 from Acting City Manager as backup.

- e. Ordinance 20-31, An Ordinance of the City Council of Homer, Alaska, Amending the 2020-2021 Operating Budget and Authorizing Expenditure of \$90,000 from the HART-Roads Fund to update the City's 1979 Drainage Management Plan. City Manager/Public Works Director. Recommended dates: Introduction June 22, 2020. Public Hearing and Second Reading July 27, 2020.

Memorandum 20-084 from Public Works Director as backup

- f. Ordinance 20-32, An Ordinance of the City Council of Homer, Alaska, Amending the 2020-2021 Operating Budget and Authorizing Expenditure of \$98,000 from the HART-Roads Fund for the Planning, Design and Permitting of the Main Street Storm Drain and Sidewalk Project. City Manager/Public Works Director. Recommended dates: introduction June 22, 2020. Public Hearing and Second Reading July 27, 2020

Memorandum 20-085 from Public Works Director as backup

- g. Ordinance 20-33, An Ordinance of the City Council of Homer, Alaska, Amending the 2020-2021 Operating Budget and Authorizing of \$175,000 from the HART-Roads Fund for the Small Works Road Repair Program and calling for the development of a Roads Financial Plan. City Manager/Public Works Director. Recommended dates: Introduction June 22, 2020. Public Hearing and Second Reading July 27, 2020.

Memorandum 20-086 from Public Works Director as backup

- h. Ordinance 20-34, An Ordinance of the City Council of Homer, Alaska, Amending the 2020-2021 Operating Budget and Authorizing Expenditure of \$110,000 from the HART-Roads Fund for Small Works Drainage Improvement Program. City Manager/Public Works Director. Recommended dates: Introduction June 22, 2020. Public Hearing and Second Reading July 27, 2020.

Memorandum 20-087 from Public Works Director as backup

- i. Ordinance 20-35, An Ordinance of the City Council of Homer, Alaska, Amending the 2020-2021 Operating Budget and Authorizing Expenditure of \$95,000 for the Planning, Design, and Permitting for the City of Homer Fuel Island Replacement Project. City Manager/Public Works Director. Recommended dates: Introduction June 22, 2020. Public Hearing and Second Reading July 27, 2020.

Memorandum 20-088 from Public Works Director as backup

- j. Ordinance 20-36, an Ordinance of the City Council of Homer, Alaska, Amending the 2020-2021 Operating Budget and Authorizing Expenditure of \$36,000 from the HART-Trails Fund for the Small Works Trails Maintenance Program and calling for the development of a Trails Program, to include a Trails Financial Plan. City Manager/Public Works Director. Recommended dates: Introduction June 22, 2020. Public Hearing and Second Reading July 27, 2020.

Memorandum 20-089 from Public Works Director as backup

[k.](#) Ordinance 20-39, An Ordinance by the City Council of Homer, Alaska, Amending the FY 2020 Capital Budget to Appropriate \$20,680 to Support the Additional Assistance Provided by Alaska Municipal League during the COVID 19 Public Health Emergency. Mayor. Introduction June 22, 2020, Public Hearing and Second Reading July 20, 2020.

[l.](#) Resolution 20-059, A Resolution of the City Council of Homer, Alaska, Approving and Accepting a Donation of Real Property Described as T6S R13W SEC 19 Seward Meridian HM2007031 Foothills Sub, Sunset View Estates S Addn, No 2 Phase 1 Lot 2, Block 2 from Sunset View Estates, LLC for Continued Use as a Storm Water Retention Area. City Manager.

Memorandum 20-079 from Deputy City Planner/Public Works Superintendent as backup

[m.](#) Resolution 20-060, A Resolution of the City Council of Homer, Alaska Approving the Request for Proposals for a City Lobbyist. City Manager.

## **VISITORS**

- a. South Kenai Peninsula Opioid Task Force Quarterly Update (10 minutes)
- b. Unified Command Update (20 minutes)

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

- a. Committee of the Whole Report
- b. Worksession Report
- c. Special Meeting Report
- d. Mayor's Report
- e. Borough Report
- f. Library Advisory Board
  - [i.](#) Library Advisory Board June 2020 Report
- g. Planning Commission
- h. Economic Development Advisory Commission
- i. Parks Art Recreation and Culture Advisory Commission
- j. Port and Harbor Advisory Commission
- k. Americans with Disabilities Act Compliance Committee

## **PUBLIC HEARING(S)**

- a. Ordinance 20-26, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code 11.36 Vegetation in Rights-of-Way Sections 11.36.010 Vegetation in Rights-of-Way; 11.36.020 Removal of Vegetation in Rights-of-Way and Rights-of-Way Maintenance; Repealing 11.36.030 Removal for Compliance-Public Works Director Discretion and Reenacting 11.36.030 Annual Road Maintenance Plan; and Enacting 11.36.040 Public Notice and 11.36.050 Emergency Authority. City Manager/Public Works Director. Introduction June 8, 2020 Public Hearing and Second Reading June 22, 2020.
- b. Ordinance 20-27, An Ordinance of the City Council of Homer, Alaska Accepting and Appropriating a Donation from Arnold C. Wallace in the Amount of \$5000 for the Children's Room at the Homer Public Library. City Manager/Library Director. Introduction June 8, 2020 Public Hearing and Second Reading June 22, 2020.

## **ORDINANCE(S)**

- a. Ordinance 20-30, An Ordinance of the City Council of Homer, Alaska, Amending the 2020 Operating Budget and Authorizing Expenditure of Design Funds for the Seawall Armor Rock Installation Project. Aderhold/City Manager. Recommended dates: Introduction June 22, 2020. Public Hearing and Second Reading July 27, 2020.

Memorandum 20-083 from City Engineer as backup  
Memorandum 20-072 from City Engineer as backup  
Memorandum 20-073 from City Engineer as backup

- b. Ordinance 20-37, an Ordinance of the City Council of Homer, Alaska Extending the Moratorium on Applications for Professional Offices and Medical Clinics in the Residential Office District and Directing the Planning Commission to Make a Recommendation to the City Council for the Creation of a Medical District in the Vicinity of the South Peninsula Hospital that was established in Ordinance 19-49(S)(A) to September 15, 2020. Smith. Recommended dates: Introduction June 22, 2020. Public Hearing and Second Reading July 27, 2020.
- c. Ordinance 20-38, An Ordinance of the City Council of Homer, Alaska, Authorizing the Kenai Peninsula Borough to Distribute CARES Act Funding to Businesses with a Physical Location within City Limits that do not Have Sales within City Limits. Mayor. Introduction June 22, 2020, Public Hearing and Second Reading July 20, 2020.

## **CITY MANAGER'S REPORT**

- a. City Manager's Report

## **PENDING BUSINESS**

## **NEW BUSINESS**

- a. Memorandum 20-092 from Deputy City Clerk re: Recommendation to Rescind Motion to Adopt Resolution 20-056

**RESOLUTIONS**

**COMMENTS OF THE AUDIENCE**

**COMMENTS OF THE CITY ATTORNEY**

**COMMENTS OF THE CITY CLERK**

**COMMENTS OF THE CITY MANAGER**

**COMMENTS OF THE MAYOR**

**COMMENTS OF THE CITY COUNCIL**

**ADJOURNMENT**

Next Regular Meeting is Monday, July 20, 2020 at 6:00 p.m. Committee of the Whole at 5:00 p.m., and a Special Meeting on Wednesday, July 1, 2020. All meetings are scheduled to be held virtually in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

Session 20-18 a Regular Meeting of the Homer City Council was called to order on June 8, 2020 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, EVENSEN, HANSEN-CAVASOS, LORD, SMITH, VENUTI

**STAFF:** CITY MANAGER YODER  
CITY CLERK JACOBSEN  
DEPUTY CITY CLERK KRAUSE  
PUBLIC WORKS DIRECTOR KEISER  
FIRE CHIEF KIRKO  
SPECIAL PROJECTS & COMMUNICATIONS COORDINATOR CARROLL  
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.)

LORD/VENUTI MOVED TO APPROVE THE AGENDA. There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

### **MAYORAL PROCLAMATIONS AND RECOGNITIONS**

- a. First Annual Peony Festival Friday, July 10th through Saturday, July 25<sup>th</sup>
- b. Chamber of Commerce Halibut Tournament Thursday & Friday July 2<sup>nd</sup> and 3<sup>rd</sup>

Mayor Castner announced the Chamber of Commerce events.

### **PUBLIC COMMENT ON MATTERS ALREADY ON THE AGENDA**

Angie Newby commented in support of Resolution 20-056 and the initiation of the Seawall Special Assessment District.

Dr. David Raskin shared his concern that rise in COVID-19 case counts is alarming and endangers old people like him and his wife, and everyone else in Homer. Recent infections have soared and per capita infections in Homer have exceeded Anchorage by 200%. He urged the City Council to reinstate emergency closures of all but essential services.

Kathy Irwin commented in favor of Resolution 20-056 and the initiation of the Seawall Special Assessment District.

Janet Szajkowski commented in support of Resolution 20-056 and the initiation of the Seawall Special Assessment District.

Martin Renner commented in support of Resolution 20-056 and the initiation of the Seawall Special Assessment District. He expressed concern that any solution will become controversial and stall the project and supports dividing up the cost by linear foot of wall, and that those who can't afford it should be able to opt out so at least portions of the wall can be protected. He also commented regarding work he's done on his portion that isn't in the district and the need for the City to work with ACOE so he can continue that maintenance.

## 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 Special Meeting Minutes of May 18, 2020 and Regular Meeting Minutes of May 26, 2020. City Clerk. Recommend adoption.
- b. Memorandum 20-066 from Deputy City Clerk Re: Approval of New Liquor Licenses for Odin Mead and Sweetgale Wines. Recommend approval.
- c. Memorandum 20-067 from City Clerk Re: Utility Easement Vacation of the North 5 Feet of the 10 Foot Utility Easement Adjoining the Boundary of Lot 36-A Bunnell's Subdivision No. 17 (HM-86-44) Granted by Bunnell's Subdivision No. 17 (HM-86-44) in SE1/4 NE1/4 Section 19, Township 6 South, Range 13 West, Seward Meridian, Alaska within the Kenai Peninsula Borough. KPB File 2020-36V. Recommend approval.
- d. Ordinance 20-27, An Ordinance of the City Council of Homer, Alaska Accepting and Appropriating a Donation from Arnold C. Wallace in the Amount of \$5000 for the Children's Room at the Homer Public Library. City Manager/Library Director. Recommended dates Introduction June 8, 2020, Public Hearing and Second Reading June 22, 2020

Memorandum 20-075 from Library Director as backup

- e. Resolution 20-052, A Resolution of the City Council of Homer, Alaska Approving New One-Year Contracts with Premera Blue Cross, VSP, and Prudential with a Renewal Date of August 1, 2020. City Manager. Recommend adoption.

Memorandum 20-068 from Human Resources as backup

Memorandum 20-075 from Employee Committee as backup

- f. Resolution 20-053, A Resolution of the City Council of Homer, Alaska Supporting the Officers and Staff of the Homer Police Department in their Daily Job of Keeping the

Citizens of Homer Safe and Secure while Treating all Citizens with Respect and Dignity.  
Venuti/Aderhold. Recommend adoption.

City Clerk Jacobsen read the consent agenda.

LORD/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. Unified Command Update

Dr. Anne Zink, State of Alaska Chief Medical Officer, commented regarding the recent cases there are four major accelerating factors which are travel association, asymptomatic spread, large group gatherings, and people in congregate settings, and we're seeing our current spike having to do with all of those things. There appears to have been numerous gatherings that took place over Memorial Day that seem to be an acceleration event in the Kenai Peninsula. The more we can mitigate the risk the better off we are by keeping social circles small, mandating or encouraging people wear masks, staying at least 6 feet apart, and no large gatherings can help minimize the spread.

Fire Chief Mark Kirko provided a brief update regarding the Tustumena reported COVID case and the ferry's arrival to Homer. They held a press briefing today that was recorded and posted on the City of Homer or South Peninsula Hospital website to view it. The EOC is focused on more messaging and making it a little more direct, and working toward better reporting of the number of cases in our area. Re-opening plans for city facilities are still in progress.

City of Homer PIO Jenny Carroll followed up reinforcing efforts being taken to better provide information specific to the Southern Kenai Peninsula. The Homer EOC has been working on contingency planning for the Tustumena response, the Deputy PIO will be back in the office half time for those duties and they'll get started on strategic planning for messaging and finding a way for the website to be a tool for more current numbers in the area.

South Peninsula Hospital PIO Derotha Ferraro reported the hospital has tested 2195 swabs, 2009 are negative, 38 are positive, 148 are pending. She noted the numbers may include duplicates as some people have to be tested again and may be positive or negative. They're testing at the Tustumena tonight and have been coordinating for pop up locations for testing in addition to the ongoing 24/7 testing at the hospital.



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

a. Worksession Report

Councilmember Lord reported Nils Andreaason, AML Executive Director, called in and talked with Council about CARES Act Funding and high level ideas for municipal use of the funds. Also the Finance Director reported on the unaudited reserve account numbers, fund balances and projections regarding revenue loss.

b. Committee of the Whole Report

Councilmember Lord reported Brandon Nyberg from USI gave a presentation on the employee benefits for the upcoming year and over the last two years there has a -.1% change in cost. They also discussed the CARES Act Funding, and extending the emergency declaration for the City.

c. Mayor's Report

Mayor Castner reported on attending a rally at WKFL Park with Police Chief Robl and Fire Chief Kirko to show solidarity and they had great dialogue with the citizens there. He felt the citizens had a new appreciation for how up to date our police force is along with our public safety approach. He commented we've been working on things and depend on staff to do a lot of the work and on citizens to let us know what work we need to do. He acknowledged the partners we have outside the city including KPEDD and Tim Dillon, Homer Chamber of Commerce and Brad Anderson, Alaska Municipal League, and Alaska Conference of Mayors. Lastly he reminded listeners that the virus is still out there, stay covered, stay safe, and stay aware.

d. Borough Report

e. Library Advisory Board

f. Planning Commission

i. Planning Commission Report

g. Economic Development Advisory Commission

h. Parks Art Recreation and Culture Advisory Commission

i. Port and Harbor Advisory Commission

j. Americans with Disabilities Act Compliance Committee

**PUBLIC HEARING(S)**

- a. Ordinance 20-25, An Ordinance of the City Council of Homer, Alaska Accepting and Appropriating the First Payment for COVID-19 Related Expenditures under the CARES

Act in the Amount of \$3,854,686. Mayor/Smith. Recommended Dates Introduction May 26, 2020, Public Hearing and Second Reading June 8, 2020.

Ordinance 20-25(S), An Ordinance of the City Council of Homer, Alaska Accepting and Appropriating the First Payment for COVID-19 Related Expenditures under the CARES Act from the State of Alaska in the Amount of \$3,867,758.79. Mayor/Lord/Aderhold.

LORD/ADERHOLD MOVED TO ADOPT ORDINANCE 20-25 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

LORD/VENUTI MOVED TO SUBSTITUTE 20-25(S) FOR 20-25.

Councilmember Lord noted the substitute gives further clarification, background, and rationalization for the funds being used for the Small Business Economic Relief Grant program.

VOTE (substitution): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Councilmember Evensen commented in support of the ordinance and looks forward to further discussion on the upcoming installments.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

### **ORDINANCE(S)**

- a. Ordinance 20-26, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code 11.36 Vegetation in Rights-of-Way Sections 11.36.010 Vegetation in Rights-of-Way; 11.36.020 Removal of Vegetation in Rights-of-Way and Rights-of-Way Maintenance; Repealing 11.36.030 Removal for Compliance-Public Works Director Discretion and Reenacting 11.36.030 Annual Road Maintenance Plan; and Enacting 11.36.040 Public Notice and 11.36.050 Emergency Authority. City Manager/Public Works Director. Recommended dates Introduction June 8, 2020, Public Hearing and Second Reading June 22, 2020.

Memorandum 20-071 from Public Works Director as backup

LORD/ADERHOLD MOVED TO INTRODUCE ORDINANCE 20-26 BY READING OF TITLE ONLY.

Councilmember Lord shared that she's enthusiastic about this amendment to City Code that clarifies the City's desire to preserve vegetation in the right-of-way and the objective for removal is to maintain the street not the right-of-way because the clearing is for street

infrastructure. It clarifies public notice requirements and addresses an Annual Road Maintenance Plan.

Councilmember Evensen commented he's enthusiastic about it also and appreciates the Public Works Directors efforts toward this. He added that it defines busy streets and small road, and addresses those differences.

Councilmember Venuti said she appreciates the clarity of the new language and the hard work that went into this.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

### **CITY MANAGER'S REPORT**

a. City Manager's Report

City Manager Yoder reported that the City received correspondence from Kachemak City about extending water to their Community Center and expects Public Works will bring back a report at a future meeting.

Councilmembers Lord and Venuti expressed interest in having additional information about doing away with existing library fines and moving toward being a fine-free library.

There was brief discussion regarding the Lobbyist RFP, about keeping the dollar amount open and defining the scope of work and range of hours expected.

Councilmember Venuti commented regarding the request for the Peony Festival and noted we can count the work Parks and Recreation has done work cleaning out and preparing the beds in town as in-kind donations, and that donations don't always have to be financial.

### **PENDING BUSINESS**

### **NEW BUSINESS**

### **RESOLUTIONS**

- a. Resolution 20-054, A Resolution of the City Council of Homer, Alaska Supporting Efforts of the Alaska Municipal League, Acknowledging the Significant Amount of Staff Time and Organizational Support to Members through the COVID-19 Public Health Emergency, and Approving the Requested Contribution to from the City. City Manager.

Memorandum 20-069 from Mayor as backup

LORD/ADERHOLD MOVED TO ADOPT RESOLUTION 20-054 BY READING OF TITLE ONLY.

Councilmember Lord expressed her support and application of the work of AML helping municipalities and state understand and navigate the CARES Act Funding and that this should be an ordinance appropriating funding. Municipalities pay an annual fee to AML for their services and had questions about this additional request. She supports the expenditure she would just like some clarification.

Mayor Castner explained AML took \$500,000 and apportioned to the members. The breakdown is about 40% of the amount requested is going toward COVID response, 30% to lost revenue we can't give because they have other expenses incurred like lost attendance at events.

Councilmember Lord commented as a government entity we can't recoup lost funding through the CARES Act, so in the appropriating ordinance we need to address lost revenue opportunities to a non-profit because its information they'll need to know for the City's grant program also.

Councilmember Smith supports assisting AML, but expressed his dissatisfaction with the approached used by submitting a letter requesting assistance and then including an invoice for a specific amount, and agrees there are questions that need to be answered.

Councilmember Evensen shared his support for AML and their request.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT

Motion carried.

- b. Resolution 20-055, A Resolution of the City Council of Homer, Alaska Extending the City's Disaster Emergency Declaration to July 28, 2020 Due to the Current and Expected Impacts of the COVID-19 Novel Coronavirus Pandemic. Mayor.

LORD/VENUTI MOVED TO ADOPT RESOLUTION 20-055 BY READING OF TITLE ONLY.

There was brief discussion of the Mayor's intent to extend this incrementally.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

- c. Resolution 20-056, A Resolution of the City Council of Homer, Alaska Initiating a Seawall Improvement Special Assessment District for Armor Toe Improvements, Authorizing an Application for the Alaska Department of Environmental Conservation/Environmental Protection Agency Revolving Loan Fund, and Acknowledging the Immediate Need to Fund the Design and Permitting Process. City Manager.

Memorandum 20-072 from City Engineer as backup  
Memorandum 20-073 from City Engineer as backup  
Memorandum 20-074 from City Manager as backup

LORD/VENUTI MOVED TO ADOPT RESOLUTION 20-056 BY READING OF TITLE ONLY.

Councilmember Smith recognizes something needs to be done regarding the seawall and his understanding from the last meeting was they gave some support to giving the neighborhood the opportunity to go out and see if there was interest from the indirectly benefitted property owners regarding a homeowner's association (HOA), and we haven't heard back on that that yet. He knows something needs to be done relatively quickly and isn't opposed to the City playing their part in it, but it needs to be more thoroughly explored to understand the complete ramifications of it. When we do the improve districts in the City, once it's paid off it becomes the City's responsibility to maintain over time, and that's something we've decided we don't want to do with the seawall. He supports doing something and facilitating making happen, but wants a clear delineation on the responsibilities of the property owners and of the City presently and in perpetuity.

Councilmember Lord requested a response from the City Attorney. When we fund a road or water/sewer improvement through the Special Assessment District (SAD) it's the City's improvement that the neighbors are paying for because it's benefitting their property. This is a situation of a neighborhood owned improvement that the City would be using the same SAD process to pay for.

City Attorney Gatti commented if the neighborhood is interested in funding the improvement there are steps they'd engage in and take over the project. Mayor Castner noted in this case the City is going to finance the project through a loan the project. There's an improvement assessment for the seawall, and questioned if that would dovetail in with this project. Attorney Gatti continued that he's unsure if the City would have to fund the wall in order to get the loan funding, he'd have to research that.

Councilmember Aderhold commented she addressed this question with Public Works who then raised the question to the State and learned the City would not have to own the seawall or improvement at the end of it. Public Works Director Keiser noted City Engineer Meyer has had direct communication with the State regarding this matter and could better address that portion of the question. She explained they have explored various options so there'd be choices, but no commitments or definitive decisions have been made on how to proceed. The reality is that no matter what direction is chosen, certain steps have to be taken. You can't get information to know what you're funding might be until some engineering is done, and you can't get engineering until you know what the funding might be, technical options might be, and what property owners are interested in, and at some point a leap of faith needs to be made to get information in front of the people who make the decisions.

Councilmember Lord expressed her support of the resolution with the understanding that it allows the city to move forward with the design piece. City Code chapter 17 allows the Council to take this first step to initiate the district, and the rest of the process remains the same where an improvement plan has to be developed and the neighborhood gets together to discuss it. This step does not bind Council to anything at this time. If the City and neighborhood come to an agreement the Council would then approve the final assessment roll and district. She thinks it's an important first step and appreciates the backup information that explains the City would not own the wall if we help finance the improvement.

Councilmember Aderhold concurred and added the ultimate thing would be for the property owners to form an HOA and take over the maintenance. She doesn't think there was an expectation that could be completed before they needed to put the armor rock in place. The hope was that a property owner would request a SAD, but that didn't happen over this period of time so that's why it's a Council action.

Councilmember Evensen noted written comments from property owner Andy Haas that he's generally in favor of the idea but now that the details are in print he feels it's not what they had talked about. He also read a text from a property owner he is unable to identify who expressed the portioning of payments for the lots is unfair, and he agrees with those concerns. Councilmember Evensen also expressed his disagreement with the erosion rate in the map and his dissatisfaction and disagreement with the report provided by HDR.

Councilmember Aderhold pointed out there are options identified for property owners to discuss through the SAD process at their community meeting that will help determine what process would be used for a repayment method. She thinks information on the methods used to determine the erosion rate on the map would be useful. She believes we have a seawall that's in very bad condition and this is an effort to move forward with something to save people's properties.

Public Works Director Keiser provided an example of a typical SAD process where a property owner applies for a water extension, public works prepares an improvement plan, and it goes back to the property owners to make a decision whether or not they want to pursue it and the method of estimating cost and assessment method is fairly straight forward. With the seawall improvement it isn't as straight forward because there are several options. To move forward we need to narrow down the options and take incremental steps forward. Tonight's action isn't a final decision but provides the ability to gather more information so more definitive options can be provided to the property owners and Council to make decisions on what to do.

There was discussion reiterating this resolution does not set an assessment district or create an allocation method, the need for it to be very clear on the responsibility of the City and of the property owners, the urgency of the need to address the condition of the seawall, and concerns of financial impact to owners in an expanded district, and also reviewing the SAD process.

VOTE: YES: VENUTI, SMITH, ADERHOLD, LORD  
NO: EVENSEN, HANSEN-CAVASOS

Motion carried.<sup>1</sup>

- d. Resolution 20-057, A Resolution of the City Council of Homer, Alaska Establishing a Small Business Economic Relief Grant (SBERG) Program in Response to the Economic Upheaval Caused by the Measures taken in the Face of the COVID-19 Pandemic. Mayor/Lord/Aderhold.

Memorandum 20-070 from Mayor and Councilmembers Lord and Aderhold as backup

LORD/ADERHOLD MOVED TO ADOPT RESOLUTION 20-057 BY READING OF TITLE ONLY.

Councilmember Evensen expressed this is a good first step with the initial payout of CARES funding, and looks forward to working through options for the remaining installments.

Councilmember Lord noted the City Manager's report addressed information regarding conflict of interest. Councilmembers Lord disclosed that she and her husband own small businesses that they pay sales tax on and report for but would not qualify under the parameters outlined in grant and therefore would not be applying. Mayor Castner determined she did not have a conflict of interest. He explained the grant is very prescriptive and she falls into a large group of people, over 1000 who could qualify, and there's no way she could influence her entry or otherwise be effected.

Councilmember Aderhold disclosed her husband has two small businesses that haven't collected any revenue and don't intend to have revenue, so would not qualify for the grant. Mayor Castner determined she did not have a conflict of interest.

Councilmember Venuti disclosed her husband has a business that is doing fine and will not be asking for help. Mayor Castner determined she did not have a conflict of interest.

Mayor Castner disclosed he has a rental he collects sales tax against but his renters have paid and he would be unable to certify that he'd been effected by this. Also he won't be voting on this action.

Councilmember Evensen disclosed he owns a couple of businesses that don't qualify for the grant. Mayor Castner determined she did not have a conflict of interest.

None of Mayor Castner's rulings were challenged.

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<sup>1</sup> At the meeting it was ruled that the motion passed but after the fact it was realized that the three-fourths vote required for Council to initiate a SAD was not achieved. Three fourths of 6 is 4.5, therefore five yes votes were needed to initiate the SAD process. Mayor, Councilmembers, and property owners were advised of the error once it was discovered.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

**COMMENTS OF THE AUDIENCE**

**COMMENTS OF THE CITY ATTORNEY**

City Attorney Gatti had no comments.

**COMMENTS OF THE CITY CLERK**

City Clerk Jacobsen announced openings on the Planning Commission, Economic Development Commission and Library Advisory Board.

**COMMENTS OF THE CITY MANAGER**

City Manager Yoder had no comments.

**COMMENTS OF THE MAYOR**

Mayor Castner announced the upcoming special meetings for City Manager applicant interviews.

**COMMENTS OF THE CITY COUNCIL**

Councilmember Hansen-Cavasos expressed her appreciation for hospital staff for their work in the COVID response in our community.

Councilmember Smith shared about playing in a senior softball tournament over the weekend. There were good times and he encouraged getting out and recreating.

Councilmember Venuti commented it was a good meeting and encouraged the public to continue to email and call Councilmembers. She shared about a conversation she had with Parks Maintenance Coordinator Steffy that there are 78 toilets and urinals to be cleaned and he only has four staff people this summer. Some of the bathrooms are closed because of his reduces staffing and their ability to follow the cleaning mandate by the state. She thanked the city workers for their efforts, suggested reaching out and volunteer to help with the Peony Festival, and encouraged people to wear masks, wash their hands, practice social distancing, and get tested if they have symptoms of COVID.

Councilmember Evensen commented regarding rental and mortgage assistance that's available and encouraged folks to reach out if they need help.

Councilmember Lord thanked everyone for a good meeting and encouraged the public to continue to continue to participating with emails and phone calls. She shared about her experience patriating at the Borough Assembly meeting from her home and being able to



comment after 11 p.m. It's been a hard week for the nation and for her family and it's important to think about what we take for granted and shared her appreciation for our public safety officers

Councilmember Aderhold shared about her thoughts on what's happening from a personal level and the Council level. There are benefits of participating in racial equity dialogs, its very eye opening to have conversations among ourselves and to gain empathy on how others perceive the world. She hopes they can move in a direction of thinking about policy directions as a City. She shared her appreciation for our proactive Police Department.

**ADJOURN**

There being no further business to come before the Council Mayor Castner adjourned the meeting at 8:20 p.m. The next Regular Meeting is Monday, June 22, 2020 at 6:00 p.m., Worksession 4:00 p.m. Committee of the Whole at 5:00 p.m. Special Meetings on Tuesday, June 9, 2020 and Wednesday, June 10, 2020 at 4:00 P.M. All meetings scheduled to be held virtually from the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

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Melissa Jacobsen, MMC, City Clerk

Approved: \_\_\_\_\_

Session 20-19, A Special Meeting of the Homer City Council was called to order on June 9, 2020 by Mayor Ken Castner at 4:00 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, HANSEN-CAVASOS, LORD, SMITH, VENUTI,  
AND EVENSEN

**STAFF:** ACTING CITY MANAGER ABBOUD  
HR DIRECTOR BROWNING  
DEPUTY CITY CLERK KRAUSE

**AGENDA APPROVAL** (Only those matters on the noticed agenda may be considered, pursuant to City Council's Operating Manual, pg. 6)

The following change was made: **New Business** Telephonic Interviews with City Manager Applicants. Memorandum 20-076 from HR Director as backup.

LORD/VENUTI MOVED TO APPROVE THE AGENDA AS AMENDA.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

**PUBLIC COMMENT ON MATTERS ALREADY ON THE AGENDA** (3 minute time limit)

**PENDING BUSINESS**

Mayor Castner requested a motion to recess the meeting since the first applicant withdrew.

LORD/ADERHOLD MOVED TO RECESS UNTIL 5:00 P.M.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Mayor Castner called the meeting back to order at 5:00 p.m.

**NEW BUSINESS**

- a. Telephonic Interviews with City Manager Applicants

4:00 p.m. John Mejaski – Application withdrawn

5:00 p.m. Rob Dumouchel

6:00 p.m. Ernst Weiss

Telephonic interviews were held with Rob Dumouchel and Ernst Weiss.

**COMMENTS OF THE AUDIENCE**

**ADJOURN**

There being no further business to come before the Council Mayor Castner adjourned the meeting at 6:31 p.m. Next Regular Meeting is Monday, June 22, 2020 at 6:00 p.m., Committee of the Whole at 5:00 p.m. and Special Meeting Wednesday, June 10, 2020 at 4:00 p.m. All meetings scheduled to be held virtually 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

Approved: \_\_\_\_\_

Session 20-20, A Special Meeting of the Homer City Council was called to order on June 10, 2020 by Mayor Ken Castner at 4:00 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, VENUTI, EVENSEN, LORD, SMITH, HANSEN-CAVASOS

**STAFF:** ACTING CITY MANAGER ABBOUD  
HR DIRECTOR BROWNING  
DEPUTY CITY CLERK KRAUSE

**AGENDA APPROVAL** (Only those matters on the noticed agenda may be considered, pursuant to City Council's Operating Manual, pg. 6)

The following change was made: **New Business** Telephonic Interviews with City Manager Applicants. Memorandum 20-077 from HR Director as backup.

LORD/VENUTI MOVED TO APPROVE THE AGENDA AS AMENDA.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

**PUBLIC COMMENT ON MATTERS ALREADY ON THE AGENDA** (3 minute time limit)

**PENDING BUSINESS**

**NEW BUSINESS**

- a. Telephonic Interviews with City Manager Applicants

4:00 p.m. Melissa Jacobsen

5:00 p.m. Kelcey Young – Application withdrawn

A telephonic interview was held with Melissa Jacobsen.

- b. Selection of City Manager Applicants for in-person interviews

There was consensus of the Council to remove Mr. Weiss from consideration, while he did have some good qualities, they believed he did not have the experiences that would serve the City of Homer into the future. They appreciated his honesty on looking for a position to further round out his retirement.

Discussion points regarding Rob Dumouchel pointed out his solid and interesting answers to questions, he appeared secure in his experience and skills, and that he comes from a larger city than Homer and would have that perspective to see what is coming in the future as Homer grows. His energy and enthusiasm were exciting.

Discussion points regarding Melissa Jacobsen were that her responses to the questions were impressive, her training, experience and education in local government along with her devotion and knowledge of the community are a strong consideration. Her background report was great, highly respected by her colleagues and she is very qualified for the position.

Council expressed concerns on the in-person interview process with the current situation and how that would be conducted and noted that the feedback from the Committee should be considered before they make any offer.

Further discussion points considered by Council were that candidates should be the one to decide on if they feel comfortable to travel during this time, consideration to offer temporary placement to a candidate, and preference for a Zoom meeting interview would be preferable to actual in person interview.

Mayor Castner provided anecdotal information on the City Manager hiring process for the city since 1973 for consideration of the Council.

HR Director Browning provided guidance on the process to conduct the next round of interviews via Zoom and stated that the Committee will conduct separate interviews with additional questions and counseled that the decision should remain with the candidate as regards travel to Alaska.

Council agreed by consensus to invite Mr. Dumouchel to participate in two interviews for in person video meetings.

Council requested that the Committee meetings be schedule in advance of the meetings with Council that will allow Council time to review and absorb the information provided by the Committee on the candidates.

### **COMMENTS OF THE AUDIENCE**

Kate Finn, city resident and Committee member, she appreciated holding the interviews publically and the non-verbal communication is huge so she would appreciate the video interview opportunity to be conducted with Melissa as well and with Rob Dumouchel especially since they do not know what he looks like.

Mayor Castner commented that he appreciated where the Council ended up today and going through this process.

**ADJOURN**

There being no further business to come before the Council Mayor Castner adjourned the meeting at 5:20 p.m. Next Regular Meeting is Monday, June 22, 2020 at 6:00 p.m., Committee of the Whole at 5:00 p.m. All meetings scheduled to be held virtually 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

Approved: \_\_\_\_\_



# 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 20-091

TO: MAYOR CASTNER AND HOMER CITY COUNCIL  
FROM: RENEE KRAUSE, MMC, DEPUTY CITY CLERK  
DATE: JUNE 18, 2020  
SUBJECT: LIQUOR LICENSE APPLICATIONS FOR THE BROKEN OAR

---

The City Clerk's Office has been notified by the Alcohol and Marijuana Control Office of Liquor License Applications Restaurant Designation within the City of Homer for the following business:

License Type: Restaurant/Eating Place/Public Convenience  
License #: 5904  
DBA Name: The Broken Oar  
Service Location: 3851 Homer Spit Road Homer, AK 99603  
Licensee: The Broken Oar, LLC  
Contact Person: Ryan Jordan

### RECOMMENDATION

Voice non-objection and approval for the liquor license renewal.

Fiscal Note: Revenues



# Office of the Borough Clerk

144 North Binkley Street, Soldotna, Alaska 99669 • (907) 714-2160 • (907) 714-2388 Fax

Johni Blankenship, MMC  
Borough Clerk

June 8, 2020

**Sent via email:** clerk@ci.homer.ak.us

Homer City Hall  
City of Homer Clerk

RE: Non-Objection of Application

Licensee/Applicant	:	The Broken Oar LLC
Business Name	:	The Broken Oar
License Type	:	Restaurant/Eating Places - Seasonal
License Location	:	3851 Homer Spit Road, Homer, AK 99603, City of Homer
License No.	:	5904
Application Type	:	New Liquor License Restaurant Designation Permit

Dear Ms. Jacobsen,

This serves to advise that the Kenai Peninsula Borough has reviewed the above referenced application and has no objection.

Should you have any questions, or need additional information, please do not hesitate to let us know.

Sincerely,

Johni Blankenship, MMC  
Borough Clerk

JB/ts

Encl.

cc: RJordanak@gmail.com; clerk@ci.homer.ak.us; DCooper@kpb.us; SNess@kpb.us





# City of Homer

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

Police Department

4060 Heath Street  
Homer, Alaska 99603

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

(p) 907-235-3150

(f) 907-235-3151

## Memorandum

TO: RENEE KRAUSE, MMC, DEPUTY CITY CLERK

FROM: MARK ROBL, CHIEF OF POLICE

DATE: June 19, 2020

SUBJECT: New Liquor License, the Broken Oar

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We have no objection to the new liquor license for the Broken Oar

LICENSE TYPE: Restaurant/ Eating Place/Public Convenience

LICENSE # 5904

DBA NAME: The Broken Oar

SERVICE LOCATION: 3851 Homer Spit Rd., Homer, AK 99603

LICENSEE: The Broken Oar, LLC

CONTACT PERSON: Ryan Jordan, 480-326-1373





Alaska Alcoholic Beverage Control Board

**Form AB-00: New License Application**

**What is this form?**

This new license application form is required for all individuals or entities seeking to apply for a new liquor license. Applicants should review **Title 04 of Alaska Statutes** and **Chapter 304 of the Alaska Administrative Code**. All fields of this form must be completed, per AS 04.11.260 and 3 AAC 304.105.

**This form must be completed and submitted to AMCO's main office, along with all other required forms and documents, before any license application will be considered complete.**

**Section 1 – Establishment and Contact Information**

Enter information for the business seeking to be licensed.

Licensee:	The Broken Oar LLC		
License Type:	Restaurant Eating Place/pc	Statutory Reference:	AS 04.11.400(g)
Doing Business As:	The Broken Oar		
Premises Address:	3851 Homer Spit Road		
City:	Homer	State:	AK ZIP: 99603
Local Governing Body:	City of Homer		
Community Council:			

Mailing Address:	181 Mountain View Drive #1		
City:	Homer	State:	AK ZIP: 99603

Designated Licensee:	Ryan Jordan		
Contact Phone:	480 326 1373	Business Phone:	
Contact Email:	RJordanak@gmail.com		

Seasonal License?  Yes  No  
 If "Yes", write your six-month operating period: 5/20 - 10/20

OFFICE USE ONLY			
Complete Date:		License Years:	License #:
Board Meeting Date:		Transaction #:	
Issue Date:		BRE:	



Alaska Alcoholic Beverage Control Board

**Form AB-00: New License Application**

**Section 2 – Premises Information**

Premises to be licensed is:

- an existing facility       a new building       a proposed building

The next two questions must be completed by beverage dispensary (including tourism) and package store applicants only:

What is the distance of the shortest pedestrian route from the public entrance of the building of your proposed premises to the outer boundaries of the nearest school grounds? Include the unit of measurement in your answer.

What is the distance of the shortest pedestrian route from the public entrance of the building of your proposed premises to the public entrance of the nearest church building? Include the unit of measurement in your answer.

**Section 3 – Sole Proprietor Ownership Information**

This section must be completed by any sole proprietor who is applying for a license. Entities should skip to Section 4. If more space is needed, please attach a separate sheet with the required information. The following information must be completed for each licensee and each affiliate (spouse).

This individual is an:  applicant       affiliate

<b>Name:</b>				
<b>Address:</b>				
<b>City:</b>		<b>State:</b>		<b>ZIP:</b>

This individual is an:  applicant       affiliate

<b>Name:</b>				
<b>Address:</b>				
<b>City:</b>		<b>State:</b>		<b>ZIP:</b>



Alaska Alcoholic Beverage Control Board

**Form AB-00: New License Application**

**Section 4 – Entity Ownership Information**

This section must be completed by any entity, including a corporation, limited liability company (LLC), partnership, or limited partnership, that is applying for a license. Sole proprietors should skip to Section 5.

If more space is needed, please attach a separate sheet with the required information.

- If the applicant is a corporation, the following information must be completed for each *stockholder who owns 10% or more* of the stock in the corporation, and for each *president, vice-president, secretary, and managing officer*.
- If the applicant is a limited liability organization, the following information must be completed for each *member with an ownership interest of 10% or more*, and for each *manager*.
- If the applicant is a partnership, including a limited partnership, the following information must be completed for each *partner with an interest of 10% or more*, and for each *general partner*.

Entity Official:	Ryan Jordan			
Title(s):	Manager / member	Phone:	480-326-1373	% Owned: 100
Address:	181 mountain view Drive #1			
City:	Homer	State:	AK	ZIP: 99603

Entity Official:				
Title(s):		Phone:		% Owned:
Address:				
City:		State:		ZIP:

Entity Official:				
Title(s):		Phone:		% Owned:
Address:				
City:		State:		ZIP:

Entity Official:				
Title(s):		Phone:		% Owned:
Address:				
City:		State:		ZIP:



Alaska Alcoholic Beverage Control Board

**Form AB-00: New License Application**

This subsection must be completed by any applicant that is a corporation or LLC. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations (DOC) and have a registered agent who is an individual resident of the state of Alaska.

DOC Entity #:	10120874	AK Formed Date:	1/2/20	Home State:	Alaska
Registered Agent:	Ryan Jordan	Agent's Phone:	480 326 1373		
Agent's Mailing Address:	181 mountain view Drive #1				
City:	Homer	State:	AK	ZIP:	99603

Residency of Agent: Alaska 181 mountain view Dr #1 Homer AK 99603 Yes  No

Is your corporation or LLC's registered agent an individual resident of the state of Alaska?  Yes  No

**Section 5 - Other Licenses**

Ownership and financial interest in other alcoholic beverage businesses: Yes  No

Does any representative or owner named in this application have any direct or indirect financial interest in any other alcoholic beverage business that does business in or is licensed in Alaska?  Yes  No

If "Yes", disclose which individual(s) has the financial interest, what the type of business is, and if licensed in Alaska, which license number(s) and license type(s):

**Section 6 - Authorization**

Communication with AMCO staff: Yes  No

Does any person other than a licensee named in this application have authority to discuss this license with AMCO staff?  Yes  No

If "Yes", disclose the name of the individual and the reason for this authorization:



Alaska Alcoholic Beverage Control Board  
**Form AB-00: New License Application**

**Section 7 – Certifications**

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify that all proposed licensees (as defined in AS 04.11.260) and affiliates have been listed on this application.

RJ

I certify that all proposed licensees have been listed with the Division of Corporations.

RJ

I certify that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued.

RJ

I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check the identification of a patron will complete an approved alcohol server education course, if required by AS 04.21.025, and, while selling or serving alcoholic beverages, will carry or have available to show a current course card or a photocopy of the card certifying completion of approved alcohol server education course, if required by 3 AAC 304.465.

RJ

I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

RJ

As an applicant for a liquor license, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 304, and that this application, including all accompanying schedules and statements, is true, correct, and complete.

Ryan Jordan  
Signature of licensee

Ryan Jordan  
Printed name of licensee

Cindy L Frazier  
Signature of Notary Public

Notary Public in and for the State of Alaska

My commission expires: 10/20/2022



Subscribed and sworn to before me this 29<sup>th</sup> day of May, 2022.



## Alaska Alcoholic Beverage Control Board

# Form AB-02: Premises Diagram

### What is this form?

A detailed diagram of the proposed licensed premises is required for all liquor license applications, per AS 04.11.260 and 3 AAC 304.185. Your diagram must include dimensions and must show all entrances and boundaries of the premises, walls, bars, fixtures, and areas of storage, service, consumption, and manufacturing. If your proposed premises is located within a building or building complex that contains multiple businesses and/or tenants, please provide an additional page that clearly shows the location of your proposed premises within the building or building complex, along with the addresses and/or suite numbers of the other businesses and/or tenants within the building or building complex.

The **second page of this form is not required**. Blueprints, CAD drawings, or other clearly drawn and marked diagrams may be submitted in lieu of the second page of this form. The first page must still be completed, attached to, and submitted with any supplemental diagrams. An AMCO employee may require you to complete the second page of this form if additional documentation for your premises diagram is needed.

This form must be completed and submitted to AMCO's main office before any license application will be considered complete.

Yes No

I have attached blueprints, CAD drawings, or other supporting documents in addition to, or in lieu of, the second page of this form.

## Section 1 - Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	The Broken Oar LLC	License Number:	5904		
License Type:	Restaurant Eating Place / PC				
Doing Business As:	The Broken Oar				
Premises Address:	3851 Homer Spit Road				
City:	Homer	State:	AK	ZIP:	99603





Alcohol and Marijuana Control Office  
550 W 7<sup>th</sup> Avenue, Suite 1600  
Anchorage, AK 99501  
[alcohol.licensing@alaska.gov](mailto:alcohol.licensing@alaska.gov)  
<https://www.commerce.alaska.gov/web/amco>  
Phone: 907.269.0350

**Alaska Alcoholic Beverage Control Board**  
**Form AB-02: Premises Diagram**

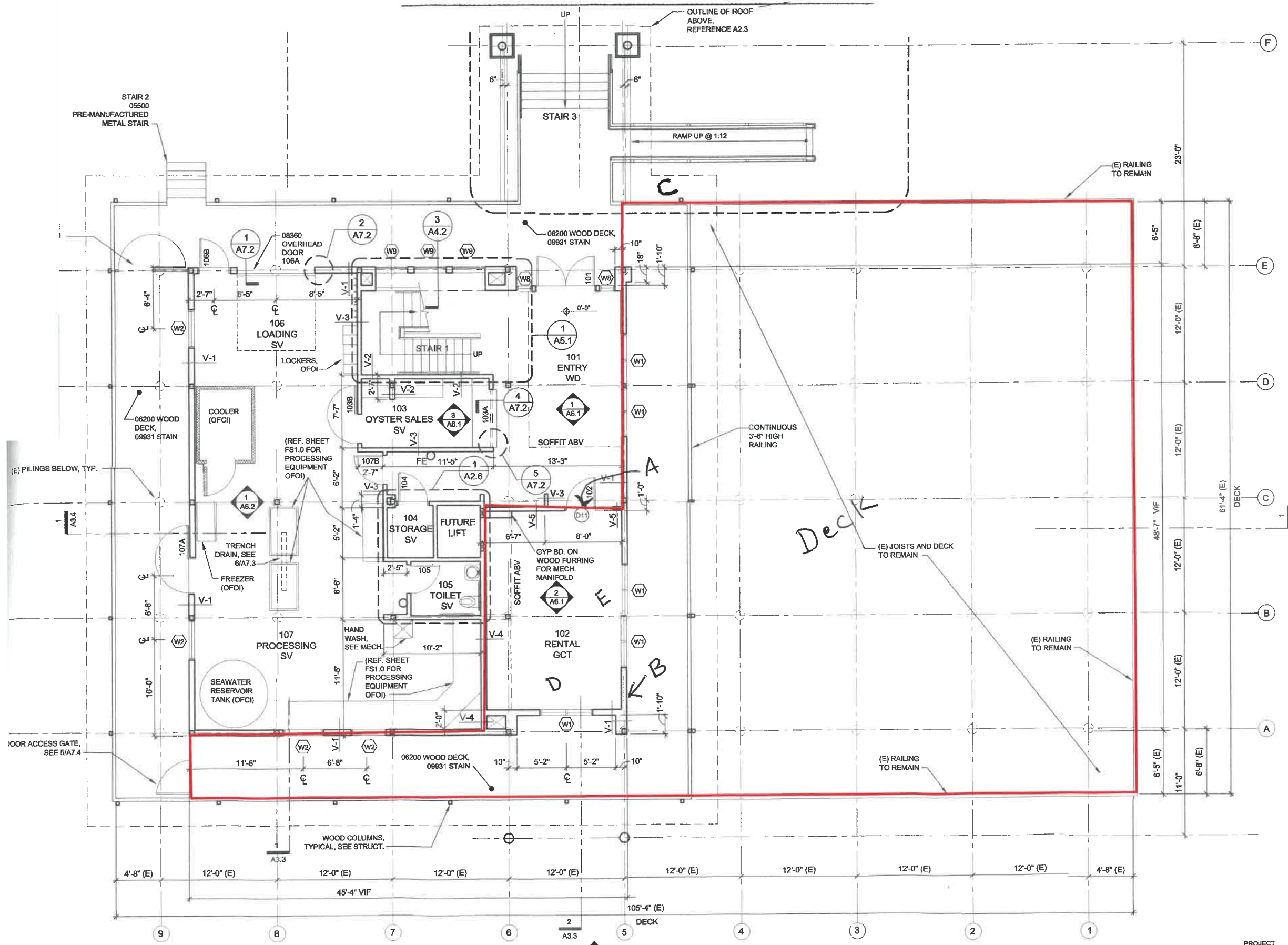
---

**Section 2 – Detailed Premises Diagram**

Clearly indicate the boundaries of the premises and the proposed licensed area within that property. Clearly indicate the interior layout of any enclosed areas on the proposed premises. Clearly identify all entrances and exits, walls, bars, and fixtures, and outline in red the perimeter of the areas designated for alcohol storage, service, consumption, and manufacturing. Include dimensions, cross-streets, and points of reference in your drawing. You may attach blueprints or other detailed drawings that meet the requirements of this form.

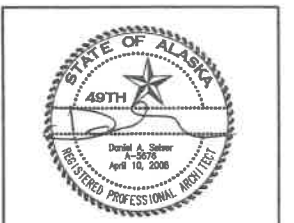
# HOMER SPIT ROAD

SHEET NOTES	
1.	ALL DIMENSIONS LABELED (E) MEASURE EXISTING FEATURES. ACTUAL DIMENSIONS MAY VARY. VERIFY IN FIELD.
LEGEND	
V-#	VERTICAL / HORIZONTAL ASSEMBLY REFERENCE G1.2
H-#	ASSEMBLY REFERENCE G1.2
101	ROOM NUMBER
HALL	ROOM NAME
XXX	FLOOR FINISH
FLOOR FINISH SCHEDULE	
WD	09640 WOOD FLOORING
FF	09670 FLUID APPLIED FLOORING
SV	09652 SHEET VINYL
CPT	09680 CARPET
RR	09662 RECYCLED RUBBER
GCT	03542 GYPSUM CONCRETE TOPPING



**Legend**

A = entrance / exit of the bar  
 B = service window to the deck  
 C = entrance / exit of the deck  
 D = wine storage behind bar  
 E = Fridge with lock for beer kegs / wine bottles



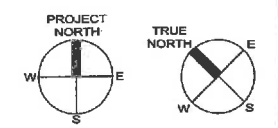
BDSak Durst Seiser, Inc.  
 3330 C Street, Suite 200  
 Anchorage, Alaska 99503  
 P. 907.562.6076  
 F. 907.562.6635  
 www.bdsak.com

JOB NAME:  
**KSMA MULTI PURPOSE SHELLFISH FACILITY**

BDS PROJECT NO.:  
 208006  
 PHASE:  
 PHASE 1  
 DATE:  
 APRIL 10, 2008  
 DRAWING TITLE:

**FLOOR PLAN - GROUND LEVEL**  
**A2.1**

**FLOOR PLAN - GROUND LEVEL (2155 GSF)**  
 SCALE: 3/16" = 1'-0"



**From:** RJ  
**To:** [Alcohol Licensing, CED ABC \(CED sponsored\)](#)  
**Subject:** Re: 5904 AB-02 052920.pdf  
**Date:** Tuesday, June 2, 2020 2:54:41 PM

---

The Broken Oar  
3851 Homer Spit Road  
Security Plan for form AB-02

The Broken Oar is a small seasonal oyster bar with 14 seats. We will be open and serving customers Sunday through Saturday between the hours of noon and 9pm. There is a main shared lobby entrance and one entrance into the bar and the same door is the exit. Some of the concerns we have in serving alcohol are, keeping alcohol out of the hands of minors, keeping alcohol from exiting the premises, keeping stored alcohol away from the public and underage customers. The Broken Oar will have the following security plan in place.

In order to guarantee customers in the bar area are of legal age, all customers entering into our establishment are required to show photo ID to confirm they are over 21. Those customers who are not over the age of 21 will not be permitted to sit at the bar and will be directed to use the service window located on the outside deck.

To keep alcohol consumption within the bar and deck area, several signs will be posted. One posted at the exit of the bar, which states "no alcohol beyond this point". There will also be a notice at the service window reminding customers that "21 is the legal age to consume alcohol". At the deck exit there will be a sign stating "no alcohol beyond this point" and a designated place to leave empty glassware. Also at the entrance of the bar, the required alcohol consumption posters will be posted in plain view for all customers to see. Having a valid up to date Alaska TAP card for over 8 years now, I understand the importance of serving alcohol responsibly.

Another safety precaution that we will be taking is all beer and wine will be stored behind the bar and only employees (all of which will be over 21) will have access to this area. After hours the bar will be locked and only the bar owner and manager of the building will have access through the locked door. Also all Employees who serve alcohol will have an up to date Tap card.

In addition any alcohol purchased through the service window for consumption on the deck, will have a limit of 1 per customer with valid ID proving they are over the age of 21. The Broken Oar has large windows overlooking the entire deck area, allowing employees to monitor all customers on the deck consuming alcohol, lowering the likelihood of underage drinking or alcohol being removed from the premises.

On Mon, Jun 1, 2020 at 8:17 AM Alcohol Licensing, CED ABC (CED sponsored)  
<[alcohol.licensing@alaska.gov](mailto:alcohol.licensing@alaska.gov)> wrote:

For this form: I need you to identify where the alcohol will be stored per the instructions, and we need a detailed security plan for this premises.

Please reply with the corrected premises and the security plan.

Thanks,

*Randi Baker*

Occupational Licensing Examiner

Alcohol and Marijuana Control Office

Phone: 907.269.0350

[alcohol.licensing@alaska.gov](mailto:alcohol.licensing@alaska.gov)

[marijuana.licensing@alaska.gov](mailto:marijuana.licensing@alaska.gov)



Please consider the environment before printing this e-mail.

*Any guidance provided by this electronic communication is not a binding legal opinion, ruling, or interpretation that may be relied upon, but merely guidance concerning existing statutes and regulations. There may be other unique or undisclosed facts, circumstances, and information that may have changed any guidance provided in this communication.*

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**Alaska Alcoholic Beverage Control Board**

**Form AB-03: Restaurant Designation Permit Application**

**What is this form?**

A restaurant designation permit application is required for a licensee desiring designation under 3 AAC 304.715 – 3 AAC 304.795 as a bona fide restaurant, hotel, or eating place for purposes of AS 04.16.010(c) or AS 04.16.049. Designation will be granted only to a holder of a beverage dispensary, club, recreational site, golf course, or restaurant or eating place license, and only if the requirements of 3 AAC 304.305, 3 AAC 304.725, and 3 AAC 304.745, as applicable, are met. A menu or expected menu listing the meals, including entrees prepared onsite and offered to patrons, and copy of the DEC Food Service Permit (or corresponding DHHS documentation for licenses located in the Municipality of Anchorage) must accompany this form. Applicants should review AS 04.16.049 – AS 04.16.052 and 3 AAC 304.715 – 3 AAC 304.795. All fields of this form must be completed. The required \$50 permit fee may be made by credit card, check, or money order.

**Section 1 – Establishment Information**

Enter information for licensed establishment.

Licensee:	The Broken Oar LLC				
License Type:	Restaurant/Eating place/AC	License Number:	5904		
Doing Business As:	The Broken Oar				
Premises Address:	3851 Homer Spit Road				
City:	Homer	State:	AK	ZIP:	99603
Contact Name:	Ryan Jordan	Contact Phone:	480 320 1373		

**Section 2 – Type of Designation Requested**

This application is for the request of designation as a bona fide restaurant, hotel, or eating place for purposes of AS 04.16.010(c) or AS 04.16.049, and for the request of the following designation(s) (check all that apply):

1.  Dining after standard closing hours: AS 04.16.010(c)
2.  Dining by persons 16 – 20 years of age: AS 04.16.049(a)(2)
3.  Dining by persons under the age of 16 years, accompanied by a person over the age of 21: AS 04.16.049(a)(3)
4.  Employment for persons 16 or 17 years of age: AS 04.16.049(c)  
 NOTE: Under AS 04.16.049(d), this permit is not required to employ a person 18 - 20 years of age.

OFFICE USE ONLY	
Transaction #:	Initials:



Alaska Alcoholic Beverage Control Board

**Form AB-03: Restaurant Designation Permit Application**

**Section 3 – Minor Access**

Review AS 04.16.049(a)(2); AS 04.16.049(a)(3); AS 04.16.049(c)

List where within the premises minors are anticipated to have access in the course of either dining or employment as designated in Section 2. (Example: Minors will only be allowed in the dining area. OR Minors will only be employed and present in the Kitchen.)

Minors will only be allowed on the outdoor deck area  
No one under the age of 21 will be allowed in the bar area.  
Alcohol will be served through a service window for the deck. All IDs will be checked, no exceptions.

Describe the policies, practices and procedures that will be in place to ensure that minors do not gain access to alcohol while dining or employed at your premises.

checking the ID of anyone trying to order an alcoholic beverage. Adults over 21 will be allowed in the bar area. Anyone under the age of 21 will have to eat on the patio/deck area. No employees will be under 21 years of age. Company policy is to card everyone, no exceptions.

Is an owner, manager, or assistant manager who is 21 years of age or older always present on the premises during business hours? Yes  No

**Section 4 – DEC Food Service Permit**

Per 3 AAC 304.910 for an establishment to qualify as a Bona Fide Restaurant, a Food Service Permit or (for licenses within the Municipality of Anchorage) corresponding Department of Health and Human Services documentation is required.

Please follow this link to the DEC Food Safety Website: <http://dec.alaska.gov/eh/fss/food/>

Please follow this link to the Municipality Food Safety Website:

<http://www.muni.org/Departments/health/Admin/environment/FSS/Pages/fssfood.aspx>

IF you are unable to certify the below statement, please discuss the matter with the AMCO office: Initials

I have attached a copy of the current food service permit for this premises OR the plan review approval.

\*Please note, if a plan review approval is submitted, a final permit will be required before finalization of any permit or license application.



Alaska Alcoholic Beverage Control Board

**Form AB-03: Restaurant Designation Permit Application**

**Section 5 – Hours of Operation**

Review AS 04.16.010(c).

Enter all hours that your establishment intends to be open. Include variances in weekend/weekday hours, and indicate am/pm:

Sunday through Saturday 10am - 11pm

**Section 6 – Entertainment & Service**

Review AS 04.11.100(g)(2)

Are any forms of entertainment offered or available within the licensed business or within the proposed licensed premises?

Yes  No

If "Yes", describe the entertainment offered or available and the hours in which the entertainment may occur:

live music Friday/Saturday 5pm - 9pm  
once or twice a summer

Food and beverage service offered or anticipated is:

table service  buffet service  counter service  other

If "other", describe the manner of food and beverage service offered or anticipated:

outdoor deck area



Alaska Alcoholic Beverage Control Board

**Form AB-03: Restaurant Designation Permit Application**

**Section 7 – Certifications and Approvals**

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

There are tables or counters at my establishment for consuming food in a dining area on the premises.



I have included with this form a menu, or an expected menu, listing the meals to be offered to patrons. This menu includes entrees that are regularly sold and prepared by the licensee at the licensed premises.



I certify that the license for which I am requesting designation is either a beverage dispensary, club, recreational site, golf course, or restaurant or eating place license.



I have included with this application a copy of the most recent AB-02 or AB-14 for the premises to be permitted. (AB-03 applications that accompany a new or transfer license application will not be required to submit an additional copy of their premises diagram.)



I declare under penalty of perjury that this form, including all attachments and accompanying schedules and statements, is true, correct, and complete.

Ryan Jordan  
Signature of licensee

Cindy L. Frazier  
Signature of Notary Public

Ryan Jordan  
Printed name of licensee

Notary Public in and for the State of Alaska

My commission expires: 10/20/2022



subscribed and sworn to before me this 29<sup>th</sup> day of May, 2020

Local Government Review (to be completed by an appropriate local government official):

Approved

Denied



\_\_\_\_\_  
Signature of local government official

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed name of local government official

\_\_\_\_\_  
Title





**Alaska Alcoholic Beverage Control Board**

**Form AB-03: Restaurant Designation Permit Application**

**AMCO Enforcement Review:** \_\_\_\_\_ Enforcement Recommendation: Approve Deny

\_\_\_\_\_  
Signature of AMCO Enforcement Supervisor

\_\_\_\_\_  
Printed name of AMCO Enforcement Supervisor

\_\_\_\_\_  
Date

**Enforcement Recommendations:**

**AMCO Director Review:** \_\_\_\_\_ Approved Denied

\_\_\_\_\_  
Signature of AMCO Director

\_\_\_\_\_  
Printed name of AMCO Director

\_\_\_\_\_  
Date

**Limitations:**

**ORDINANCE REFERENCE SHEET**  
**2020 ORDINANCE**  
**ORDINANCE 20-28**

Ordinance 20-28 An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.60.060(c) Signs on Private Property, Tables 1, 2, and 3.

Sponsor: Planning Commission

1. City Council Regular Meeting June 22, 2020 Introduction
  - a. Memorandum 20-081 from Acting City Manager as backup

1 **CITY OF HOMER**  
2 **HOMER, ALASKA**

3  
4 Planning Commission

5 **ORDINANCE 20-28**

6  
7 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,  
8 AMENDING HOMER CITY CODE 21.60.060(C) SIGNS ON PRIVATE  
9 PROPERTY TABLES 1, TABLE 2 AND 3.

10  
11 WHEREAS, The Economic Development Advisory Commission (EDC) conducted a  
12 Business Retention and Expansion Study and found that signage was a concern to local  
13 businesses; and

14  
15 WHEREAS, The EDC researched sign issues and recommended code amendments to the  
16 Homer Planning Commission (HPC); and

17  
18 WHEREAS, The 2018 Comprehensive Plan, Chapter 3, Goal 4, Objective B 2 states, “Use  
19 strategies to ensure the character of strip commercial development will make a positive  
20 contribution to the overall character of the community. Strategies include: controls on the size  
21 and appearance of signs, requirements for the landscaping of parking areas, and basic  
22 guidelines regarding building appearance”; and

23  
24 WHEREAS, The HPC considered the sign code amendments and recommended changes  
25 to the sign code, addressing buildings with more than one side with a main entrance, multi-  
26 story buildings, buildings with interior tenants, parking lot identification signs, and a master  
27 sign plan process.

28  
29 NOW THEREFORE, THE CITY OF HOMER ORDAINS:

30  
31 Section 1. Homer City Code 21.60.060(c) Signs on private property, Tables 1, 2, and 3 are  
32 amended:

33  
34 **21.60.060 Signs on private property.**

35 a. Signs shall be allowed on private property in the City only in accordance with Table 1. If the  
36 letter “A” appears for a sign type in a column, such sign type is allowed without prior permit  
37 approval in the zoning district represented by that column. If the letter “P” appears for a sign  
38 type in a column, such sign type is allowed only with prior permit approval in the zoning district  
39 represented by that column. Special conditions may apply in some cases. If the letter “N”  
40 appears for a sign type in a column, such sign type is not allowed in the zoning district  
41 represented by that column under any circumstances. If the letters “PH” appear for a sign type

42 in a column, such sign type is allowed in the zoning district represented by that column only  
 43 with prior approval by the Commission after a public hearing.

44 b. Although permitted under subsection (a) of this section, a sign designated by an “A” or “P”  
 45 in Table 1 shall be allowed only if:

46 1. The sum of the area of all building and freestanding signs on the lot does not exceed  
 47 the maximum permitted sign area for the zoning district in which the lot is located as  
 48 specified in Table 2; and

49 2. The characteristics of the sign conform to the limitations of Table 3, Permitted Sign  
 50 Characteristics by Zoning District, and with any additional limitations on characteristics  
 51 listed in Table 1 or Table 2.

52

53 c. A sign type that is not listed on the following tables is prohibited.

54

Key to Tables 1 through 3			
RR	Rural Residential	GBD	Gateway Business District
UR	Urban Residential	GC1	General Commercial 1
RO	Residential Office	GC2	General Commercial 2
INS	Institutional Uses Permitted in Residential Zoning Districts (a)	EEMU	East End Mixed Use
CBD	Central Business District	MC	Marine Commercial
TC	Town Center District	MI	Marine Industrial
		OSR	Open Space Recreation
		PS	Public Sign Uses Permit

A = Allowed without sign permit

P = Allowed only with sign permit

N = Not allowed

PH = Allowed only upon approval by the Planning Commission after a public hearing.

For parenthetical references, e.g., “(a),” see notes following graphical portion of table.

Table 1														
Sign Type	RR	UR	RO	INS (a)	CBD	TC	GBD	GC1	GC2	EEMU	MC	MI	OSR	PS
Freestanding														
Residential (b)	A	A	A	A	A	A	A	N	N	N	N	N	A	PH
Other (b)	N	N	N	P	P	P	P (i)	A	A	A	P	P	N	PH
Incidental (c)	N	N	A (d)	A (d)	A	A	A	A	A	A	A	A	N	N
<b><u>Parking Lot Identification</u></b>					<b><u>A</u></b>	<b><u>A</u></b>	<b><u>A</u></b>	<b><u>A</u></b>	<b><u>A</u></b>	<b><u>A</u></b>	<b><u>A</u></b>	<b><u>A</u></b>		
Building														

[**Bold and underlined added.** Deleted language stricken through

Table 1														
Sign Type	RR	UR	RO	INS (a)	CBD	TC	GBD	GC1	GC2	EEMU	MC	MI	OSR	PS
Banner	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Building Marker (e)	A	A	A	A	A	A	A	A	A	A	A	A	A	N
Identification (d)	A	A	A	A	A	A	A	A	A	A	A	A	A	N
Incidental (c)	N	N	A (f)	A	A	A	A	A	A	A	A	A	N	N
Marquee	N	N	N	N	P	P	P	P	P	P	P	P	N	N
Projecting	N	N	N	N	P	P	P	P	P	P	P	P	N	N
Residential (b)	A	A	A	N	A	A	A	N	N	N	N	N	A	N
Roof, Integral	N	N	N	P	P	P	P	P	P	P	P	P	N	N
Suspended	N	N	N	P	P	P	P	P	P	P	P	P	N	N
Temporary (g)	P	P	P	N		P	P	P	P	P	P	P	N	N
Wall	A	A	A	A	P	P	P	P	P	P	P	P	A	A
Window	N	N	A	N	P	P	P	P	P	P	P	P	N	N
Miscellaneous														
Flag (h)	A	A	A	A	A	A	A	A	A	A	A	A	A	A

56 Notes to Table 1:

- 57 a. This column does not represent a zoning district. It applies to institutional uses permitted  
58 under the zoning code in the RR, UR and RO zoning districts. Institutional is defined as an  
59 established organization or corporation of a public, nonprofit, or public safety/benefit  
60 nature, i.e., schools, churches, and hospitals.
- 61 b. No commercial message allowed on sign, except for a commercial message drawing  
62 attention to goods or services legally offered on the lot.
- 63 c. No commercial message of any kind allowed on sign if such message is legible from any  
64 location off the lot on which the sign is located.
- 65 d. Only address and name of occupant allowed on sign.
- 66 e. May include only building name, date of construction, or historical data on historic site;  
67 must be cut or etched into masonry, bronze, or similar material.
- 68 f. No commercial message of any kind allowed on sign.
- 69 g. The conditions of HCC 21.60.130 apply.
- 70 h. Flags of the United States, the State, the City, foreign nations having diplomatic relations  
71 with the United States and any other flag adopted or sanctioned by an elected legislative body  
72 of competent jurisdiction. These flags must be flown in accordance with protocol established  
73 by the Congress of the United States for the Stars and Stripes. Any flag not meeting any one or  
74 more of these conditions shall be considered a banner sign and shall be subject to regulations  
75 as such.

**[Bold and underlined added. Deleted language stricken through**

76 i. The main entrance to a development in GBD may include one ground sign announcing the  
 77 name of the development. Such sign shall consist of natural materials. Around the sign grass,  
 78 flowers and shrubs shall be placed to provide color and visual interest. The sign must comply  
 79 with applicable sign code requirements.  
 80

**Table 2. Maximum Total Sign Area Per Lot by Zoning District**

**Table 2 Part A**

The maximum combined total area of all signs, in square feet, except incidental, building marker, and flags (b), shall not exceed the following according to district:

RR	UR	RO	RO (e)	INS (a)	OSR	PS (d)
4	4	6	50	20	4	32

**Table 2 Part B**

In all other districts not described in Table 2 Part A, the maximum combined total area of all signs, in square feet, except incidental, building marker and flags, shall not exceed the following:

Square feet of wall frontage (c):	Maximum allowed sign area per principal building:
750 s.f. and over	150 s.f.
650 to 749	130 s.f.
550 to 649	110 s.f.
450 to 549	90 s.f.
350 to 449	70 s.f.
200 to 349	50 s.f.
0 to 199	30 s.f.

- 81 **1.** In all districts covered by Table 2 Part B, on any lot with multiple principal buildings or  
 82 with multiple independent businesses or occupancies in one or more buildings, the  
 83 total allowed sign area may be increased beyond the maximum allowed signage as  
 84 shown in Table 2 Part B, by 20%. This additional sign area can only be used to promote  
 85 or identify the building or complex of buildings.  
 86 **2.** **In all districts covered by Table 2 Part B, freestanding Parking Lot Identification**  
 87 **signs are excluded from calculation as sign area, and are allowed in addition to the**

**[Bold and underlined added. Deleted language stricken through**

88 freestanding sign per limitation stated in Table 2 Part B(4). One directional  
89 parking lot identification sign may be erected without a sign permit if restricted to  
90 identifying a parking lot with its owner, operator, or name of the business  
91 providing the lot. The sign may include the logo, corporate colors or name of the  
92 business but no advertising other than the name of the business shall be included.  
93 The total sign area shall not exceed six square feet and shall not exceed a sign  
94 height of six feet.

95 **3. In all districts covered by Table 2 Part B, special conditions for additional signage**  
96 **allowance above 150 square feet per building. An allowance for additional signage**  
97 **may be granted by the City Planner for either section (a) or section (b) below.**

98  
99 **a. Multiple-Tenant Buildings which adjoin and have which have more than one**  
100 **entrance for clients that access more than one improved street.**

101 **1. Secondary and tertiary entrances must be commonly used by clients and**  
102 **must access the interior of the building and conversely the entrance**  
103 **must access a parking lot, sidewalk or constructed public road. These**  
104 **entrances are approved at the sole direction of the planning department.**  
105 **Alleys, stairways to upper levels, emergency exits may not apply at the**  
106 **discretion of the Planning Director.**

107 **2. Additional signage is allowed based ½ the allowance on Table 2 part B to**  
108 **existing for each secondary or tertiary street wall frontage. Signage must**  
109 **be placed on the wall face of the building the allowance was based on.**

110 **b. Additional sign allowance for multitenant split level buildings and buildings**  
111 **two or more businesses deep:**

112 **1. In a building that has one frontage, which is the only frontage that has**  
113 **access to a public street, and is split level or is more than one business in**  
114 **depth.**

115 **2. Additional signage is allowed based on ½ the allowance of Table 2 Part**  
116 **B.**

117  
118 **4. In all districts covered by Table 2 Part B, freestanding signs, when otherwise allowed,**  
119 **shall not exceed the following limitations:**

120 **a.** Only one freestanding sign is allowed per lot, except one freestanding public  
121 sign may be additionally allowed. A freestanding sign may not exceed 10 feet in  
122 height.

123 **b.** The sign area on a freestanding sign (excluding a public sign) shall be included  
124 in the calculation of maximum allowed sign area per lot and shall not exceed the  
125 following:

126 **i.** One business or occupancy in one building – 36 sq ft

127 **ii.** Two independent businesses or occupancies or principal buildings in any  
128 combination – 54 sq ft

- 129                    **iii.** Three independent businesses or occupancies or principal buildings in any  
 130                    combination – 63 sq ft  
 131                    **iv.** Four or more independent businesses or occupancies or principal buildings in  
 132                    any combination – 72 sq ft  
 133

134 Notes to Table 2, Parts A and B

- 135 a. The INS column does not represent a zoning district. It applies to institutional uses  
 136 permitted under the zoning code in the RR, UR and RO zoning districts. Institutional is defined  
 137 as an established organization or corporation of a public, nonprofit, or public safety or benefit  
 138 nature, e.g., schools churches, and hospitals.  
 139  
 140 b. Flags of the United States, the State, the City, foreign nations having diplomatic relations  
 141 with the United States, and any other flag adopted or sanctioned by an elected legislative body  
 142 of competent jurisdiction. These flags must be flown in accordance with protocol established  
 143 by the Congress of the United States for the Stars and Stripes. Any flag not meeting any one or  
 144 more of these conditions shall be considered a banner sign and shall be subject to regulation  
 145 as such.  
 146  
 147 c. Square feet of wall frontage is defined as total square footage of wall surface, under the  
 148 roof, that faces the major access or right-of-way of the business. In the case of a business  
 149 located on a corner lot, square footage of wall frontage is the total square footage of wall  
 150 surface, under the roof, on the side of the business with the most square footage.  
 151  
 152 d. The PS column does not represent a zoning district. It applies to public signs permitted  
 153 under the zoning code, in all zoning districts.  
 154  
 155 e. This RO column applies only to lots in that portion of the RO district that abuts East End  
 156 Road, Bartlett Street, Hohe Street, and Pennock Street. Within this area, there is allowed a  
 157 maximum of 50 square feet total area of all signs (including the ground sign referred to below),  
 158 except incidental, building marker, and flags (see note (b) above). One ground sign, with a  
 159 maximum total area of 16 square feet, will be permitted per lot. Each ground sign shall not  
 160 exceed six feet in height, measured from the base to the highest portion of any part of the sign  
 161 or supporting structure.  
 162

Table 3. Permitted Sign Characteristics by Zoning District

Sign Type	RR	UR	RO	INS (a)	CBD	TC	GBD	GC1	GC2	EEMU	MC	MI	OSR	PS (e)
Animated (b)	N	N	N	N	P	P	N	P	N	P	P	N	N	N
Changeable Copy (c)	N	N	N	P	P	P	P	P	P	P	P	P	N	PH

**[Bold and underlined added. Deleted language stricken through**



Table 3. Permitted Sign Characteristics by Zoning District														
Sign Type	RR	UR	RO	INS (a)	CBD	TC	GBD	GC1	GC2	EEMU	MC	MI	OSR	PS (e)
Illumination Internal	N	N	N	P	P	P	P	P	P	P	P	P	N	N
Illumination External	N	N	N	P	P	P	P	P	P	P	P	P	N	PH
Neon (d)	N	N	N	N	P	P	N	P	P	P	P	P	N	N

163 Notes to Table 3:

- 164 a. The INS column does not represent a zoning district. It applies to institutional uses  
 165 permitted under the zoning code, in the RR, UR and RO zoning districts. Institutional is defined  
 166 as an established organization or corporation of a public, nonprofit, or public safety/benefit  
 167 nature, i.e., schools, churches, and hospitals.  
 168 b. Animated signs may not be neon or change colors or exceed three square feet in area.  
 169 c. Changeable copy signs must be wall- or pole-mounted, and may not be flashing.  
 170 d. Neon signs may not be flashing and may not exceed 32 square feet.  
 171 e. The PS column does not represent a zoning district. It applies to public signs permitted  
 172 under the zoning code, in all zoning districts.  
 173 [Ord. 14-34 § 1, 2014; Ord. 12-26 § 1, 2012; Ord. 12-01(S)(A) §§ 2 – 6, 2012].

174  
 175 Section 2: This ordinance is of a permanent and general character and shall be included in  
 176 the City Code.

177  
 178 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA THIS \_\_\_ DAY OF \_\_\_\_\_,  
 179 2020.

180 CITY OF HOMER

181  
 182  
 183 \_\_\_\_\_  
 184 KEN CASTNER, MAYOR

185 ATTEST:

186  
 187 \_\_\_\_\_  
 188 MELISSA JACOBSEN, MMC, CITY CLERK

189 YES:

190 NO:

191 ABSTAIN:

192 ABSENT:

193  
 194  
 195 First Reading:

**[Bold and underlined added. Deleted language stricken through**

196 Public Hearing:  
197 Second Reading:  
198 Effective Date:  
199  
200 Reviewed and approved as to form:  
201  
202 \_\_\_\_\_  
203 Rick Abboud, Acting City Manager  
204  
205 Date: \_\_\_\_\_

\_\_\_\_\_  
Michael Gatti, City Attorney  
  
Date: \_\_\_\_\_



## City of Homer

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

## Planning

491 East Pioneer Avenue  
Homer, Alaska 99603

[Planning@ci.homer.ak.us](mailto:Planning@ci.homer.ak.us)

(p) 907-235-3106

(f) 907-235-3118

# Memorandum 20-081

## PI 20-06

TO: MAYOR CASTNER AND HOMER CITY COUNCIL  
FROM: RICK ABOUD, AICP, MPA, ACTING CITY MANAGER  
DATE: JUNE 15, 2020  
SUBJECT: The provision of additional signage for parking lot identification and certain types of multi-tenant structures

After following up on a business retention and expansion survey, the EDC embarked on an extensive analysis of the needs and recommendations for signage concerns with larger, multi-tenant building. After more review and analysis by the Planning Department and the Planning Commission, a draft ordinance is being recommended for adoption.

The draft ordinance is extensively explained in staff report 20-34. It basically does two things. It allows additional signage for parking lot identification (any business) and it gives a 50% increase in the signage allowed for certain types of multi-tenant structures that have multiple entrances fronting multiple rights-of-way, more than 1 story, or have interior tenants (such as a mall or office building). This addresses a relatively frequent situation where a building with multiple tenants are not able to provide effective signage for all tenants within the current allowances.

The Planning Commission held a public hearing on the draft ordinance at their June 3, 2020 meeting. The Commission moved with the unanimous consent of the six commissioners present at the public hearing to recommend that the City Council adopt the draft ordinance.

### **Attachments:**

Ordinance

Staff report and corresponding meeting minutes

1 **CITY OF HOMER**  
2 **HOMER, ALASKA**

3 Planning

4 **ORDINANCE 20-xx**

5  
6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING  
7 HOMER CITY CODE 21.60 SIGN CODE TABLES 1, TABLE 2 AND 3.  
8

9 WHEREAS, The Economic Development Advisory Commission (EDC) conducted a  
10 Business Retention and Expansion Study, and found that signage was a concern to local  
11 businesses; and  
12

13 WHEREAS, The EDC researched sign issues and recommended code amendments to the  
14 Homer Planning Commission (HPC); and  
15

16 WHEREAS, The 2018 Comprehensive Plan, Chapter 3 Goal 4 Objective B 2 states, “Use  
17 strategies to ensure the character of strip commercial development will make a positive  
18 contribution to the overall character of the community. Strategies include: controls on the size  
19 and appearance of signs, requirements for the landscaping of parking areas, and basic  
20 guidelines regarding building appearance”; and  
21

22 WHEREAS, The HPC considered the sign code amendments and recommended changes  
23 to the sign code, addressing buildings with more than one side with a main entrance,  
24 multistory buildings, buildings with interior tenants, parking lot identification signs, and a  
25 master sign plan process.  
26

27 NOW THEREFORE, THE CITY OF HOMER ORDAINS:  
28

29 Section 1. Homer City Code 21.60.060(c) Signs on private property, Tables 1, 2, and 3 are  
30 amended:  
31

32 **21.60.060 Signs on private property.**

33 a. Signs shall be allowed on private property in the City only in accordance with Table 1. If the  
34 letter “A” appears for a sign type in a column, such sign type is allowed without prior permit  
35 approval in the zoning district represented by that column. If the letter “P” appears for a sign  
36 type in a column, such sign type is allowed only with prior permit approval in the zoning district  
37 represented by that column. Special conditions may apply in some cases. If the letter “N”  
38 appears for a sign type in a column, such sign type is not allowed in the zoning district  
39 represented by that column under any circumstances. If the letters “PH” appear for a sign type  
40 in a column, such sign type is allowed in the zoning district represented by that column only  
41 with prior approval by the Commission after a public hearing.

42 b. Although permitted under subsection (a) of this section, a sign designated by an “A” or “P”  
43 in Table 1 shall be allowed only if:

- 44 1. The sum of the area of all building and freestanding signs on the lot does not exceed  
 45 the maximum permitted sign area for the zoning district in which the lot is located as  
 46 specified in Table 2; and  
 47 2. The characteristics of the sign conform to the limitations of Table 3, Permitted Sign  
 48 Characteristics by Zoning District, and with any additional limitations on characteristics  
 49 listed in Table 1 or Table 2.  
 50  
 51 c. A sign type that is not listed on the following tables is prohibited.  
 52

<b>Key to Tables 1 through 3</b>														
RR	Rural Residential	GBD	Gateway Business District											
UR	Urban Residential	GC1	General Commercial 1											
RO	Residential Office	GC2	General Commercial 2											
INS	Institutional Uses Permitted in Residential Zoning Districts (a)	EEMU	East End Mixed Use											
CBD	Central Business District	MC	Marine Commercial											
TC	Town Center District	MI	Marine Industrial											
		OSR	Open Space Recreation											
		PS	Public Sign Uses Permit											
A = Allowed without sign permit														
P = Allowed only with sign permit														
N = Not allowed														
PH = Allowed only upon approval by the Planning Commission after a public hearing.														
For parenthetical references, e.g., “(a),” see notes following graphical portion of table.														
<b>Table 1</b>														
<b>Sign Type</b>	<b>RR</b>	<b>UR</b>	<b>RO</b>	<b>INS (a)</b>	<b>CBD</b>	<b>TC</b>	<b>GBD</b>	<b>GC1</b>	<b>GC2</b>	<b>EEMU</b>	<b>MC</b>	<b>MI</b>	<b>OSR</b>	<b>PS</b>
Freestanding														
Residential (b)	A	A	A	A	A	A	A	N	N	N	N	N	A	PH
Other (b)	N	N	N	P	P	P	P (i)	A	A	A	P	P	N	PH
Incidental (c)	N	N	A (d)	A (d)	A	A	A	A	A	A	A	A	N	N
<b><u>Parking Lot Identification</u></b>					<b><u>A</u></b>	<b><u>A</u></b>	<b><u>A</u></b>	<b><u>A</u></b>	<b><u>A</u></b>	<b><u>A</u></b>	<b><u>A</u></b>	<b><u>A</u></b>		
Building														
Banner	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Building Marker (e)	A	A	A	A	A	A	A	A	A	A	A	A	A	N
Identification (d)	A	A	A	A	A	A	A	A	A	A	A	A	A	N

[**Bold and underlined added.** Deleted language stricken through

Table 1														
Sign Type	RR	UR	RO	INS (a)	CBD	TC	GBD	GC1	GC2	EEMU	MC	MI	OSR	PS
Incidental (c)	N	N	A (f)	A	A	A	A	A	A	A	A	A	N	N
Marquee	N	N	N	N	P	P	P	P	P	P	P	P	N	N
Projecting	N	N	N	N	P	P	P	P	P	P	P	P	N	N
Residential (b)	A	A	A	N	A	A	A	N	N	N	N	N	A	N
Roof, Integral	N	N	N	P	P	P	P	P	P	P	P	P	N	N
Suspended	N	N	N	P	P	P	P	P	P	P	P	P	N	N
Temporary (g)	P	P	P	N		P	P	P	P	P	P	P	N	N
Wall	A	A	A	A	P	P	P	P	P	P	P	P	A	A
Window	N	N	A	N	P	P	P	P	P	P	P	P	N	N
Miscellaneous														
Flag (h)	A	A	A	A	A	A	A	A	A	A	A	A	A	A

54 Notes to Table 1:

55 a. This column does not represent a zoning district. It applies to institutional uses permitted  
56 under the zoning code in the RR, UR and RO zoning districts. Institutional is defined as an  
57 established organization or corporation of a public, nonprofit, or public safety/benefit  
58 nature, i.e., schools, churches, and hospitals.

59 b. No commercial message allowed on sign, except for a commercial message drawing  
60 attention to goods or services legally offered on the lot.

61 c. No commercial message of any kind allowed on sign if such message is legible from any  
62 location off the lot on which the sign is located.

63 d. Only address and name of occupant allowed on sign.

64 e. May include only building name, date of construction, or historical data on historic site;  
65 must be cut or etched into masonry, bronze, or similar material.

66 f. No commercial message of any kind allowed on sign.

67 g. The conditions of HCC 21.60.130 apply.

68 h. Flags of the United States, the State, the City, foreign nations having diplomatic relations  
69 with the United States and any other flag adopted or sanctioned by an elected legislative body  
70 of competent jurisdiction. These flags must be flown in accordance with protocol established  
71 by the Congress of the United States for the Stars and Stripes. Any flag not meeting any one or  
72 more of these conditions shall be considered a banner sign and shall be subject to regulations  
73 as such.

74 i. The main entrance to a development in GBD may include one ground sign announcing the  
75 name of the development. Such sign shall consist of natural materials. Around the sign grass,  
76 flowers and shrubs shall be placed to provide color and visual interest. The sign must comply  
77 with applicable sign code requirements.

78

79  
 80

**Table 2. Maximum Total Sign Area Per Lot by Zoning District**

**Table 2 Part A**

The maximum combined total area of all signs, in square feet, except incidental, building marker, and flags (b), shall not exceed the following according to district:

RR	UR	RO	RO (e)	INS (a)	OSR	PS (d)
4	4	6	50	20	4	32

**Table 2 Part B**

In all other districts not described in Table 2 Part A, the maximum combined total area of all signs, in square feet, except incidental, building marker and flags, shall not exceed the following:

Square feet of wall frontage (c):	Maximum allowed sign area per principal building:
750 s.f. and over	150 s.f.
650 to 749	130 s.f.
550 to 649	110 s.f.
450 to 549	90 s.f.
350 to 449	70 s.f.
200 to 349	50 s.f.
0 to 199	30 s.f.

- 81 **1.** In all districts covered by Table 2 Part B, on any lot with multiple principal buildings or  
 82 with multiple independent businesses or occupancies in one or more buildings, the  
 83 total allowed sign area may be increased beyond the maximum allowed signage as  
 84 shown in Table 2 Part B, by 20%. This additional sign area can only be used to promote  
 85 or identify the building or complex of buildings.
- 86 **2. In all districts covered by Table 2 Part B, freestanding Parking Lot Identification**  
 87 **signs are excluded from calculation as sign area, and are allowed in addition to the**  
 88 **freestanding sign per limitation stated in Table 2 Part B(4). One directional**  
 89 **parking lot identification sign may be erected without a sign permit if restricted to**  
 90 **identifying a parking lot with its owner, operator, or name of the business**  
 91 **providing the lot. The sign may include the logo, corporate colors or name of the**  
 92 **business but no advertising other than the name of the business shall be included.**

[**Bold and underlined added.** Deleted language stricken through

93           **The total sign area shall not exceed six square feet and shall not exceed a sign**  
94           **height of six feet.**

95           **3. In all districts covered by Table 2 Part B, special conditions for additional signage**  
96           **allowance above 150 square feet per building. An allowance for additional signage**  
97           **may be granted by the City Planner for either section (a) or section (b) below.**

98  
99           **a. Multiple-Tenant Buildings which adjoin and have which have more than one**  
100           **entrance for clients that access more than one improved street.**

101           **1. Secondary and tertiary entrances must be commonly used by clients and**  
102           **must access the interior of the building and conversely the entrance**  
103           **must access a parking lot, sidewalk or constructed public road. These**  
104           **entrances are approved at the sole direction of the planning department.**  
105           **Alleys, stairways to upper levels, emergency exits may not apply at the**  
106           **discretion of the Planning Director.**

107           **2. Additional signage is allowed based ½ the allowance on Table 2 part B to**  
108           **existing for each secondary or tertiary street wall frontage. Signage must**  
109           **be placed on the wall face of the building the allowance was based on.**

110           **b. Additional sign allowance for multitenant split level buildings and buildings**  
111           **two or more businesses deep:**

112           **1. In a building that has one frontage, which is the only frontage that has**  
113           **access to a public street, and is split level or is more than one business in**  
114           **depth.**

115           **2. Additional signage is allowed based on ½ the allowance of Table 2 Part**  
116           **B.**

117  
118           **4. In all districts covered by Table 2 Part B, freestanding signs, when otherwise allowed,**  
119           **shall not exceed the following limitations:**

120           **a.** Only one freestanding sign is allowed per lot, except one freestanding public  
121           sign may be additionally allowed. A freestanding sign may not exceed 10 feet in  
122           height.

123           **b.** The sign area on a freestanding sign (excluding a public sign) shall be included  
124           in the calculation of maximum allowed sign area per lot and shall not exceed the  
125           following:

126           **i.** One business or occupancy in one building – 36 sq ft

127           **ii.** Two independent businesses or occupancies or principal buildings in any  
128           combination – 54 sq ft

129           **iii.** Three independent businesses or occupancies or principal buildings in any  
130           combination – 63 sq ft

131           **iv.** Four or more independent businesses or occupancies or principal buildings in  
132           any combination – 72 sq ft

133  
134  
**[Bold and underlined added. Deleted language stricken through**



135 Notes to Table 2, Parts A and B

136

137 a. The INS column does not represent a zoning district. It applies to institutional uses  
 138 permitted under the zoning code in the RR, UR and RO zoning districts. Institutional is defined  
 139 as an established organization or corporation of a public, nonprofit, or public safety or benefit  
 140 nature, e.g., schools churches, and hospitals.

141

142 b. Flags of the United States, the State, the City, foreign nations having diplomatic relations  
 143 with the United States, and any other flag adopted or sanctioned by an elected legislative body  
 144 of competent jurisdiction. These flags must be flown in accordance with protocol established  
 145 by the Congress of the United States for the Stars and Stripes. Any flag not meeting any one or  
 146 more of these conditions shall be considered a banner sign and shall be subject to regulation  
 147 as such.

148

149 c. Square feet of wall frontage is defined as total square footage of wall surface, under the  
 150 roof, that faces the major access or right-of-way of the business. In the case of a business  
 151 located on a corner lot, square footage of wall frontage is the total square footage of wall  
 152 surface, under the roof, on the side of the business with the most square footage.

153

154 d. The PS column does not represent a zoning district. It applies to public signs permitted  
 155 under the zoning code, in all zoning districts.

156

157 e. This RO column applies only to lots in that portion of the RO district that abuts East End  
 158 Road, Bartlett Street, Hohe Street, and Pennock Street. Within this area, there is allowed a  
 159 maximum of 50 square feet total area of all signs (including the ground sign referred to below),  
 160 except incidental, building marker, and flags (see note (b) above). One ground sign, with a  
 161 maximum total area of 16 square feet, will be permitted per lot. Each ground sign shall not  
 162 exceed six feet in height, measured from the base to the highest portion of any part of the sign  
 163 or supporting structure.

164

Table 3. Permitted Sign Characteristics by Zoning District														
Sign Type	RR	UR	RO	INS (a)	CBD	TC	GBD	GC1	GC2	EEMU	MC	MI	OSR	PS (e)
Animated (b)	N	N	N	N	P	P	N	P	N	P	P	N	N	N
Changeable Copy (c)	N	N	N	P	P	P	P	P	P	P	P	P	N	PH
Illumination Internal	N	N	N	P	P	P	P	P	P	P	P	P	N	N
Illumination External	N	N	N	P	P	P	P	P	P	P	P	P	N	PH
Neon (d)	N	N	N	N	P	P	N	P	P	P	P	P	N	N

**[Bold and underlined added.** Deleted language stricken through

165 Notes to Table 3:

- 166 a. The INS column does not represent a zoning district. It applies to institutional uses  
167 permitted under the zoning code, in the RR, UR and RO zoning districts. Institutional is  
168 defined as an established organization or corporation of a public, nonprofit, or public  
169 safety/benefit nature, i.e., schools, churches, and hospitals.  
170 b. Animated signs may not be neon or change colors or exceed three square feet in area.  
171 c. Changeable copy signs must be wall- or pole-mounted, and may not be flashing.  
172 d. Neon signs may not be flashing and may not exceed 32 square feet.  
173 e. The PS column does not represent a zoning district. It applies to public signs permitted  
174 under the zoning code, in all zoning districts.  
175 [Ord. 14-34 § 1, 2014; Ord. 12-26 § 1, 2012; Ord. 12-01(S)(A) §§ 2 – 6, 2012].  
176  
177  
178

179 Section x: This ordinance is of a permanent and general character and shall be included in  
180 the City Code.

181  
182 ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER THIS \_\_\_ DAY OF \_\_\_\_\_,  
183 2020.  
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186  
187 CITY OF HOMER  
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189

190  
191  
192 \_\_\_\_\_  
193 KEN CASTNER, MAYOR  
194

195 ATTEST:

196  
197 \_\_\_\_\_  
198 MELISSA JACOBSEN, MMC, CITY CLERK  
199  
200

201  
202 YES:

203 NO:

204 ABSTAIN:

205 ABSENT:  
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First Reading:  
Public Hearing:  
Second Reading:  
Effective Date:  
  
Reviewed and approved as to form:

\_\_\_\_\_  
  
\_\_\_\_\_, City Manager  
  
Date:\_\_\_\_\_

\_\_\_\_\_  
  
Michael Gatti, City Attorney  
  
Date:\_\_\_\_\_



# City of Homer

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

## Planning

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### Staff Report PL 20-34

TO: Homer Advisory Planning Commission  
THROUGH: Rick Abboud, City Planner  
FROM: Julie Engebretsen, Deputy City Planner  
DATE: June 3, 2020  
SUBJECT: Proposed ordinance to amend HCC 21.60 Sign Code Tables 1, 2 & 3

---

**Requested action:** Conduct a public hearing on revisions to the sign code, and forward a recommendation to the City Council.

### **Introduction**

In May 2019, the Economic Development Commission (EDC) identified a need for a change to the sign code. The current sign area total of 150 square feet for large buildings with multiple tenants can make it difficult for tenants to have effective signage. Planning staff has also found it challenging to permit effective signage for tenants in this situation. The Planning Commission worked on this topic in fall 2019. A draft ordinance was provided to the city attorney for review. The draft ordinance is now up for public hearing and a recommendation to the City Council.

There is one component of the Commission's earlier work that was not included in this ordinance. Staff and the Commission had explored the concept of a Master Sign Permit. When a new building was built, a sign plan would be submitted and approved, and thereafter no additional sign permitting would be needed. Upon legal review, the Attorney found the language unclear. Rather than add more unclear language to an already complicated sign code, staff has deleted that part of the draft ordinance. This topic can be revisited in the future if there is further public desire to modify the sign code.

### **Synopsis of Code Changes**

#### **Amendments to Table 1:**

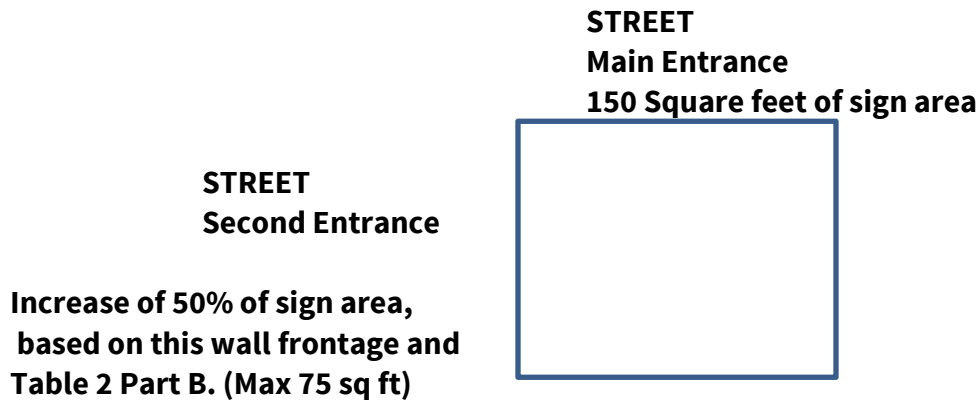
- Adds a Parking lot Identification Sign as a sign type and specifies which zones they are allowed.

#### **Amendments to Table 2 Part B:**

- The table has been organized into numbered sections for easier use.

- Parking lot identification sign regulations have been added.
- A provision has been included to allow larger buildings to have more than 150 square feet of signage, which is the current maximum. The building must be either more than 1 story in height, have interior tenants (such as a mall or office building) or have more than one primary entrance from a different public street, such as a corner lot with main entrances on both streets. Signage could increase up to ½ the amount of sign area determined by Table 2 Part B. Since the maximum sign area in the table is 150 square feet, the secondary wall cannot have more than 75 square feet of signage.
- Example: For buildings on corner lots with more than one main public entrance, additional signage would be based on the building wall frontage, with an increase of up to ½ the amount of sign area determined by Table 2 Part B. Since the maximum sign area in the table is 150 square feet, the secondary wall cannot have more than 75 square feet of signage.

**Example:**



**Planning Staff review per 21.95.040**

21.95.040 Planning Department review of code amendment. The Planning Department shall evaluate each amendment to this title that is initiated in accordance with HCC 21.95.010 and qualified under HCC 21.95.030, and may recommend approval of the amendment only if it finds that the amendment:

- a. Is consistent with the comprehensive plan and will further specific goals and objectives of the plan.

*Staff response: 2008 Comprehensive Plan Chapter 4 Land Use Goal 3 Objective A states: "Create a clear, coordinated regulatory framework that guides development."*

*Implementation strategies include reviewing city plans for consistency and with consideration of operational constraints and community acceptance. The sign code amendments are consistent with and supported by supported by the Comprehensive Plan.*

b. Will be reasonable to implement and enforce.

*This amendment will be reasonable to implement and inforce.*

c. Will promote the present and future public health, safety and welfare.

*This amendment promotes health, safety and welfare by improving wayfinding for parking lots, and allowing more signage for larger buildings, which previously were limited the visibility of tenants.*

d. Is consistent with the intent and wording of the other provisions of this title.

*This amendment is consistent with the intent, wording and purpose of HCC Title 21.*

**Staff Recommendation:** Conduct a public hearing on revisions to the sign code, and forward a recommendation of approval to the City Council.

### **Attachments**

Draft Ordinance 20-xx Signs  
Staff Report 19-46  
EDC memo of May 8, 2019  
HPC minutes of May 15, 2019  
Staff Report 19-87  
HPC Minutes excerpt 10/16/2019  
Staff Report 19-94  
HPC Minutes excerpt 11/6/2019



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### Staff Report PL 19-46

TO: Homer Advisory Planning Commission  
THROUGH: Rick Abboud, City Planner  
DATE: May 15, 2019  
SUBJECT: Signage for large structures with multiple tenants

---

**Introduction** The Economic Development Commission (EDC) has identified a need for business owners regarding signage allowance in large structures that house multiple tenants. Planning staff has also found it challenging to permit effective signage for tenants in this situation. I have met with EDC Commissioner Richardson and reviewed some thoughtful input on the subject and have shown initial support for the two concepts presented in the attached memorandum.

**Analysis** The scenario presented deserves attention to consider a formula that is equitable and reasonable to enforce. Currently, we measure signage on the spit boardwalks in relation to the individual business structures and not treated them as one unit, as had been attempted in the past. Large structures may house many tenants and the maximum allowance for the entire structure may inhibit tenants from having effective signage.

I believe it is best to consider the concepts presented and perform a review of best practices for possible incorporation.

**Staff Recommendation** Make a motion to address the issue at future meetings

**Attachments** Memo from EDC.



## Memorandum

TO: HOMER ADVISORY PLANNING COMMISSION

FROM: ECONOMIC DEVELOPMENT ADVISORY COMMISSION

THROUGH: JENNY CARROLL, SPECIAL PROJECTS & COMMUNICATIONS COORDINATOR

DATE: MAY 8, 2019

SUBJECT: REQUEST TO CONSIDER AMENDMENT TO SIGN CODE FOR LARGE COMMERCIAL BUILDINGS WITH MULTIPLE BUSINESS TENANTS.

---

The Economic Development Advisory Commission is reaching out to you about a deficiency in the sign code as it relates to large, commercial buildings with multiple business tenants. After becoming aware of the issue through comments received in the 2017 Business Retention and Expansion Survey, the EDC began researching the existing Homer Sign Code, interviewing small business owners and talking to Planning Department staff to better understand the issue and develop possible solutions.

The EDC took this topic up at their April 9, 2019 meeting. In summary, the existing sign code provides a mathematical system based on road frontage to regulate signage in the community. This system seems to work well for the majority of businesses in Homer, equitably allotting signage square footage for businesses located in buildings with only one or two business tenants and businesses that are one of a group of small buildings on one commercial property.

Where the code falls short is in allocating adequate signage space to larger commercial buildings that house a larger number of small business tenants. The code provides no provision to increase signage for multi-level buildings or for buildings housing businesses two or more spaces deep from the storefront. This creates a barrier to sign advertising for small businesses located in larger multi-tenant buildings.

Examples of buildings with individual businesses that may have inadequate signage for the number of business that are in the building:

- Point of View Mall [on Lake Street]
- Blue Old Bank Building [corner of Lake Street and East End Road]
- Hillas Building [on Pioneer Ave uphill beside the movie theatre]
- Bypass Mall [on Sterling Highway adjacent to O'Riley's]
- Alderfer Building [on Ocean Drive at Beluga Lake]
- Kachemak Center [on Pioneer Ave between Heath and Lake Street]

It is in Homer's economic interest to develop strategies and actions that support small business retention and expansion.

After their discussion, the EDC passed a motion to 1) share the deficiency with you for your deliberation and 2) recommend sign code amendments to calculate allotted signage above 150 ft<sup>2</sup> to better accommodate the advertising needs of small businesses leasing space in large commercial buildings with multiple business tenants.

Below, the EDC shares two amendment ideas developed by EDC Commissioner Richardson in hopes it is useful in starting the discussion. The EDC has spoken with City Planner Abboud who is also looking into model codes to see what other methods are used to accommodate spatial features of buildings.



## POTENTIAL METHODS FOR ALLOTTING SIGNAGE ABOVE 150 SQUARE FEET

### Method 1 – Calculation by Secondary and Tertiary Entrances on Public Right of Way

- Buildings that have more than one entrance for clients, where the entrance is accessed by a separate public right-of-way that is bordered by a maintained road. The following criteria will be:
  - A separate sign permit by the city must be issued in addition to the original permit
  - Secondary and tertiary entrances must be commonly used by clients and must access the interior of the building and conversely the entrance must access a parking lot, sidewalk or road. These entrances are approved at the sole direction of the planning department. Alleys, stairways to upper levels, Emergency Exits likely do not apply.
  - Additional Square footage is applied to existing city allotment chart by  $\frac{1}{2}$  [half the amount allotted on the chart]
  - For example, a building with 200 x 12 feet [greater than 750] of wall frontage on a main road are allotted 150 square feet of sign space. With two other public accesses of secondary and tertiary frontage measuring 80 feet by 20 feet [greater than 750] on the east side of the building and 80 feet by 20 feet [greater than 750] on the west side of the building.
    - 2400 square feet = 150 square feet original signage
    - East side 1600 square feet = secondary allotment  $150 \text{ sq feet} / 2 = 75 \text{ square feet}$
    - West side 1600 square feet = tertiary allotment  $150 \text{ sq feet} / 2 = 75 \text{ square feet}$
  - Total of 300 square feet of signage approved.



### Method 2 – Split Level Buildings and Buildings Two or More Businesses Deep

- Buildings that have more than one entrance for clients, where the building is split level or two or more businesses deep.
  - In a building that has one frontage, which is the only frontage that has access to a public street, and is split level or is more than one business in depth – the owner may apply for additional signage if Method 1 above does not provide additional signage.
  - Additional Square footage is applied to existing city allotment chart by  $\frac{1}{2}$  [half the amount allotted on the chart]

- If the building is split level, then the larger of the two levels will be applied to the original allotment and smaller level will be assigned additional sign square footage based on a calculation of the surface area of the smaller level divided by two.
  - Such as if 150 square foot would be allotted for the largest level, then 75 square feet is added to the original allotment for a total of 225 square feet of signage.
- If the building is more than one business deep, and at least two businesses are not represented by the frontage calculation, then  $\frac{1}{2}$  of the original frontage calculation will be applied to the original frontage allotment. Therefore, if the original frontage gained the building 150 square feet of signage – 75 square feet would be added for a total of 225 square feet.



Thank you and the Planning Department staff for giving this your consideration. Please alert us to any worksessions you may have on this topic. Commissioner Richardson and potentially other EDC Commissioners would like to attend.

### **RECOMMENDATION**

The Economic Development Advisory Commission recommends that the Advisory Planning Commission pass a motion to review options and amend the Sign Ordinance to address the deficiency in the current code as it relates to larger commercial buildings that house several small business tenants.

City Planner Abboud reviewed Staff Report 19-45 explaining that in a technical rewrite of the Homer City Code in 2008 there was inadvertently a change in the definition of medical clinic. He would like to get something on the books right now that allows clinic in CBD outright and they can leave the size requirements, etc., to the CUP process. Currently only professional office is allowed and this does not allow medical clinics. They can then permit medical clinic outright.

City Planner Abboud brought forth points on medical clinics in the Residential Office district. He responded to a question on the ramifications to eliminating the term medical clinic would result in the requirement to make amendments to Professional Office. He commented on an instance when at one time there was a dispensary or pharmacy in the RO. The district was changed to RO because of demand and if the need is there the demand will grow and sometime in the future will change to possibly CBD because of the changes in the nature of the district.

Commissioner Banks reiterated the need for the change in the CBD by having the commission make a motion on amending City Code to add allowing Medical Clinics in the CBD and outlining the process that would be required to effect that change. He questioned if the Commission could address the medical district overlay at the same time.

City Planner Abboud explained that the Commission will have to follow the process on the remand first and appeal if that happens before addressing those changes.

Commissioner Highland pointed out that they would have to have a public hearing at the next meeting then it would go to City Council and they would not approve it until their meeting in July.

HIGHLAND/BANKS MOVED TO ADD MEDICAL CLINIC TO THE CENTRAL BUSINESS DISTRICT AS A PERMITTED USE.

There was a brief discussion on the amendment being the most reasonable.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

**B.** Staff Report 19-46, Sign Ordinance

Chair Venuti introduced the item by reading of the title.

City Planner Abboud stated that he appreciated the work done by Dr. Richardson and advocacy on the recommendations that were proposed. He acknowledged the difficulties with the



current sign code and commented on two of the proposed recommendations that were presented.

Discussion ensued and the following points and comments were made:

- Building owner responsibility on signage allotment
- Allowance of signage for buildings that face multiple streets, dual level building signage
- Interior tenant signage allotment
- View sign code from Gilbert, Arizona which can be used as a guideline
- Previous work and education done by Planning staff and Commissioners
- Educating the public
- Signage types and measurement of light, electronic sign messages
- Not wanting an ugly clutter of signs, issues with signage sizes and what that actually looks like

Commissioner Highland favored having a short discussion on the issue as a courtesy to see what was possible.

Chair Venuti noted that a recommendation to motion this to a future meeting.

Commissioner Banks commented that they currently have several items on their worklist and did not think that they should hold worksessions during the summer and recommended that they address this in the fall.

Commissioner Smith requested input from City Planner Abboud on that recommendation.

City Planner Abboud responded that they are waiting on some items but that a response should be motioned as a courtesy.

Commissioner Petska-Rubalcava mentioned the previous presentation on Wayfinding and Trail signage and asked about combining those two things as they promote business also which provides a better gateway.

City Planner Abboud did not want to combine those two things as he believed that they can allow that type of signage without messing with the city code.

Commissioner Smith recommended putting this in a worksession in September.

Commissioner Banks agreed with the suggestion of adding it to the worklist and they can address the topic.

SMITH/HIGHLAND MOVED TO ADD THIS TO A WORKSESSION ON SEPTEMBER 4, 2019

↑  
There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

**INFORMATIONAL MATERIALS**

A. City Manager's Report for the May 13, 2019 Homer City Council meeting

**COMMENTS OF THE AUDIENCE**

**COMMENTS OF THE STAFF**

Deputy City Clerk Krause inquired about using monument signage noting that several businesses could be advertised on that type of sign for a multi tenanted building.

City Planner Abboud responded that they do allow that type of signage. He then reminded the Commissioners to read the administrative law decision on the Medical Clinic. He noted the good information and decisions and how they need to make decisions defensible. He has also arranged to have the City Attorney perform some training at a worksession.

City Planner Abboud responded to question on the status of the Wayfinding that it was presented to Council but it is awaiting funding. He provided a bit of history on the Wayfinding idea and ended that it currently is in Council's hands for funding.

City Planner Abboud responded that if the commission would like to go there and address the issues regarding the clear cutting they can go there.

City Planner Abboud assured Commissioner Smith that the property owners are getting well above value for their properties, noting he is aware of who is buying up the property so they should not worry about it.

**COMMENTS OF THE COMMISSION**

Commissioner Highland inquired about the status of the Wayfinding plan and would not like to see the EDC go ahead on signs without input from the Commission. She then questioned the clear cutting of the lot on the way up West Hill and is cringing and waiting for someone to question who authorize that to be done. She wish that they have something that addressed that issue and is really concerned about improving the aesthetics.

Commissioner Smith commented on the topic of establishing a Medical District and it has come to his attention that the more of those properties that changeover are they in effect



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## Planning

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### Staff Report PL 19-87

TO: Homer Advisory Planning Commission  
THROUGH: Rick Abboud, City Planner  
FROM: Julie Engebretsen, Deputy City Planner  
DATE: October 16, 2019  
SUBJECT: Sign Code

---

#### Introduction

In May, the Economic Development Commission (EDC) identified a need for business owners regarding signage allowance in large structures that house multiple tenants. Planning staff has also found it challenging to permit effective signage for tenants in this situation. The Planning Commission determined they wanted to work on this topic in the fall.

There main gist of the EDC comments address allowed signage on some of our community's larger buildings, where the building is two stories, or has more than one main entrance – such as on a corner lot. The EDC offers two solutions for determining how much signage a building can have, called “Method 1” and “Method 2.” (Attached)

Staff would also like to briefly touch on allowing additional freestanding signs, and parking lot identification. Examples for each scenario will be provided at the meeting.

#### Analysis

Current Code – Table 2 Part B (see attachments), lists the square feet of wall frontage of the building, and the corresponding allowed signage PER BUILDING. Emphasis is added because if there is more than one structure, each structure is allowed signage according to the calculated wall frontage. For example, a Spit boardwalk with 10 buildings can have a separate sign allowance for each building. But a strip mall with interior tenants, or two story structure with 10 tenants is limited to a maximum of 150 square feet of signage. The sign code was amended in 2012 to allow the per building sign allowance, but no solution was adopted for multitenant buildings.

#### Proposed solutions

*Method 1: Corner lots.*

There are a few buildings in Homer that are large, and are located on corner lots. A clear example is Kachemak Center at the corner of Pioneer, Heath and Lake St (Subway, Summit

Physical Therapy are current tenants). Signage has long been a problem at this location. The building has great street traffic, but for the size of the structure and number of tenant spaces, 150 square feet of signage across three walls for the whole property is inadequate. Method 1 would grant additional signage on the east and west sides of the building, because they each front a maintained street. The amount of signage would be limited to ½ the allowance on the front (75 feet each).

**Analysis:** Method one provides a solution for side entrances.

**Staff comment:** What about just applying the existing wall frontage rules to the side of the building? Again this is for corner lots with multiple tenants and a public entrance on more than one face of the building. There are a handful of properties this applies to. Staff will provide examples at the meeting.

**Question 1 for the Commission:** Would you allow a second freestanding sign on the property? Perhaps if it was serving the secondary entrance? (Again, only talking about corner lots in this discussion)

Method 2: Multi-story buildings and/or more than 1 interior tenant.

This proposal is trickier and may have some unintended consequences. This method addresses multi-story buildings, or buildings where there are tenants with interior only access. Examples include the Kachemak Center basement, the building on Sterling Highway where the toy store and Thai restaurant are (345 Sterling Highway), and the Hillas Building at 126 W Pioneer Ave (next to the movie theater). Additional signage, in the amount of half the base allowance, would be granted to the structure. For a the Hillas building, if the current allowable signage is 150 square feet, that would increase by 50%, or 75 square feet, for a new total of 225 square feet. It would be up to the building owner to allocate the signage among the tenants, and could include a combination of wall and freestanding signage. (HCC already has limits on the size of the freestanding sign – no changes are under consideration.)

There is potential with this method that some really large signs could be put on a building, to the detriment of the smaller tenants. Larger communities address this by having an overall sign plan for the whole structure, so there is a cohesive plan starting from building design and construction. The concept of a unified permit up front is something we can explore, but regulating sign dimensions and proportions on a building is probably beyond the level of regulation our community desires, and beyond the level of service our department can provide. Staff just wants the Commission to be aware each solution may also have some unintended consequences. Staff continues to think through method two.

**Question 2:** Any comments or concerns on method 2?

### **Parking Lot entrance/exit signs**

This is a small point, but we have a few locations in the City where the primary entrance may have a freestanding sign, but a secondary entrance on another street is not allowed to have a logo or commercial message. Example; the main Safeway entrance is clearly defined on the Sterling Highway. Same with Wells Fargo. But if you are driving on Hazel Ave, its not as clear which businesses are served by which driveway. It is legal to have an entrance or exit sign, but that sign can't include the logo or business name. Staff researched Port Townsend WA, which has code language addressing this situation. Staff offers this idea for discussion.

#### Port Townsend

A. Parking Lot Identification Signs. Parking lot identification signs may be erected without a sign permit if restricted to posting regulations regarding the use of the lot and to identifying a parking lot with its owner, operator, or name of the business providing the lot. No advertising other than the name of the business shall be included. The total sign area for parking lot identification signs shall not exceed 32 square feet for each 1,000 square feet of parking lot area and each sign face shall not exceed six square feet; provided, that each lot shall be allowed at least one parking lot identification sign; and provided further, that these restrictions may be exceeded to the extent required by any applicable laws of the state. Parking lot identification signs shall not exceed a sign height of six feet;

**Staff comment:** Port Townsend has many small parking lots; a sign per 1,000 square feet of parking lot area is way more than we need in Homer. But the idea of at least one sign per parcel could assist with wayfinding. For example, the Chamber of Commerce is easily seen from the Sterling Highway. But the Ohlson Lane Entrance, where day parking for RV's is offered, would be an appropriate place for a clear entrance sign. Other examples could be the Safeway entrance on Hazel Ave, or the college entrance on Kachemak Way.

**Question 3:** What does the commission think about exploring parking lot signage? If there is consensus on this topic, staff can do further research and create a proposal.

### **Staff Recommendation**

#### **Commission discuss the following questions and provide feedback**

1. Should an additional freestanding sign be allowed for a secondary entrance? Perhaps for a total of two freestanding signs per lot?
2. Any comments or concerns on method 2?
3. What does the commission think about exploring parking lot signage?

**Next Steps:** Staff will listen to Commission discussion and comments, and provide additional information as requested. Eventually, an ordinance will be drafted with proposed changes.



**Attachments**

1. Table 2 – HCC 21.60
2. May 8, 2019 EDC memo to HPC
3. May 15, 2019 PC minutes excerpt

**Table 2 Part B**

In all other districts not described in Table 2 Part A, the maximum combined total area of all signs, in square feet, except incidental, building marker and flags, shall not exceed the following:

Square feet of wall frontage (c):	Maximum allowed sign area per principal building:
750 s.f. and over	150 s.f.
650 to 749	130 s.f.
550 to 649	110 s.f.
450 to 549	90 s.f.
350 to 449	70 s.f.
200 to 349	50 s.f.
0 to 199	30 s.f.

Motion carried.

## VISITORS/PRESENTATIONS

### REPORTS

A. Staff Report 19-86, City Planner's Report

City Planner Abboud provided a summary of Staff Report 19-86. He provided comment on the following items:

- Public Hearing at the next meeting on the ordinance placing a moratorium on Profession Offices and Medical Clinics in Residential Office District
- Received the decision notice this afternoon that the City has prevailed on the appeal hearing for the Remand  
If nothing further comes about they will be able to start talking about creation of a medical district at the December meeting.
- They have prevailed on the Windjammer CUP appeal on all counts

Commissioner Rubalcava volunteered for the December 9, 2019 City Council meeting

Commissioner Highland requested clarification from the chair to speak on the City Manager's Report.

Chair Venuti responded that it was on the agenda under informational items and that comments or questions should be done at that time.

A brief discussion was entertained on the basis and reasoning to place a moratorium on applications for Medical Clinics.

City Planner Abboud provided clarification on the appeal process remaining for the Windjammer CUP 14-05.

### PUBLIC HEARING(S)

### PLAT CONSIDERATION

### PENDING BUSINESS

A. Staff Report 19-87, Sign Code

Chair Venuti introduced the item by reading of the title into the record.

Deputy City Planner Engebretsen reviewed Staff Report 19-87 using visual components on the overhead monitors as samples of the proposed code changes. She noted some of the previous

work done on the sign code in 2012 that applied to businesses on the Spit. She reviewed the three recommendations from staff and requested input from the Commission.

Large Businesses (buildings) on Corner Lots with multiple entrances – Example used was Kachemak Center

The Commission recommended that if additional free standing signage is permitted that there should be a specific distance between the signs.

Adding the staff recommendation of 75 sf was acceptable to the Commission

Corner Lots, Smaller Buildings, two stories

Staff recommended allowing 50% of existing to a maximum of 225sf that a building owner would be responsible for dividing among tenants.

Parking lot Entrance or exit signage with logo or colors

The Commission agreed that they would like further information on this concept. It was agreed that it would not be a widely used signage but could be implemented for businesses that may have multiple accesses referring to the Kachemak Center as an example.

Commissioner Highland offered comments on the controversy experienced during the previous sign code amendments and that every business owner wanted the biggest sign possible.

City Planner Abboud responded to Commissioner Davis' inquiry about Sign Design review and the recommendations make to applicants regarding signage design.

Staff will provide specifics for the commission to review at the next meeting.

B. Staff Report 19-88, Permitting

Chair Venuti introduced the item by reading of the title into the record.

City Planner Abboud reviewed Staff Report 19-88 for the Commission. He requested the Commission to amend the draft ordinance to remove Lines 44-47 for the following reasons:

- Driveways are permitted by Public Works Department
- Entrances are self-explanatory
- Asbuilt survey shows the site plan and parking areas are quite easily figured
- Proof of compliance with applicable building, plumbing, electrical, mechanical, and other such codes are governed by the State and the planning staff is not trained to enforce this. A building inspector would be required as well as developing building codes. He is not sure who the legitimate authority is to provide this information.
- Additionally the State Fire Marshal would sign off on commercial projects and that information would be required to be submitted with the application.
- It would be another sheet a paper that is retained by the Planning Department but have no use to the department



# City of Homer

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## Planning

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### Staff Report PL 19-94

TO: Homer Advisory Planning Commission  
THROUGH: Rick Abboud, City Planner  
FROM: Julie Engebretsen, Deputy City Planner  
DATE: November 6, 2019  
SUBJECT: Sign code update

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### Introduction

Staff has refined the ideas presented at the last meeting. Please ask any questions or recommend changes. When the Commission is done with discussing this staff report, the next step is for staff/attorney to prepare an ordinance for public hearing.

### Analysis

There are five areas of code this staff report addresses

1. Creates an allowance for a parking lot identification sign. Code already allows for “entrance” or regulatory signage, but does not allow for business identification.
2. Additional freestanding sign for parcels with more than one access street.
3. Additional sign allowance for multitenant, multiple street access buildings (corner lots)
4. Additional sign allowance for split level buildings and buildings two or more businesses deep
5. Creation of an Optional Master Sign Permit Plan

### Parking lot and freestanding signs

Staff note: staff recommends adding only one of these to city code. Parking lot identification would increase ease of wayfinding in our community. Additional freestanding signs could increase sign clutter and may not be effective business signage. Staff recommends allowing parking lot signage

#### 1. Parking Lot Identification Signage

*Concept:* One directional parking lot identification sign may be erected without a sign permit if restricted to identifying a parking lot with its owner, operator, or name of the business providing the lot. The sign may include the logo, corporate colors or name of the business but no advertising other than the name of the business shall be included. The total sign area shall not exceed six square feet and shall not exceed a sign height of six feet.

**Staff Recommendation 1: Move to amend the sign code to include allowance for one parking lot identification sign per parcel.**

**2. Additional Freestanding sign**

Concept: Each multiple-tenant building is permitted one freestanding sign on each street on which it adjoins and has access. Such signs shall be at least 75 feet apart, measured in a straight line from the base of the sign.

**Staff Recommendation 2:** Do not add this to city code. There are very few locations that would meet the separation requirement. A parking lot identification sign would be a less visually obtrusive, and still enhance wayfinding for drivers.

**3. Multiple-Tenant Buildings which adjoin and have which have more than one entrance for clients that access more than one improved street.**

Concept: Allow for additional signage above 150 square feet per building, in the above conditions.

- A.** Secondary and tertiary entrances must be commonly used by clients and must access the interior of the building and conversely the entrance must access a parking lot, sidewalk or road. These entrances are approved at the sole direction of the planning department. Alleys, stairways to upper levels, Emergency Exits likely do not apply.
- B.** Additional signage is allowed based  $\frac{1}{2}$  the allowance on Table 2 part B to existing per secondary or tertiary street wall frontage. Signage must be placed on the wall face of the building the allowance was based on.

Example: a building with 200 x 12 feet [greater than 750] of wall frontage on a main road are allotted 150 square feet of sign space. With two other public accesses of secondary and tertiary frontage measuring 80 feet by 20 feet [greater than 750] on the east side of the building and 80 feet by 20 feet [greater than 750] on the west side of the building.

- 2400 square feet = 150 square feet original signage
- East side 1600 square feet = secondary allotment  $150 \text{ sq feet} / 2 = 75 \text{ square feet}$
- West side 1600 square feet = tertiary allotment  $150 \text{ sq feet} / 2 = 75 \text{ square feet}$
- Total of 300 square feet of signage approved.

**Staff Recommendation 3:** Move to amend the sign code to include allowance for additional signage on secondary or tertiary building walls.

- 4.** Additional sign allowance for multitenant split level buildings and buildings two or more businesses deep

**Concept:** Allowance for additional signage for multitenant buildings that have more than one entrance for clients, where the building is split level or two or more businesses deep.

- In a building that has one frontage, which is the only frontage that has access to a public street, and is split level or is more than one business in depth – the owner may apply for additional signage if #3 above does not provide additional signage. (Staff note: a parcel can only get additional signage by one method - i.e. more than on access, mutli-story, or interior tenants. Will work out details of technical language with the attorney.)
- Additional signage is allowed based on ½ the allowance of Table 2 Part B.

**EDC Example:** If the building is split level, then the larger of the two levels will be applied to the original allotment and smaller level will be assigned additional sign square footage based on a calculation of the surface area of the smaller level divided by two. Such as if 150 square foot would be allotted for the largest level, then 75 square feet is added to the original allotment for a total of 225 square feet of signage.

**Staff comment:** This is too specific, and there may be unintended consequences. In cases where the upper story has more wall face due to the peak of a roof, the signage could appear ‘top heavy’ on the structure. Further, some of the signage might be used on another side of the structure. The simplest way to administer this code change would be to grant the additional sign allowance and let the building owner determine how and where it will be used among the tenants. Homer has only a few buildings that would use this additional signage allowance.

- If the building is more than one business deep, and at least two businesses are not represented by the frontage calculation, then ½ of the original frontage calculation will be applied to the original frontage allotment. Therefore, if the original frontage gained the building 150 square feet of signage – 75 square feet would be added for a total of 225 square feet.

**Staff comment:** Very few structures in Homer would qualify for this allowance (ie interior tenants). Most multitenant buildings with interior spaces have more than one story, or are on a corner lot, and would use one of those methods for additional signage. But it is a good idea to include in code as this situation could occur.

**Staff Recommendation 4:** Move to amend the sign code to allow additional signage for multitenant split level buildings and buildings two or more businesses deep

##### 5. Creation of an Optional Master Sign Permit Plan

**Concept:** Create a mechanism in code for an optional permanent approval of multitenant building signage. This would be an approval of the overall area of signage,

and allow a land lord to assign each unit wall and freestanding signage area and location. When a new tenant comes in to learn about sign regulations, planning staff would provide the master permit information on how much and the location of their approved signage. No new sign permit application, signed by the land owner, would be required. The tenant can then move forward with sign plans that fit within the already approved parameters. Staff would not review the proposed new signage, unless requested by the tenant.

If another building tenant is out of compliance, staff and the land lord can work on that violation independently of other tenants. Ideally the sign information would also be included in lease documents so tenants would know up front when they enter into a lease agreement.

This amendment would require staff and landlord effort to set up for a building, but should save staff and businesses time in the long term. Several multitenant buildings have frequent tenant changes, such as the Hillas building, and it would be much easier to administer the sign code with a master permit.

**Staff Recommendation 5:** Move to amend the sign code to create a code provision for an optional master sign permit plan

### **Conclusion**

Staff recommends the Commission review and discuss items 1-5, and make recommendations accordingly. Staff does not recommend applying an additional freestanding sign on a lot (#2).

Move to amend the sign code to:

1. Include an allowance for one parking lot identification sign per parcel.
2. *(excluded)*
3. Include an allowance for additional signage on secondary or tertiary building walls.
4. Allow additional signage for multitenant split level buildings and buildings two or more businesses deep
5. Create a code provision for an optional master sign permit plan

Motion carried.

## **PLAT CONSIDERATION**

### **PENDING BUSINESS**

- A. Staff Report 19-94, Sign Code

Chair Venuti introduced the item by reading of the title into the record.

Deputy City Planner Engebretsen reviewed Staff Report 19-94 and provided clarification on if one motion or individual motions were required and also what the process would be to follow-up.

BENTZ/RUBALCAVA MOVED TO ADOPT STAFF REPORT 19-94 AND AMEND THE SIGN CODE TO CREATE CODE PROVISION FOR AN OPTIONAL MASTER SIGN PERMIT PLAN AND INCLUDE OPTIONS ONE, THREE AND FOUR.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

### **NEW BUSINESS**

#### **INFORMATIONAL MATERIALS**

- A. City Manager Report for October 28, 2019 City Council Meeting

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

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

City Planner Abboud had no additional comments.

Deputy City Clerk Krause stated that the issue of parking on the Spit has been before the Parks Commission and that since 2007 parking issues have been on the Port and Harbor Commission agendas.

Deputy City Planner Engebretsen stated that 99.9% of the written and public testimony were problem solving and looking at the big picture and not attacking the individual project and in



**ORDINANCE REFERENCE SHEET**  
**2020 ORDINANCE**  
**ORDINANCE 20-29**

Ordinance 20-29 An Ordinance of the City Council of Homer, Alaska Amending Homer City Code 21.46 Small Boat Harbor Overlay Zoning District, Section 21.46.060 Architectural Standards, to Remove the Requirement for Gabled Roofs.

Sponsor: Planning Commission

1. City Council Regular Meeting June 22, 2020 Introduction
  - a. Memorandum 20-082 from Acting City Manager as backup

1 **CITY OF HOMER**  
2 **HOMER, ALASKA**

3 Planning  
4 Commission

5 **ORDINANCE 20-29**

6  
7 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,  
8 AMENDING HOMER CITY CODE 21.46 SMALL BOAT HARBOR  
9 OVERLAY ZONING DISTRICT, SECTION 21.46.060 ARCHITECTURAL  
10 STANDARDS, TO REMOVE THE REQUIREMENT FOR GABLED  
11 ROOFS.  
12

13 WHEREAS, The 2011 Homer Spit Comprehensive Plan suggests looking into developing  
14 appropriate guidelines for new development to maintain the character of the Homer Spit; and  
15

16 WHEREAS, Structures located outside of the Small Boat Harbor Overlay Zoning  
17 District(Overlay District) have been developed without incorporating a gabled roof; and  
18

19 WHEREAS, A gabled roof requirement challenges the ability to design a two-story  
20 structure that does not exceed the 25 foot height restriction in the Overlay District; and  
21

22 WHEREAS, The Port and Harbor Advisory Commission and Planning Commission  
23 approve of the use of alternate roof designs.  
24

25 NOW THEREFORE, THE CITY OF HOMER ORDAINS:  
26

27 Section 1. Homer City Code 21.46.060, Architectural standards is hereby amended  
28 to read as follows:  
29

30 Overslope development shall conform to the following architectural standards:  
31

32 a. All buildings on the same overslope platform shall receive a common architectural  
33 treatment. The main color of the exterior walls of all buildings on an overslope platform  
34 shall be one or more earth or seascape tones.  
35

36 b. Not less than five percent of the area of an overslope platform area shall be outdoor  
37 public open space.  
38

39 c. Overslope development shall include pedestrian walkways that provide direct access  
40 between common areas in the overslope development and public rights-of-way.  
41

- 42 d. Opaque walls, fences or planter boxes, or any combination of them, shall be used to  
43 screen mechanical equipment and trash containers from view in adjacent public areas.  
44  
45 e. The design of structures and outdoor pedestrian areas shall take into consideration  
46 environmental factors such as prevailing wind, salt spray, solar exposure, snow and  
47 heavy rains.  
48  
49 f. Along the length of a building, the roofline shall not be continuous for more than 60  
50 feet. ~~Roofs shall be gabled.~~  
51  
52 g. The maximum height of a building measured from the overslope platform or the  
53 adjacent grade to the highest roof peak shall not exceed 25 feet.  
54  
55 h. A public access not less than eight feet wide to an area overlooking the harbor shall  
56 be provided at each end of an overslope platform and at intervals not greater than 150  
57 feet on the overslope platform.  
58  
59 i. A continuous pedestrian corridor at least eight feet wide must extend the length of  
60 the overslope development, on either the harbor or the uplands side, or some  
61 combination thereof. The corridor must be clear of obstructions, but may be covered  
62 by an awning or roof overhang. The minimum eight-foot width of the corridor may not  
63 be counted to meet landscaping or public open space requirements.  
64

65 Section 2: This ordinance is of a permanent and general character and shall be included in  
66 the City Code.

67  
68 ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER THIS \_\_\_ DAY OF \_\_\_\_\_,  
69 2020.

70 CITY OF HOMER

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72 \_\_\_\_\_  
73 KEN CASTNER, MAYOR

74 ATTEST:

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76 \_\_\_\_\_  
77 MELISSA JACOBSEN, MMC, CITY CLERK

78  
79 Yes:

80 No:

81 Abstain:

82 Absent:

83

84 First Reading:  
85 Public Hearing:  
86 Second Reading:  
87 Effective Date:  
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89 Reviewed and approved as to form:  
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92 \_\_\_\_\_  
93 Rick Abboud, Acting City Manager  
94  
95 Date: \_\_\_\_\_

\_\_\_\_\_  
Michael Gatti, City Attorney  
  
Date: \_\_\_\_\_



## City of Homer

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## Planning

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# Memorandum 20-082

## PI 20-05

TO: MAYOR CASTNER AND HOMER CITY COUNCIL  
THROUGH: KATIE KOESTER, CITY MANAGER  
FROM: RICK ABOUD AICP, CITY PLANNER  
DATE: JUNE 11, 2020  
SUBJECT: THE ELIMINATION OF THE REQUIREMENT FOR A GABLE ROOF DESIGN IN THE SMALL BOAT HARBOR OVERLAY DISTRICT (SBHO).

After processing the first Conditional Use Permit (CUP) for Overslope Development in the SBHO, the Planning Commission has determined that designs other than gabled roofs are appropriate for the district.

Current code requires that overslope development use a gabled roof design. After receiving support of the Port and Harbor Commission for an overslope design that deviated from a gabled roof, the Planning Commission removed the staff recommendation requiring a gabled roof design for approval of the CUP.

It was noted that it is challenging to design a two-story structure with a gabled roof that keep height below the maximum allowance of twenty-five feet. It was also recognized that designs other than gable can be aesthetically appealing.

The Planning Commission held a public hearing on the draft ordinance at their June 3, 2020 meeting. The Commission moved with the unanimous consent of the six commissioners present at the public hearing to recommend that the City Council eliminate the requirement of gabled roof designs

### **Attachments:**

Ordinance

Staff report and corresponding meeting minutes

**CITY OF HOMER  
HOMER, ALASKA**

Planning

**ORDINANCE 20-xx**

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING HOMER CITY CODE 21.46 SMALL BOAT HARBOR OVERLAY ZONING DISTRICT SECTION 21.46.060 ARCHITECTURAL STANDARDS, TO REMOVE THE REQUIREMENT FOR GABLED ROOFS.

WHEREAS, the 2011 Homer Spit Comprehensive Plan suggests looking into developing appropriate guidelines for new development to maintain the character of the Homer Spit; and

WHEREAS, structures located outside of the Overlay District have been developed without incorporating a gabled roof; and

WHEREAS, a gabled roof requirement challenges the ability to design a two-story structure that does not exceed the 25 foot height restriction in the Overlay District; and

WHEREAS, the Port and Harbor and Planning Commissions both approve of alternate roof designs; and

NOW THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code 21.46.060, Architectural standards is hereby amended to read as follows:

Overslope development shall conform to the following architectural standards:

a. All buildings on the same overslope platform shall receive a common architectural treatment. The main color of the exterior walls of all buildings on an overslope platform shall be one or more earth or seascape tones.

b. Not less than five percent of the area of an overslope platform area shall be outdoor public open space.

c. Overslope development shall include pedestrian walkways that provide direct access between common areas in the overslope development and public rights-of-way.

41 d. Opaque walls, fences or planter boxes, or any combination of them, shall be used to  
42 screen mechanical equipment and trash containers from view in adjacent public  
43 areas.

44  
45 e. The design of structures and outdoor pedestrian areas shall take into consideration  
46 environmental factors such as prevailing wind, salt spray, solar exposure, snow and  
47 heavy rains.

48  
49 f. Along the length of a building, the roofline shall not be continuous for more than 60  
50 feet. ~~Roofs shall be gabled.~~

51  
52 g. The maximum height of a building measured from the overslope platform or the  
53 adjacent grade to the highest roof peak shall not exceed 25 feet.

54  
55 h. A public access not less than eight feet wide to an area overlooking the harbor shall  
56 be provided at each end of an overslope platform and at intervals not greater than 150  
57 feet on the overslope platform.

58  
59 i. A continuous pedestrian corridor at least eight feet wide must extend the length of  
60 the overslope development, on either the harbor or the uplands side, or some  
61 combination thereof. The corridor must be clear of obstructions, but may be covered  
62 by an awning or roof overhang. The minimum eight-foot width of the corridor may not  
63 be counted to meet landscaping or public open space requirements.

64  
65 Section 3: This ordinance is of a permanent and general character and shall be included in  
66 the City Code.

67  
68 ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER THIS \_\_ DAY OF \_\_\_\_\_,  
69 2020.

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71 CITY OF HOMER

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77 KEN CASTNER, MAYOR

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79 ATTEST:

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82 MELISSA JACOBSEN, MMC, CITY CLERK

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YES:  
NO:  
ABSTAIN:  
ABSENT:  
  
First Reading:  
Public Hearing:  
Second Reading:  
Effective Date:  
  
Reviewed and approved as to form:

100 \_\_\_\_\_  
101 Marvin Yoder, Interim City Manager  
102  
103 Date: \_\_\_\_\_

\_\_\_\_\_  
Michael Gatti, City Attorney  
  
Date: \_\_\_\_\_





# City of Homer

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## Planning

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### Staff Report PL 20-33

TO: Homer Planning Commission  
FROM: Rick Abboud, AICP, City Planner  
DATE: June 3, 2020  
SUBJECT: Architectural Standards SBHOD

---

#### Introduction

After reviewing proposed overslope development, both the Planning Commission and Port and Harbor Commission gave recommendations supporting structures without a gabled roof design.

#### Analysis

Currently, overslope development is required to have a gable roof. In practice, we have found that a gable roof design of a two-story structure presents a challenge for the structure to remain under the 25' height limit of the overslope district when a two-story structure is desired. Additionally, it has been found that alternate roof designs may be able to provide better functionality, while being aesthetic pleasing. Overslope development was approved by CUP 20-05 with the concurrence of the Port and Harbor Commission. The rendering of the structure displayed a shed roof design and the Planning Commission removed the staff language that a gabled roof design be a requirement.

The Homer Spit Comprehensive Plan documents the support for the eclectic nature of the spit. All overslope development requires a Conditional Use Permit and will be subject to public comment and the scrutiny of the Planning Commission. Design features are part of the review of the CUP. Eliminating the requirement in code for a gabled roof will allow the Planning Commission to consider and the Planning Office to permit structures with designs other than gabled roofs in the Small Boat Harbor Overlay District.

#### Staff Recommendation

Recommend that the City Council approve the proposed draft ordinance.

#### Attachments

Draft Ordinance

Recent Planning Commission and Port & Harbor Commission minutes excerpts (with irrelevant portions greyed-out)

### **21.95.040 Planning Department review of code amendment.**

The Planning Department shall evaluate each amendment to this title that is initiated in accordance with HCC 21.95.010 and qualified under HCC 21.95.030, and may recommend approval of the amendment only if it finds that the amendment:

**a. Is consistent with the Comprehensive Plan and will further specific goals and objectives of the plan.**

***Staff response***

The Homer Spit Comprehensive Plan encourages economic development without compromising the unique character of the Spit (p. 2). Goal 3.1, *Improve the local economy and create year-round jobs by providing opportunities for new business and industrial development appropriate for the Homer Spit* includes an objective to determine incentives needed to promote overslope development (p. 40). Allowing for the consideration of alternative roof design does help promote overslope development by allowing structure to more easily comply with the 25' height requirement of the district.

**b. Will be reasonable to implement and enforce.**

***Staff response***

Nothing in the ordinance will introduce a regulation that would not be reasonable to enforce.

**c. Will promote the present and future public health, safety and welfare.**

***Staff response***

The draft ordinance is not anticipated to affect public health safety and welfare.

**d. Is consistent with the intent and wording of the other provisions of this title.**

***Staff response***

The ordinance has been reviewed by the City Attorney and no inconsistency has been found by the City Planner.

Commissioner Bentz inquired about process for public comment from persons attending the meeting.

Staff responded that they would not be allowed to comment if they have not signed up prior to the meeting.

SMITH/HIGHLAND MOVED TO RECOMMEND THE PLANNING COMMISSION ADOPT STAFF REPORT 20-24 AND APPROVE CUP 20-06 WITH FINDINGS 1-10 AND CONDITION 1 AS FOLLOWS:

1. ANY ADDITIONAL LIGHTING MUST BE DOWN LIT PER HCC 21.69.303 AND THE COMMUNITY DESIGN MANUAL

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

**B. Staff Report 20-23, Conditional Use Permit 20-05 for a harbor overslope development at 4081A Freight Dock Rd.**

Chair Venuti introduced the item by reading of the title into the record and requested if anyone on the Commission had a conflict to declare.

Deputy City Clerk noted she declared the conflict of interest and requested a motion.

Commissioner Petska Rubalcava declared she had a conflict of interest.

BENTZ/HIGHLAND - MOVED THAT COMMISSIONER RUBALCAVA HAD A CONFLICT OF INTEREST.

A brief discussion ensued with Commissioner Rubalcava declaring that she assisted the applicant with the design of the project.

VOTE. YES. BENTZ, HIGHLAND, VENUTI, DAVIS, SMITH

Motion carried.

Commissioner Petska –Rubalcava turned her mic off and did not participate in this portion of the meeting.

City Planner Abboud provided a summary review of Staff Report 20-23 for the commission noting that there were two conditions recommended. The first condition is the standard requirement on a CUP that all dumpsters be screened on three sides as well as inclusion of any electrical boxes and the second condition was the design of the roof should be modified to a gable type roof from the shed style roof depicted in the drawings. City Planner Abboud then

focused on the requirements in City Code of a gabled roof. He has no objection to amending city code but is not sure how that will affect this project in timing.

Commissioner Bos joined the meeting in progress at 6:00 p.m.

Suvi Bayly, applicant, provided a review of the project commenting on the history of the Homer Spit Oyster Bar, reuse of the oyster shells by herself and local residents, roof design and her passion for architecture while acknowledging the other buildings on the Homer Spit with similar roof designs stating if there was something that could be done to leave the shed roof design she would welcome that and if not she understood. Ms. Bayly explained the permits that she has obtained and will be getting within two weeks and is on schedule to get the project started by the first of June.

Chair Venuti opened the Public Hearing and confirming with the Clerk that there were no members of the public present to provide testimony he closed the public hearing and opened the floor to the Commission for questions.

A discussion ensued on the following points:

- Location in proximity to the Load & Launch Ramp
  - o Harbormaster recommended the location and Port & Harbor Advisory Commission reviewed and had no problem with the location selected.
  - o Impacts to the boat traffic in the harbor
- Notification of the Public
  - o Concern that length of notification was not adequate
  - o Notification was followed as outlined and required in city code, notices mailed to all property owners and this was advertised in the newspaper and on the city website.
- Parking
  - o There is ample parking in the public lot adjacent and next to the selected location
- Roof design
  - o Support was expressed by several of the Commissioners on the shed roof design
  - o Suggestion to modify or exclude Condition #2
  - o It was noted that a precedence was set for non-gabled roof design in other areas of the Spit
    - The Harbormaster's Office is not in the district and other buildings on the spit not considered as overslope development
  - o This is the first project using the new overslope development code
  - o Referred to the information/comments in the Staff Report 20-23 regarding the roof design

There was a brief discussion on making changes to the conditions recommended in Staff Report 20-23 and the process to reflect those changes. The Commission can remove or amend it with the basis for taking that action.

SMITH/BENTZ - MOVED TO ADOPT STAFF REPORT 20-23 AND RECOMMEND PLANNING COMMISSION APPROVE CONDITIONAL USE PERMIT 20-05 WITH FINDINGS 1-10 AND CONDITIONS 1 AND 2 AS FOLLOWS:

1. TRASH CONTAINERS SHALL BE SCREENED ON THREE SIDES AND ELECTRICAL BOXES SHALL BE SCREENED
2. THE ROOF SHALL BE MODIFIED TO A GABLED DESIGN THAT FITS WITHIN THE REQUIREMENTS OF THE OVERSLOPE DEVELOPMENT.

There was a brief discussion on amending condition two. Commissioner Bentz expressed that the current design fits the space and was within the height requirements and that architecturally the design and plan is appropriate for the district and would encourage an exception to the city code language and supported the plan.

Chair Venuti requested clarification on process from the Clerk.

Deputy City Clerk Krause explained that the Commission can offer to amend or remove Condition two by amending the motion.

BENTZ/SMITH MOVED TO AMEND THE MOTION TO REMOVE CONDITION TWO, THE ROOF SHALL BE MODIFIED TO A GABLED DESIGN THAT FITS WITHIN THE REQUIREMENTS OF OVERSLOPE DEVELOPMENT.

There was no discussion.

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

Motion carried.

There was no further discussion on the main motion as amended.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Commissioner Petska-Rubalcava returned to the meeting by turning on her mic and returning to view of the camera.

#### **PLAT CONSIDERATION**

- A. Staff Report 20-25, Nedosik 1998 Tract C Jack Hamilton Replat No. 2 Preliminary Plat



Session 20-03, a Regular Meeting of the Port and Harbor Advisory Commission was called to order by Chair Steve Zimmerman at 5:03 p.m. on March 25, 2020 in the Cowles Council Chambers, City Hall located at 491 E Pioneer Avenue, Homer, Alaska. Due to the COVID 19 Pandemic this meeting was conducted electronically as outlined by Ordinance 20-15

**PRESENT (TELEPHONIC):** COMMISSIONERS ZIMMERMAN, ULMER, STOCKBURGER, DONICH, CARROLL, ZEISET, AND ERICKSON

**STAFF (TELEPHONIC):** PORT DIRECTOR/HARBORMASTER HAWKINS

**(PHYSICALLY):** CITY CLERK JACOBSEN  
DEPUTY CITY CLERK KRAUSE

**AGENDA APPROVAL**

Chair Zimmerman requested a motion to approve the agenda.

ULMER/STOCKBURGER MOVED TO APPROVE THE AGENDA AS WRITTEN.

There was no discussion.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT

Motion carried.

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

**RECONSIDERATION**

**APPROVAL OF MINUTES**

**VISITORS/PRESENTATIONS**

**STAFF & COUNCIL REPORT/COMMITTEE REPORTS**

**PUBLIC HEARING**

**PENDING BUSINESS**

**NEW BUSINESS**

- A. Memorandum from Port Director/Harbormaster re: Lease Application - Homer Spit Oyster Bar  
Lease Application - Homer Spit Oyster Bar

Chair Zimmerman introduced the item into the record by reading of the title.



Port Director/Harbormaster Hawkins provided a summary of his report to the Commission.

Chair Zimmerman opened the floor for discussion and questions of the Commission.

Commissioners discussed, commented and received input from Port Director Hawkins on the following:

- Numbers and proposal were well thought out and appeared to be realistic
- Financial back up plan included for the project
- Concerns expressed regarding funding available to complete the project
- **Supported the project to start overslope development**
- Considerations regarding parking and/or designated parking, permitted parking for employees of businesses
- Parking for patrons for new business
- The location for the proposed development

ZIMMERMAN/ERICKSON MOVED TO SUSPEND THE RULES TO ALLOW APPLICANT TO PROVIDE INFORMATION AND RESPOND TO COMMISSIONERS QUESTIONS

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Suvi Bayly, Lease Applicant, provided details on the licensing, location selection and on the time involved in bringing the project to completion.

Commissioners offered their opinions on the following:

- Great location selection
- Well thought out plan and hoped it could be accomplished for the amount budgeted
- General support for the overall project

ULMER/STOCKBURGER MOVED THAT THE PORT AND HARBOR ADVISORY COMMISSION RECOMMENDS CITY COUNCIL APPROVE THE LEASE APPLICATION FROM HOMER SPIT OYSTER BAR FOR OVERSLOPE DEVELOPMENT

There was no additional discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- B. Memorandum from Port Director/Harbormaster re: Lease Application – Sea Tow South Central Alaska
  - i. Lease Application – Sea Tow South Central Alaska



Motion carried.

## **VISITORS/PRESENTATIONS**

### **REPORTS**

#### A. Staff Report 20-32, City Planner's Report

City Planner Abboud provided a summary of Staff Report 20-32 noting the discussion at the May 26, 2020 City Council meeting on CARES Act Funding, litigation has been continued, Planning Department has been staffed with limited presence in office, worklist is being addressed, and a brief discussion on the Commission report to City Council will be submitted by Chair Venuti.

City Planner Abboud provided clarification on the public hearing process for the Medical District and that the public will be invited to attend and comment. He noted that in discussing the process with Chair Venuti he stated that any issues occur to not hesitate to carry it over to the next meeting date.

Chair Venuti noted the arrival of Commissioner Petska-Rubalcava at 6:42 p.m.

### **PUBLIC HEARING(S)**

Staff Report 20-33, Proposed ordinance to remove the gabled roof requirement within the Small Boat Harbor Overlay Zoning District HCC 21.46.060 Architectural Standards

Chair Venuti introduced the item by reading of the title into the record.

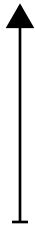
City Planner Abboud provided a summary review of Staff Report 20-33 for the Commission. He noted that this item was presented to this Commission and the Port & Harbor Advisory Commission who provided supported and recommended Council approve the project.

Chair Venuti opened the Public Hearing. He inquired if there were any members of the Public who signed up to testify.

Deputy City Clerk Krause noted that there were no requests to provide testimony.

Chair Venuti closed the Public Hearing having no further requests to provide testimony and opened the floor to questions of the Commission.

SMITH/HIGHLAND MOVED TO ADOPT STAFF REPORT 20-33 AND FORWARD A RECOMMENDATION TO CITY COUNCIL TO APPROVE A DRAFT ORDINANCE AMENDING 21.46 SMALL BOAT HARBOR OVERLAY ZONING DISTRICT, SECTION 21.46.060 ARCHITECTURAL STANDARDS TO REMOVE THE REQUIREMENT FOR GABLED ROOFS.



There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

B. Staff Report 20-34, Proposed ordinance to amend HCC 21.60 Sign Code Tables 1, 2 & 3

Chair Venuti introduced the item by reading of the title into the record.

City Planner Abboud provided a summary of Staff Report 20-34 for the Commission. He was glad to finally be bringing the draft sign code before the commission noting the prior work that had been addressed on this issue. He mentioned there was one component not addressed by the commission and that was a master sign permit but after review, it was not recommended by the City Attorney.

Chair Venuti opened the Public Hearing and confirming with the Clerk that there were members of the public attending to provide testimony. Invited the public to speak to the Commission.

Dr. Bill Richardson, EDC Commissioner and city resident commented in support of the ordinance and provided some background on the business aspect and understanding of the sign code. He believed these changes would enable the business community to effectively advertise their businesses.

Chair Venuti closed the public hearing having no additional members of the public present for testimony and opened the floor to the Commission for questions.

There was a brief discussion with City Planner Abboud providing clarification on Table 1 shown on page 34 and page 37 of the packet with regard to the word "neon" and (b) referenced the note on page 35 and was already included in Homer City Code.

HIGHLAND/SMITH MOVED TO ADOPT STAFF REPORT 20-34 AND FORWARD A RECOMMENDATION TO CITY COUNCIL TO APPROVE A DRAFT ORDINANCE AMENDING HOMER CITY CODE 21.60, SIGN CODE TABLES 1, 2 AND 3.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

**ORDINANCE REFERENCE SHEET**  
**2020 ORDINANCE**  
**ORDINANCE 20-31**

Ordinance 20-31, An Ordinance of the City Council of Homer, Alaska, Amending the 2020-2021 Operating Budget and Authorizing Expenditure of \$90,000 from the HART-Roads Fund to update the City's 1979 Drainage Management Plan.

Sponsor: City Manager/Public Works Director

1. City Council Regular Meeting June 22, 2020 Introduction

Memorandum 20-084 from Public Works Director as backup

1 **HOMER, ALASKA**

2 City Manager/  
3 Public Works Director

4 **ORDINANCE 20-31**

5  
6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,  
7 AMENDING THE 2020-2021 OPERATING BUDGET AND  
8 AUTHORIZING EXPENDITURE OF \$90,000 FROM THE HART-ROAD  
9 FUND TO UPDATE THE CITY'S 1979 DRAINAGE MANAGEMENT  
10 PLAN.

11  
12 WHEREAS, The City's 1979 Drainage Management Plan is outdated because its purpose  
13 was to analyze land development, traffic, population projections and local hydrologic  
14 conditions for a 10-year time frame, from 1978 to 1990; and

15  
16 WHEREAS, While much of the basic background in the 1979 Plan is the same, some of  
17 the real estate development trends, traffic projections and policy assumptions upon which  
18 some of the recommendations in the 1979 Plan were based, have changed; and

19  
20 WHEREAS, Other circumstances have caused drainage channels to shift, drainage water  
21 to be concentrated or have otherwise contributed, over time, to trigger adverse downstream  
22 impacts; and

23  
24 WHEREAS, The City Council at its January 2020 Planning Retreat identified as a "Large  
25 - 2<sup>nd</sup> priority" the need "to develop a comprehensive storm water management plan that  
26 provides adequate and safe drainage of storm water to protect city infrastructure and water  
27 quality"; and

28  
29 WHEREAS, The City Council adopted Resolution 17-038 on April 24, 2017 amending the  
30 Homer Accelerated Roads and Trails Program (HART) Policy Manual; and

31  
32 WHEREAS, The HART Manual identifies various criteria for projects that may be  
33 considered for HART funding; and

34  
35 WHEREAS, The criteria, which would be met by updating the 1979 Drainage  
36 Management Plan, includes:

- 37
- 38 • Improve life, safety and traffic flow
  - 39 • Correct deficiencies of existing systems
  - 40 • Correct Drainage Problems
  - 41 • Reduce maintenance costs

42 WHEREAS, It would be beneficial to have an updated Drainage Management Plan  
43 available in the event funding from an infrastructure stimulus package becomes available on  
44 the state or federal level to expand the updated Drainage Management Plan into a more  
45 comprehensive Drainage Master Plan.

46  
47 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

48  
49 Section 1. The City of Homer’s 2020-21 Operating Budget is hereby amended by  
50 appropriating \$90,000 from the HART-Roads Fund to update the 1979 drainage Management  
51 Plan.

52

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
	HART Roads	\$90,000

55

56 Section 2. This is a budget amendment ordinance, is not permanent in nature, and shall  
57 not be codified.

58  
59 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this \_\_\_ day of \_\_\_\_\_, 2020.

60  
61 CITY OF HOMER  
62  
63  
64  
65 \_\_\_\_\_  
66 KEN CASTNER, MAYOR

67 ATTEST:  
68  
69 \_\_\_\_\_  
70 MELISSA JACOBSEN, MMC, CITY CLERK

71  
72 YES:  
73 NO:  
74 ABSTAIN:  
75 ABSENT:  
76  
77 First Reading:  
78 Public Hearing:  
79 Second Reading:  
80 Effective Date:

81  
82  
83

84 Reviewed and approved as to form:

85

86 \_\_\_\_\_

87 Rick Abboud, Acting City Manager

88

89 Date: \_\_\_\_\_

\_\_\_\_\_  
Michael Gatti, City Attorney

Date: \_\_\_\_\_



# City of Homer

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

Public Works

3575 Heath Street  
Homer, AK 99603

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

(p) 907- 235-3170

(f) 907-235-3145

## Memorandum 20-084

TO: MAYOR CASTNER AND HOMER CITY COUNCIL  
THROUGH: RICK ABOUD, ACTING, CITY MANAGER  
FROM: JAN KEISER, PE, JD, DIRECTOR OF PUBLIC WORKS  
DATE: JUNE 10, 2020  
SUBJECT: PROPOSAL TO UPDATE 1979 DRAINAGE MANAGEMENT PLAN

---

I. **Issue:** The Drainage Management Plan needs to be updated so it can more effectively guide storm water management in the City of Homer.

II. **Background:**

A. **The existing Drainage Management is outdated.** The purpose of the 1979 Drainage Management Plan was to (1) analyze land development, traffic, population projections and local hydrologic conditions for a 10-year time frame, from 1978 to 1990, and (2) predict what changes may needed to the City's drainage system to address storm water issues. One of the 1979 Plan's specific recommendations was that the Plan would be regularly reviewed and updated.

While much of the basic background in the 1979 Plan is the same, some of the real estate development trends, traffic projections and policy assumptions upon which some of the recommendations in the 1979 Plan were based, have changed. Further, other circumstances have caused drainage channels to shift, drainage water to be concentrated or have otherwise contributed, over time, to trigger adverse downstream impacts.

B. **The City Council identified storm water management as a priority issue.** At its January 2020 Planning Retreat, the City Council identified, as a "Large – 2<sup>nd</sup> priority", the need "to develop a comprehensive stormwater management plan...that provides adequate and safe drainage of storm water to protect city infrastructure and water quality..."

C. **The City of Homer's 2020-2025 Capital Improvement Plan includes the development of a Storm Water Master Plan.** The Drainage Management Plan proposed in the subject request is not that Master Plan. The difference is a matter

of perspective and detail. A Storm Water Master Plan views development and population growth through a longer term lens and provides a more detailed study of hydrological modeling than a Drainage Management Plan. A Drainage Management Plan focuses on (i) assessing the existing drainage infrastructure's ability to support expected flows by inventorying existing culverts and storm lines; (ii) comparing assumptions made in the previous Drainage Management with current conditions and near-term predictions; (3) updating mapping; and (iv) providing recommendations for remediating immediate concerns.

The subject Drainage Management Plan will go a long way towards addressing many of the City's most pressing drainage issues.

**D. Designated funding is available.** The City Council, on April 24, 2017, passed Resolution 17-038, which adopted the Homer Accelerated Roads and Trails Program ("HART") Manual. The HART Manual identified a set of nine criteria for projects that may be considered for HART funding. Three of these criteria are:

- Improves life, safety and traffic flow
- Corrects Drainage Problems
- Corrects deficiencies of existing systems
- Reduces maintenance costs

An updated Drainage Management Plan would include recommendations for design/construction standards and specific projects that would address these criteria.

There is currently \$5,995,992.62 in the HART-Roads Fund that could be used to fund the Drainage Management Plan update. I propose a budget of \$90,000 to procure engineering consulting services with the necessary technical expertise. Funds that are not expended from this budget will remain in the HART Fund.

**III. Proposal:** Engage an engineering consulting firm to update the 1979 Drainage Management Plan for the budget amount of \$90,000 to perform the following scope of work:

- a. Review population growth, land development, traffic flow, and other relevant statistics/patterns to update the assumptions and projections made in the 1979 Drainage Management Plan.
- b. Update the Culvert Inventory in the 1979 Drainage Management Plan.
- c. Review the City's Comprehensive Plan, most current traffic studies, the "green infrastructure" assessment report, best practices related to storm water conveyance and water quality, as well as other relevant technical information to update the following:
  - i. The Design Criteria and other recommendations made in the 1979 Drainage Management Plan, related to design/construction/maintenance of storm water drainage systems
  - ii. The policy recommendations made in the 1979 Drainage Management Plan
- d. Update the Drainage System Maps, particularly to incorporate them into the City's GIS data base.



- e. Review the City’s Road Maintenance Plan and maintenance records relating to culverts, ditches, and other drainage work and make recommendations for improving efficacy of maintenance efforts.
- f. Provide an updated list of recommended drainage improvement projects

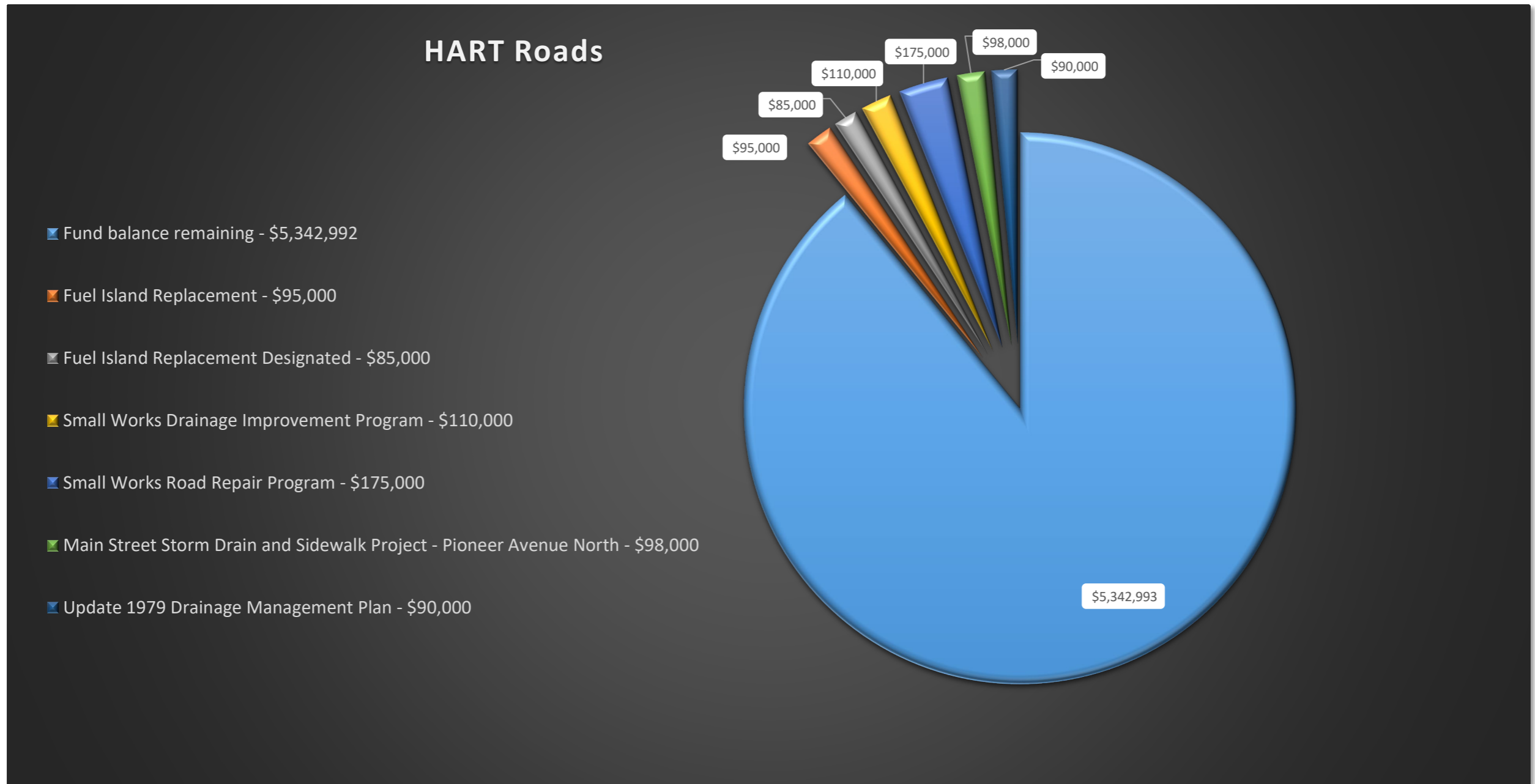
Proposed schedule:

- |   |                         |
|---|-------------------------|
| • Procure/contract engineering services | July 21- August 7, 2020 |
| • Notice to Proceed                     | August 10, 2020         |
| • Complete Phase I Work Products        | September 30, 2020      |
| • Complete Phase II Work Products       | November 30, 2020       |
| • Complete Phase III Work Products      | March 1, 2021           |
| • Project Completion                    | April, 1, 2021          |

The work would be phased so that we could start getting information to support designated projects in a timely manner.

**IV. Action Recommended:** That the City Council pass the proposed ordinance authorizing expenditure of \$90,000 from the HART-Roads Fund to update the City’s 1979 Drainage Management Plan.

	HART - Roads	Already designated in Operating Budget
<b>Fund Balance thru 3/31/20</b>	\$ 5,995,992.62	
<b>Fund balance remaining - \$5,342,992</b>	\$ 5,342,993	
Fuel Island Replacement - \$95,000	\$ 95,000	\$ 85,000.00
<b>Fuel Island Replacement Designated - \$85,000</b>	<b>\$ 85,000</b>	
Small Works Drainage Improvement Program - \$110,000	\$ 110,000	
Small Works Road Repair Program - \$175,000	\$ 175,000	
Main Street Storm Drain and Sidewalk Project - Pioneer Avenue North - \$98,000	\$ 98,000	
Update 1979 Drainage Management Plan - \$90,000	\$ 90,000	



**ORDINANCE REFERENCE SHEET**  
**2020 ORDINANCE**  
**ORDINANCE 20-32**

Ordinance 20-32, An Ordinance of the City Council of Homer, Alaska, Amending the 2020-2021 Operating Budget and Authorizing Expenditure of \$98,000 from the HART-Roads Fund for the Planning, Design and Permitting of the Main Street Storm Drain and Sidewalk Project.

Sponsor: City Manager/Public Works Director

1. City Council Regular Meeting June 22, 2020 Introduction

Memorandum 20-085 from Public Works Director as backup

1 **HOMER, ALASKA**

2 City Manager/  
3 Public Works Director

4 **ORDINANCE 20-32**

5  
6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,  
7 AMENDING THE 2020-2021 OPERATING BUDGET AND  
8 AUTHORIZING EXPENDITURE OF \$98,000 FROM THE HART-ROAD  
9 FUND FOR THE PLANNING, DESIGN AND PERMITTING OF THE  
10 MAIN STREET STORM DRAIN AND SIDEWALK – PIONEER AVENUE  
11 NORTH PROJECT.

12  
13 WHEREAS, City Council identified, as a “Large – 2<sup>nd</sup> priority”, the need “to build  
14 sidewalk for Main Street” and building a sidewalk requires addressing the storm drain  
15 issues; and

16  
17 WHEREAS, City Council adopted Resolution 17-038, on April 24, 2017, amending the  
18 Homer Accelerated Roads and Trails Program (HART) Policy Manual; and

19  
20 WHEREAS, The HART Manual identified a set of nine criteria for projects that may be  
21 considered for HART funding; and

22  
23 WHEREAS, The criteria which would be met by the Main Street Storm Drain and  
24 Sidewalk Project include:

- 25 • Improves life, safety and traffic flow
- 26 • Corrects deficiencies of existing systems
- 27 • Completes [pedestrian] traffic circulation pattern
- 28 • Encourages economic development
- 29 • Corrects Drainage Problems
- 30 • Reduces maintenance costs

31 WHEREAS, It would be beneficial to have the Main Street Storm Drain and Sidewalk  
32 Project in a “shovel ready” condition in the event an infrastructure stimulus package becomes  
33 available on the state or federal level.

34  
35 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

36  
37 Section 1. The City of Homer’s 2020-21 Operating Budget is hereby amended by  
38 appropriating \$98,000 from the HART-Roads Fund for the planning, design and permitting of  
39 the Main Street Storm Drain and Sidewalk Project.

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
	HART Roads	\$98,000





## Memorandum 20-085

TO: Mayor Castner and Homer City Council

THROUGH: Rick Abboud, Acting City Manager

FROM: Jan Keiser, PE, JD, Director of Public Works

DATE: June 10, 2020

SUBJECT: Proposal to Fund Design for the Main Street Storm Drain and Sidewalk Project  
– Pioneer Avenue North

---

I. **Issue:** The City-owned portion of Main Street, north of Pioneer Avenue, does not have a sidewalk.

II. **Background:**

**A. The City Council identified this project as a priority issue.** At its January 2020 Planning Retreat, the City Council identified, as a “*Large – 2<sup>nd</sup> priority*”, the need “*to build sidewalk for Main Street*”. This was identified in connection with the Council’s priority to “*develop a comprehensive stormwater...implementation*” plan...that provides adequate and safe drainage of storm water to protect city infrastructure and water quality...”. This is no doubt because drainage along Main Street is provided by open ditches and thus, a condition precedent to building a Main Street Sidewalk is managing the drainage.

**B. The Main Street Sidewalk Facility – Pioneer Avenue North was listed in the City’s 2020-2025 Capital Improvement Plan.** This plan mentioned the project “was first articulated in Homer’s 2004 Non-Motorized Transportation and Trail Plan.

**C. The project will be executed in Phases.** First, we want to make sure we leverage the data we will be collecting about the condition and capacity of the existing drainage system from the Drainage Management Plan Update Project. Second, a key element of the first phase of the Main Street Storm drain/Sidewalk Project will be to estimate the cost of construction, so a reliable construction budget can be programmed later. Third, we want to get the project “*shovel ready*” as quickly as possible so we are positioned to take advantage of a federal or state infrastructure stimulus program that might become available. Finally, we propose to design a

sidewalk for both sides of Main Street, but the construction may be phased so one side is built at a time, depending upon available funding.

**D. Designated funding is available.** The City Council, on April 24, 2017, passed Resolution 17-038, which adopted the Homer Accelerated Roads and Trails Program (“HART”) Manual. The HART Manual identified a set of nine criteria for projects that may be considered for HART funding. The criteria, which would be met by the Main Street Storm Drain and Sidewalk Project include:

- Improves life, safety and traffic flow
- Corrects deficiencies of existing systems
- Completes [pedestrian] traffic circulation pattern
- Encourages economic development
- Corrects Drainage Problems
- Reduces maintenance costs

There is currently \$5,995,992.62 in the HART-Roads Fund that could be used to fund this Project. Funding for construction can be programmed later.

I propose a budget of \$98,000 to procure engineering consulting services with the necessary technical expertise. In addition, we would leverage the design work for this project with data that will be generated by the Drainage Management Plan Update Project. Funds that are not expended from either projects’ budget will remain in the HART Fund.

**III. Proposal:** Engage an engineering consulting firm for Planning, Design and Permitting of the Main Street Storm Drain and Sidewalk Project – Pioneer Avenue North:

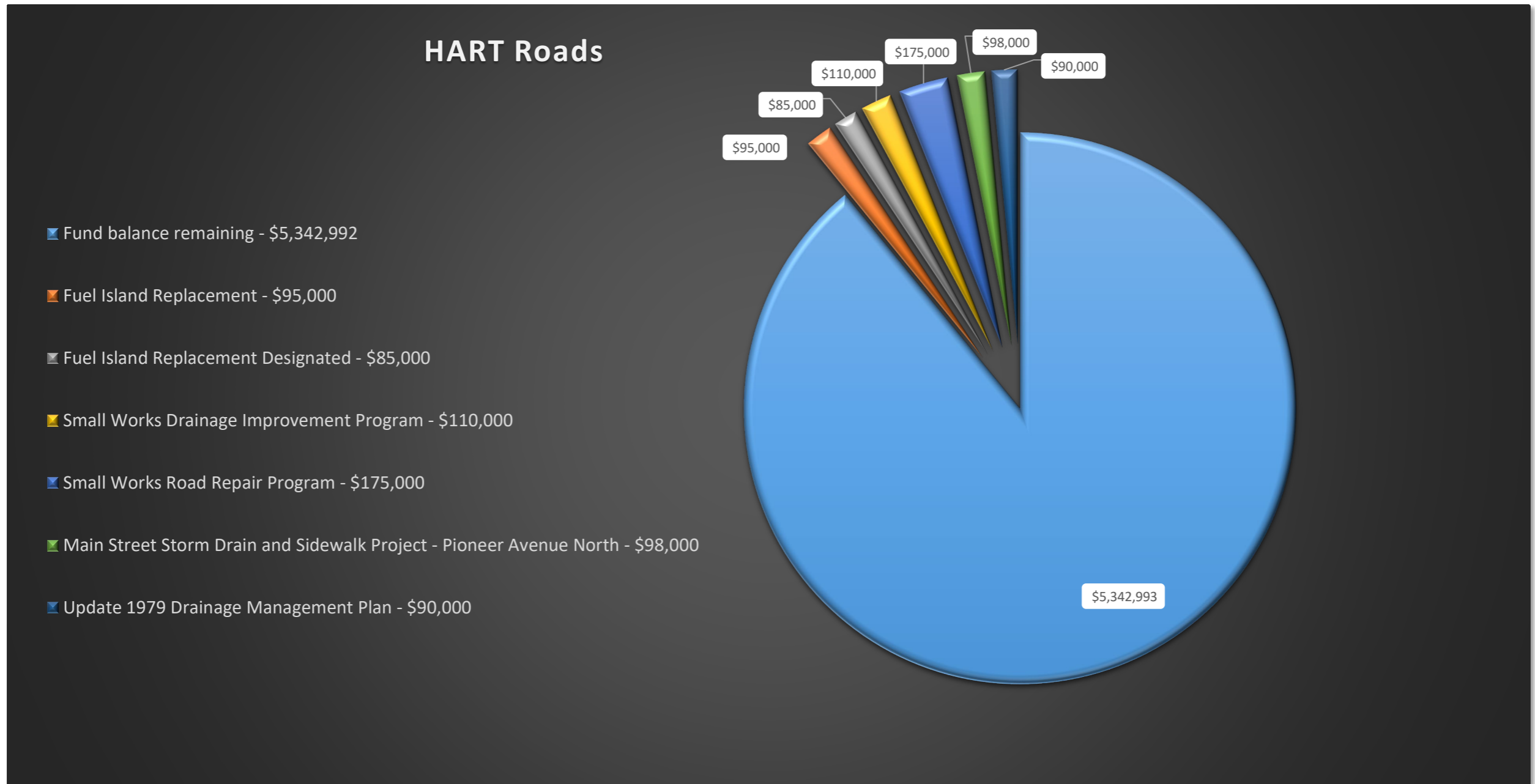
- a. Review the City’s maintenance records and otherwise evaluate the condition and efficacy of the existing storm drain system in Main Street
- b. Conduct planning and pre-design work for the storm drain and sidewalk, such as survey, etc.
- c. Prepare permitting documents
- d. Conduct public outreach
- e. Prepare “shovel-ready” design package

**IV. Proposed schedule:**

- |   |                         |
|---|-------------------------|
| • Procure/contract engineering services       | July 21- August 7, 2020 |
| • Notice to Proceed                           | August 10, 2020         |
| • Evaluate condition of existing storm system | September 1, 2020       |
| • Conduct Pre-design work                     | October 15, 2020        |
| • Conduct Public Outreach                     | November 30, 2020       |
| • “Shovel-ready” Package Complete             | December 30, 2020       |

**V. Action Recommended:** That the City Council pass the proposed ordinance authorizing expenditure of \$98,000 from the HART-Roads Fund for Planning, Design and Permitting of the Main Street Storm Drain and Sidewalk Project – Pioneer Avenue North.

	HART - Roads	Already designated in Operating Budget
<b>Fund Balance thru 3/31/20</b>	\$ 5,995,992.62	
<b>Fund balance remaining - \$5,342,992</b>	\$ 5,342,993	
Fuel Island Replacement - \$95,000	\$ 95,000	\$ 85,000.00
<b>Fuel Island Replacement Designated - \$85,000</b>	<b>\$ 85,000</b>	
Small Works Drainage Improvement Program - \$110,000	\$ 110,000	
Small Works Road Repair Program - \$175,000	\$ 175,000	
Main Street Storm Drain and Sidewalk Project - Pioneer Avenue North - \$98,000	\$ 98,000	
Update 1979 Drainage Management Plan - \$90,000	\$ 90,000	





**ORDINANCE REFERENCE SHEET**  
**2020 ORDINANCE**  
**ORDINANCE 20-33**

An Ordinance of the City Council of Homer, Alaska, Amending the 2020-2021 Operating Budget and Authorizing of \$175,000 from the HART-Roads Fund for the Small Works Road Repair Program and calling for the development of a Roads Financial Plan.

Sponsor: City Manager/Public Works Director

1. City Council Regular Meeting June 22, 2020 Introduction

Memorandum 20-086 from Public Works Director as backup

1 **HOMER, ALASKA**

2 City Manager/  
3 Public Works Director

4 **ORDINANCE 20-33**

5  
6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,  
7 AMENDING THE 2020-2021 OPERATING BUDGET AND  
8 AUTHORIZING EXPENDITURE OF \$175,000 FROM THE HART-ROAD  
9 FUND FOR THE SMALL WORKS ROAD REPAIR PROGRAM.

10  
11 WHEREAS, At the January 2020 Planning Retreat City Council identified road  
12 improvements as a priority issue; and

13  
14 WHEREAS, Every traffic and transportation-related study the City has ever  
15 commissioned has identified the need to provide reliable access and convenient connectivity  
16 for residential, commercial and emergency traffic, which is impeded when roads are not  
17 passable by residents, business owners or emergency vehicles during certain times of the year;  
18 and

19  
20 WHEREAS, The Road Maintenance Plan will:

- 21 a. catalog the condition of City roads and drainage ways;  
22 b. provide a systematic way of  
23 1. assessing the condition of the City’s roads/drainage networks; and  
24 2. documenting regular preventative maintenance activities, which are funded by  
25 the normal Operating Budget; and  
26 c. identify situations where regular preventative maintenance is not enough; that is,  
27 the conditions require more extensive repair or reconstruction.

28  
29 WHEREAS, The City has the capacity in labor and equipment to perform ordinary  
30 maintenance on road beds and surfaces; and

31  
32 WHEREAS, There are conditions that require materials, supplies or 3<sup>rd</sup> party contractor  
33 support, the costs for which are not covered in the ordinary operating budget; and

34  
35 WHEREAS, The City proposed to create a Small Works Road Repair Program to fund  
36 such spot repairs; and

37  
38 WHEREAS, The Homer City Council on April 24, 2017 passed Resolution 17-038, which  
39 adopted the Homer Accelerated Roads and Trails Program (“HART”) Manual. The HART  
40 Manual identified a set of nine criteria for projects that may be considered for HART funding;  
41 and

43 WHEREAS, The criteria, which would be met by the Small Works Road Repair Program,  
44 include:

- 45 • Improves life, safety and traffic flow
- 46 • Corrects deficiencies of existing systems
- 47 • Corrects drainage problems
- 48 • Reduces maintenance costs

49  
50 WHEREAS, The HART-Roads Fund has sufficient capital to fund a Small Works Road  
51 Repair Program.

52  
53 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

54  
55 Section 1. The City of Homer’s 2020-2021 Operating Budget is hereby amended by  
56 appropriating \$175,000 from the HART-Roads Fund to complete the Fuel Island Replacement  
57 Project.

58

59 <u>Account No.</u>	60 <u>Description</u>	61 <u>Amount</u>
	HART Roads	\$175,000

62 Section 2. This is a budget amendment ordinance, is not permanent in nature, and shall  
63 not be codified.

64  
65  
66 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this \_\_\_ day of \_\_\_\_\_,  
67 2020.

68  
69  
70 CITY OF HOMER  
71  
72  
73 \_\_\_\_\_  
74 KEN CASTNER, MAYOR

75  
76 \_\_\_\_\_  
77 MELISSA JACOBSEN, MMC, CITY CLERK

78  
79 YES:  
80 NO:  
81 ABSTAIN:  
82 ABSENT:

83

84 First Reading:

85 Public Hearing:

86 Second Reading:

87 Effective Date:

88

89 Reviewed and approved as to form:

90

91 \_\_\_\_\_

92 Rick Abboud, Acting City Manager

93

94 Date: \_\_\_\_\_

\_\_\_\_\_

Michael Gatti, City Attorney

Date: \_\_\_\_\_



## Memorandum 20-086

TO: Mayor Castner and Homer City Council

THROUGH: Rick Abboud, Acting City Manager

FROM: Jan Keiser, PE, JD, Director of Public Works

DATE: June 16, 2020

SUBJECT: Proposal to Fund the Small Works Road Repair Program

---

- I. **Issue:** The Public Works Department's Operating Budget covers the normal labor and equipment required to perform preventative maintenance on road beds and surfaces. However, there not is not enough money in the Operating Budget to perform extraordinary repairs or reconstruction. For example, segments of some City roads, which were not built to City standards, have such extensive frost heaves, they are barely passable during break-up. The Operating Budget does not have enough money to reconstruct such segments.
  
- II. **Background:**
  - A. **The City Council identified road improvements as a priority issue.** At its January 2020 Planning Retreat, the City Council identified road improvements as a priority issue. Further, every traffic and transportation-related study the City has ever commissioned, has identified the need to provide reliable access and convenient connectivity for residential, commercial and emergency traffic. This is impeded when roads are not passable by residents, business owners or emergency vehicles during certain times of the year.
  
  - B. **We need a way to fund repair/reconstruction work of substandard road beds that goes beyond normal preventative maintenance.** The Road Maintenance Plan catalogs the condition of City roads. It provides a systematic way of (1) assessing the condition of City roads and (2) documenting regular preventative maintenance activities, which are funded by the normal Operating Budget. The Plan also helps identify situations where regular preventative maintenance is not enough; that is, the conditions require more extensive repair or reconstruction. For example, the Road Crew sometimes encounters some City roads, which are almost unpassable during break-up because of frost boils and road heaving.

Many of these case do not yet merit a full-blow capital improvement project or are awaiting the kind of complete reconstruction that a Local Improvement District is designed to provide. The Road Crew has most of the capacity, in labor and equipment, to perform the work in-house. However, we do not have the budget for materials or occasional, supplemental contractor support. In these cases, we need a “bucket” of money that can pay for select backfill, graded road base, geotextile fabric and occasional 3<sup>rd</sup> party contractor support. We propose to call this “bucket”, the Small Works Road Repair Program.

- C. Resolution 17-092(A) and Resolution 17-092(A) established a minimum set aside budget from the HART-Roads fund to be used for capital construction and maintenance of roads.** A minimum of \$550,000/year was to be set aside from sales tax revenues to fund the construction of new, and maintenance of existing, roads and trails. Of this, \$500,000/year was to be set aside for roads and \$50,000/year was to be set aside for trails. As of March 31, 2020, \$5,995,992.62 has accumulated in the HART-Roads fund. We propose to use some of this money for a Small Works Road Repair Program, which would be used for spot repairs of existing roads.

I propose a budget of \$175,000 for this program. Labor for this program would be allocated from the normal Public Works operating budget. The “bucket” from the HART Fund would pay for procurement of materials, such as culverts, filter fabric and gravel, as well as occasional supplemental 3<sup>rd</sup> party contractor support. For example, we have identified the need to dig out road segments totaling approximately 2,625 LF in various City roads. Funds that are not expended from this “bucket” would remain in the HART Fund.

- D. A Small Works Road Repair Program meets the criteria set forth in the HART Policy Manual.** The City Council, on April 24, 2017, passed Resolution 17-038, which adopted the Homer Accelerated Roads and Trails Program (“HART”) Manual. The HART Manual identified a set of nine criteria for projects that may be considered for HART funding. The criteria, which would be met by the Small Works Road Repair Program, include:

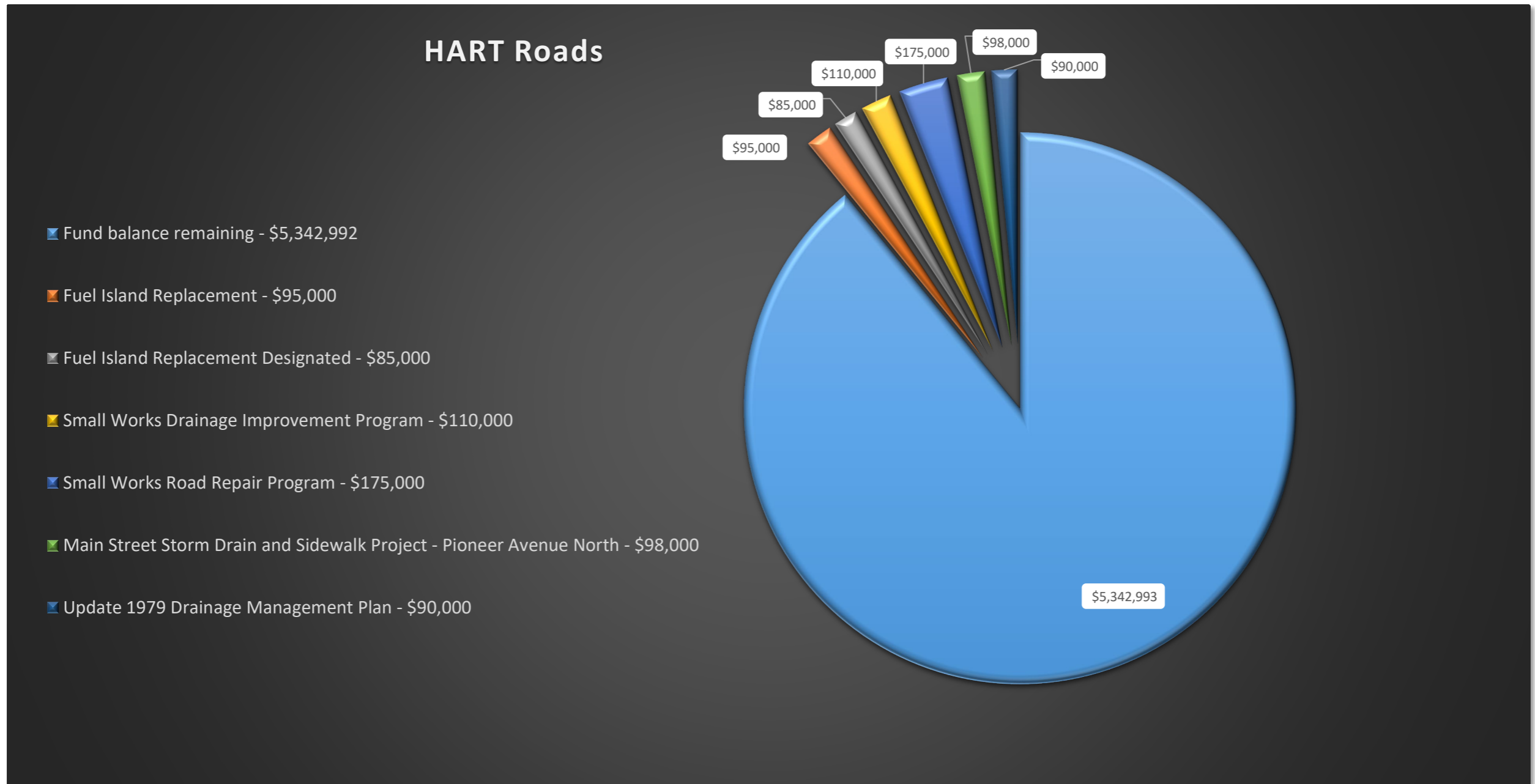
- Improves life, safety and traffic flow
- Corrects deficiencies of existing systems
- Corrects drainage problems
- Reduces maintenance costs

- III. Action Recommended:** That the City Council pass the proposed ordinance authorizing expenditure of \$175,000 from the HART-Roads Fund for the procurement of materials and supplemental contractor support for the Small Works Road Repair Program.

### Road Topping – Dig Outs

- Add gravel to Saltwater
- Emerald Place DigOut – 135 LF
- Garden Park DigOut – 150 LF
- Eagle View Drive west of Diamond Creek to Garden Park approx. 700' Digout
- Replace Cross Culvert at Garden Park
- Crossman Ridge Rd – Skyline to gate area – 1400 LF plus/minus
- Sprucewood 120' by Rogers Loop entrance
- Sprucewood 120' between 2200 and 2240
- Bay Vista and Bay Vista Court

	HART - Roads	Already designated in Operating Budget
<b>Fund Balance thru 3/31/20</b>	\$ 5,995,992.62	
<b>Fund balance remaining - \$5,342,992</b>	\$ 5,342,993	
Fuel Island Replacement - \$95,000	\$ 95,000	\$ 85,000.00
<b>Fuel Island Replacement Designated - \$85,000</b>	<b>\$ 85,000</b>	
Small Works Drainage Improvement Program - \$110,000	\$ 110,000	
Small Works Road Repair Program - \$175,000	\$ 175,000	
Main Street Storm Drain and Sidewalk Project - Pioneer Avenue North - \$98,000	\$ 98,000	
Update 1979 Drainage Management Plan - \$90,000	\$ 90,000	





**ORDINANCE REFERENCE SHEET**  
**2020 ORDINANCE**  
**ORDINANCE 20-34**

An Ordinance of the City Council of Homer, Alaska, Amending the 2020-2021 Operating Budget and Authorizing Expenditure of \$110,000 from the HART-Roads Fund for Small Works Drainage Improvement Program.

Sponsor: City Manager/Public Works Director

1. City Council Regular Meeting June 22, 2020 Introduction

Memorandum 20-087 from Public Works Director as backup

1 **CITY OF HOMER**  
2 **HOMER, ALASKA**

3 City Manager/  
4 Public Works Director

5 **ORDINANCE 20-34**

6  
7 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,  
8 AMENDING THE 2020-2021 OPERATING BUDGET AND  
9 AUTHORIZING EXPENDITURE OF \$110,000 FROM THE HART-ROAD  
10 FUND FOR THE SMALL WORKS DRAINAGE IMPROVEMENT  
11 PROGRAM.  
12

13 WHEREAS, At its January 2020 Planning Retreat, the City Council identified storm water  
14 management as a “Large – 2<sup>nd</sup> priority”, specifically – the need “to develop a comprehensive  
15 storm water...implementation” plan...that provides adequate and safe drainage of storm  
16 water to protect city infrastructure and water quality...”  
17

18 WHEREAS, The Road Maintenance Plan will:

- 19 a. catalog the condition of City roads and drainage ways;  
20 b. provide a systematic way of (1) assessing the condition of the City’s roads/drainage  
21 networks and (2) documenting regular preventative maintenance activities, which  
22 are funded by the normal Operating Budget; and  
23 c. identify situations where regular preventative maintenance is not enough; that is,  
24 the conditions require more extensive repair or reconstruction.

25 WHEREAS, The City has the capacity, in labor and equipment, to perform ordinary  
26 maintenance on culverts and storm drainage, there are conditions that require materials,  
27 supplies or 3<sup>rd</sup> party contractor support, the costs for which are not covered in the ordinary  
28 operating budget; and  
29

30 WHEREAS, The City proposed to create a Small Works Drainage Improvement Program  
31 to fund such spot repairs;  
32

33 WHEREAS, The City Council adopted Resolution 17-038, on April 24, 2017, amending the  
34 Homer Accelerated Roads and Trails Program (HART) Policy Manual; and  
35

36 WHEREAS, The HART Policy Manual establishes criteria to be used for determining  
37 which projects qualify for HART-Roads funding; and  
38

39 WHEREAS, the criteria, which would be met by the Small Works Drainage Improvement  
40 Program, include:

- 41
  - Improves life, safety and traffic flow

- 42 • Corrects deficiencies of existing systems
- 43 • Corrects Drainage Problems
- 44 • Reduces maintenance costs

45 WHEREAS, The HART-Roads Fund has sufficient capital to fund a Small Works Drainage  
46 Improvement Program.

47  
48 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

49  
50 Section 1. The City of Homer’s 2020-21 Operating Budget is hereby amended by  
51 appropriating \$110,000 from the HART-Roads Fund to complete the Fuel Island Replacement  
52 Project.

53

54 <u>Account No.</u>	55 <u>Description</u>	56 <u>Amount</u>
	HART Roads	\$110,000

57 Section 2. This is a budget amendment ordinance, is not permanent in nature, and shall  
58 not be codified.

59  
60 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this \_\_\_ day of \_\_\_\_\_,  
61 2020.

62  
63 CITY OF HOMER

64  
65 \_\_\_\_\_  
66 KEN CASTNER, MAYOR

67 ATTEST:

68  
69 \_\_\_\_\_  
70 MELISSA JACOBSEN, MMC, CITY CLERK

71  
72  
73 YES:

74 NO:

75 ABSTAIN:

76 ABSENT:

77  
78  
79 First Reading:

80 Public Hearing:

81 Second Reading:

82 Effective Date:

83

84 Reviewed and approved as to form:

85

86 \_\_\_\_\_

87 Rick Abboud, Acting City Manager

88

89 Date: \_\_\_\_\_

\_\_\_\_\_

Michael Gatti, City Attorney

Date: \_\_\_\_\_



## Memorandum 20-087

TO: Mayor Castner and Homer City Council

THROUGH: Rick Abboud, Acting City Manager

FROM: Jan Keiser, PE, JD, Director of Public Works

DATE: June 16, 2020

SUBJECT: Proposal to Fund the Small Works Drainage Improvement Program

---

I. **Issue:** The Public Works Department’s Operating Budget covers the normal labor and equipment required to perform preventative maintenance on road drainage systems. However, there not is not enough money in the Operating Budget to perform extraordinary repairs or reconstruction. For example, many of the culverts in the City’s roads have decayed, causing drainage and road failures. The Operating Budget does not have enough money to replace such culverts.

II. **Background:**

A. **The City Council identified storm water management as a priority issue.** At its January 2020 Planning Retreat, the City Council identified, as a “*Large – 2<sup>nd</sup> priority*”, the need “*to develop a comprehensive stormwater...implementation*” plan...that provides adequate and safe drainage of storm water to protect city infrastructure and water quality...”

B. **We need a way to fund repair/reconstruction work of drainage systems that goes beyond normal preventative maintenance.** The Road Maintenance Plan catalogs the condition of City roads and drainage ways. It provides a systematic way of (1) assessing the condition of the City’s roads/drainage networks and (2) documenting regular preventative maintenance activities, which are funded by the normal Operating Budget. The Plan also helps identify situations where regular preventative maintenance is not enough; that is, the conditions require more extensive repair or reconstruction. For example, the Road Crew often encounters sink holes caused by decayed culverts or storm drain lines, blocked drainage ditches caused by failed private driveway culverts or exposed ditch lines that need to be hydroseeded to prevent erosion.

Many of these case do not merit a full-blow capital improvement project, because the Road Crew has most of the capacity, in labor and equipment, to perform the

work in-house. However, it does not have the budget for materials or supplemental contractor support. In these cases, we need a “bucket” of money that can pay for sections of culvert, contract hydroseeding, gravel backfill, filter fabric or construction materials required for the rehab work. We propose to call this “bucket”, the Small Works Drainage Improvement Program.

- C. Resolution 17-092(A) and Resolution 17-092(A) established a minimum set aside budget from the HART-Roads fund to be used for capital construction and maintenance of roads.** A minimum of \$550,000/year was to be set aside from sales tax revenues to fund the construction of new, and maintenance of existing, roads and trails. Of this, \$500,000/year was to be set aside for roads and \$50,000/year was to be set aside for trails. As of March 31, 2020, \$5,995,992.62 has accumulated in the HART-Roads fund. We propose to use some of this money for a Small Works Drainage Improvement Program, which would be used for spot repairs of existing drainage works.

I propose a budget of \$110,000 for this program. For example, we have identified the need to replace approximately 638 LF of 18-24 inch culvert at an estimated cost of \$62,800 for materials and approximately 170 LF of 24-36 inch storm drain line, which needs to be slip lined by a 3<sup>rd</sup> party contractor, at an estimated cost of \$39,000. A list of “hot spots” is attached.

Funds that are not expended from this bucket would remain in the HART Fund.

- D. A Small Works Drainage Improvement Program meets the criteria set forth in the HART Policy Manual.** The City Council, on April 24, 2017, passed Resolution 17-038, which adopted the Homer Accelerated Roads and Trails Program (“HART”) Manual. The HART Manual identified a set of nine criteria for projects that may be considered for HART funding. The criteria, which would be met by a Small Works Drainage Improvement Program include:
- Improves life, safety and traffic flow
  - Corrects deficiencies of existing systems
  - Corrects drainage problems
  - Reduces maintenance costs

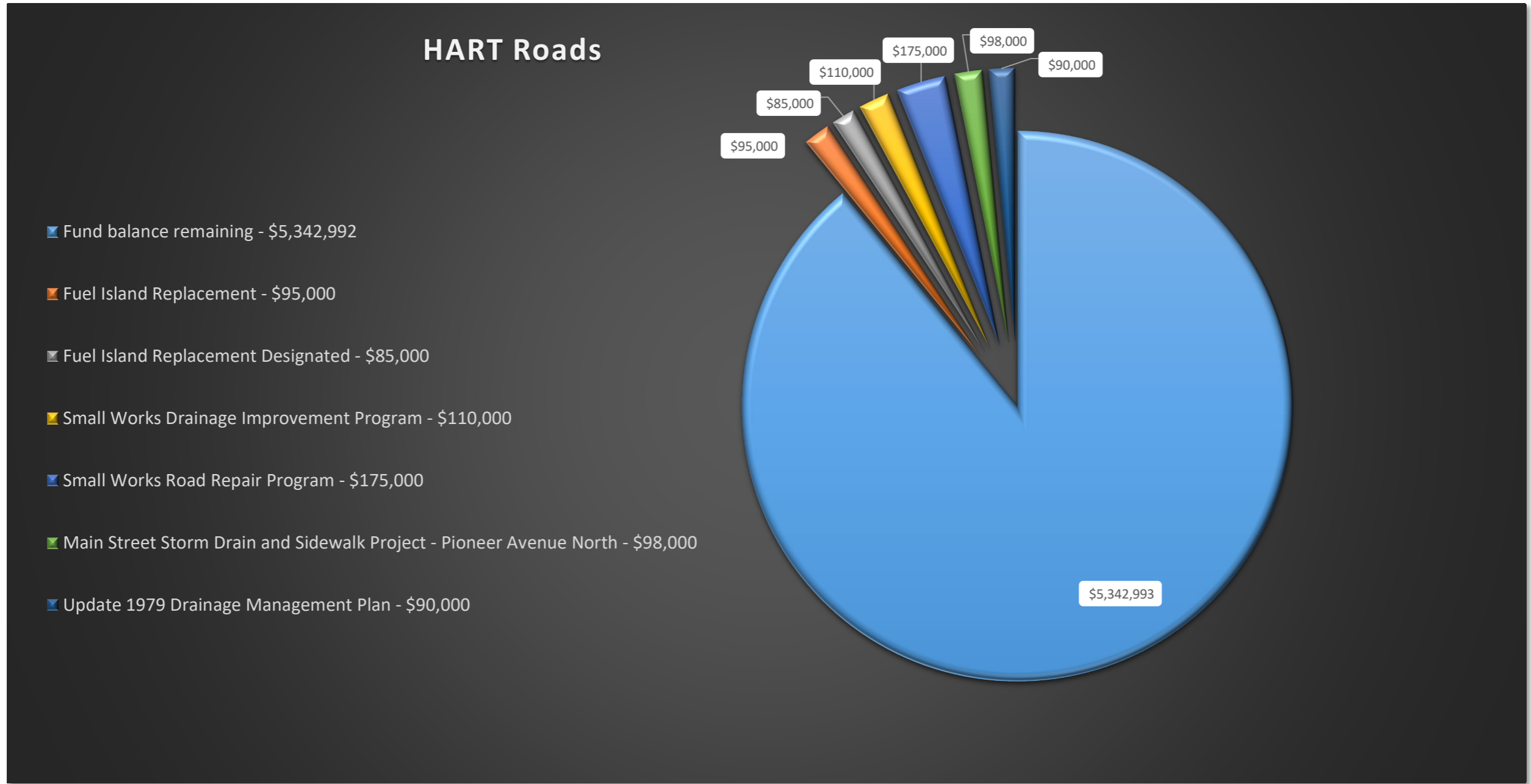
- III. Action Recommended:** That the City Council pass the proposed ordinance authorizing expenditure of \$110,000 from the HART-Roads Fund for the procurement of materials and supplemental contractor support for the Small Works Drainage Improvement Program.

### Culvert Replacements Needed

- Main/Cityview – NW SD Lateral 18"x 30'
- Main/Danview – NE SD Lateral 24"x 30'
- Main/Lee – NE SD Lateral \*\*\*Slip Lining\*\*\* 24"x 35'
- Svedlund/Fairview – NW SD Lateral 18"x 23'
- Svedlund/Lee NW SD Lateral 18"x 30'
- Svedlund – North SD terminus E Lateral 18"x 30'
- Kachemak Way/Elderberry NE SD Lateral 18"x 25'
- Kachemak Way/Elderberry NW SD Lateral 18" x 25'
- Kachemak Way/Mountainview NE SD Lateral 18"x 20'
- Kachemak Way/Mountainview NW SD Lateral 18" x 25'
- Mullikin/Soundview Cross Culvert 24"x 50'
- Islandview Cross Culvert – Plan for CIPP Lining 36"x 60'
- Clover Lane/Place Cross Culvert – Push Lining? 24"x 75' (Plus Catch Basin)
- Paradise Place cul-de-sac cross culvert – replace with 24"x 60'
- 5500 Orion Circle – Replace at cul-de-sac with 24" x 40'
- Cottonwood E of Janeview – Add 5 to 10' of pipe to the south end
- Elderberry Drive – Rotted cross culvert east of Kachemak Way 24"x 40'
- Lakeshore Drive/Douglas – Replace cross culvert 18"x 50' (currently 24")
- Ben Walters Lane – Replace cross culvert by BW Park 30"x 40' (deepen it 50')
- Ben Walters/Smoky Bay Way – Replace end sections on cross culvert
- Danview/Gavin Court Cross Culvert 24"x 55'

Danview FH Approach W of Danview 24"x 20' (currently 30')

	HART - Roads	Already designated in Operating Budget
<b>Fund Balance thru 3/31/20</b>	\$ 5,995,992.62	
<b>Fund balance remaining - \$5,342,992</b>	\$ 5,342,993	
Fuel Island Replacement - \$95,000	\$ 95,000	\$ 85,000.00
<b>Fuel Island Replacement Designated - \$85,000</b>	<b>\$ 85,000</b>	
Small Works Drainage Improvement Program - \$110,000	\$ 110,000	
Small Works Road Repair Program - \$175,000	\$ 175,000	
Main Street Storm Drain and Sidewalk Project - Pioneer Avenue North - \$98,000	\$ 98,000	
Update 1979 Drainage Management Plan - \$90,000	\$ 90,000	





**ORDINANCE REFERENCE SHEET**  
**2020 ORDINANCE**  
**ORDINANCE 20-35**

An Ordinance of the City Council of Homer, Alaska, Amending the 2020-2021 Operating Budget and Authorizing Expenditure of \$95,000 for the Planning, Design, and Permitting for the City of Homer Fuel Island Replacement Project.

Sponsor: City Manager/Public Works Director

1. City Council Regular Meeting June 22, 2020 Introduction

Memorandum 20-088 from Public Works Director as backup

1 **CITY OF HOMER**  
2 **HOMER, ALASKA**

3 City Manager/  
4 Public Works Director

5 **ORDINANCE 20-xx**  
6

7 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,  
8 AMENDING THE 2020-2021 OPERATING BUDGET AND  
9 AUTHORIZING EXPENDITURE OF \$95,000 FROM THE HART-ROAD  
10 FUND TO COMPLETE THE CITY OF HOMER FUEL ISLAND  
11 REPLACEMENT PROJECT.  
12

13 WHEREAS, the Public Works Department’s budget for 2020-2021 includes  
14 \$85,000 for the cost of fuel tanks to replace the existing Fuel Island at the Public Works  
15 campus but insufficient funds were budgeted to cover other costs, including: design,  
16 tank removal, remediation of potentially contaminated soils, if required, site  
17 preparation, and a new fuel dispensing system; and  
18

19 WHEREAS, The City Council adopted Resolution 17-038, on April 24, 2017, amending the  
20 Homer Accelerated Roads and Trails Program (HART) Policy Manual; and  
21

22 WHEREAS, The HART Policy Manual establishes criteria to be used for determining  
23 which projects qualify for HART-Roads funding; and  
24

25 WHEREAS, a project to replace the City’s Fuel Island, would meet two of the  
26 criteria set forth in the HART Policy Manual, namely (1) improving safety and (2)  
27 reducing maintenance costs because the existing Fuel Island, which serves fuel to the  
28 City of Homer’s entire vehicular fleet, is 30 years old and has become a financial,  
29 environmental and safety liability for the following reasons:

- 30 a. The software system is no longer supported by any vendor and frequently goes down.  
31  
32 b. The underground fuel storage tanks are equipped with cathodic protection anodes to  
33 slow down the rate of corrosion on the tanks, which must be inspected every 3 years.  
34 The next inspection is due in 2021, at an estimated cost of \$70,000 for the inspection  
35 and new anodes. The City has been advised not to try to install new anodes because in  
36 all likelihood, the tanks are already corroded.  
37

38 WHEREAS, The HART-Roads Fund has sufficient capital to complete the Fuel Island  
39 Replacement Project.  
40

41 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:  
42





## **Memorandum 20-088**

TO: Mayor Castner and Homer City Council  
THROUGH: Rick Abboud, Acting City Manager  
FROM: Jan Keiser, PE, JD, Director of Public Works  
DATE: June 10, 2020  
SUBJECT: Proposal to Fund Completion of the Fuel Island Replacement Project

---

I. **Issue:** The Public Works Department’s 2020-2021 budget includes \$85,000 to purchase new fuel tanks to replace the existing Fuel Island at the Public Works campus. This does not include sufficient funds to complete other elements of the project. We request the ability to proceed with that project in the interests of public and employee safety as well as environmental sustainability.

II. **Background:**

A. The existing Fuel Island, which serves fuel to the City of Homer’s entire vehicular fleet, includes two underground fuel storage tanks, two fuel dispensing pumps, and a software system that turns the pumps on/off as well as keeps track of fuel usage, by user. This combination of equipment is 30 years old and has become a financial, environmental and safety liability.

First, the software system is no longer supported by any vendor. When it goes down, the system will not dispense fuel. We are being increasingly challenged to keep it operating. When it does dispense fuel, we can’t always be sure whose account it’s being charged to.

Second, the underground fuel storage tanks are equipped with cathodic protection anodes to slow down the rate of corrosion on the tanks. These anodes must be inspected every three years by a 3<sup>rd</sup> party inspector. The inspector determines whether the anodes need replacement and otherwise assesses the condition of the tanks. Because Homer soils are so acidic and corrosive, we always need new anodes. The next inspection is due in 2021, at an estimated cost of \$70,000 for the inspection and new anodes. Further, Coffman Engineers, the consulting company, which produced the design for the original cathodic protection, told us they do not recommend trying to replace the anodes because in all likelihood, the tanks are already corroded.

The City's 2020-2021 budget includes \$85,000 for the Fuel Island Replacement Project, but we have learned this is only enough to cover procurement of the fuel storage tanks themselves. It is not enough to finish the project; we still need design, tank removal, site preparation and a new fuel dispensing system. Further, it does not include the cost to test for or remediate any potentially contaminated soils. The updated cost estimate for a complete Fuel Island Replacement Project is \$180,000. Since \$85,000 has already been budgeted, we request an additional \$95,000.

(Note: The Fuel Island Replacement Project would involve above-ground fuel storage tanks, which would eliminate the potential for corrosion and soils contamination as well as enable the system to be relocated, in the event the Public Works campus was ever relocated outside the Tsunami Inundation Zone.)

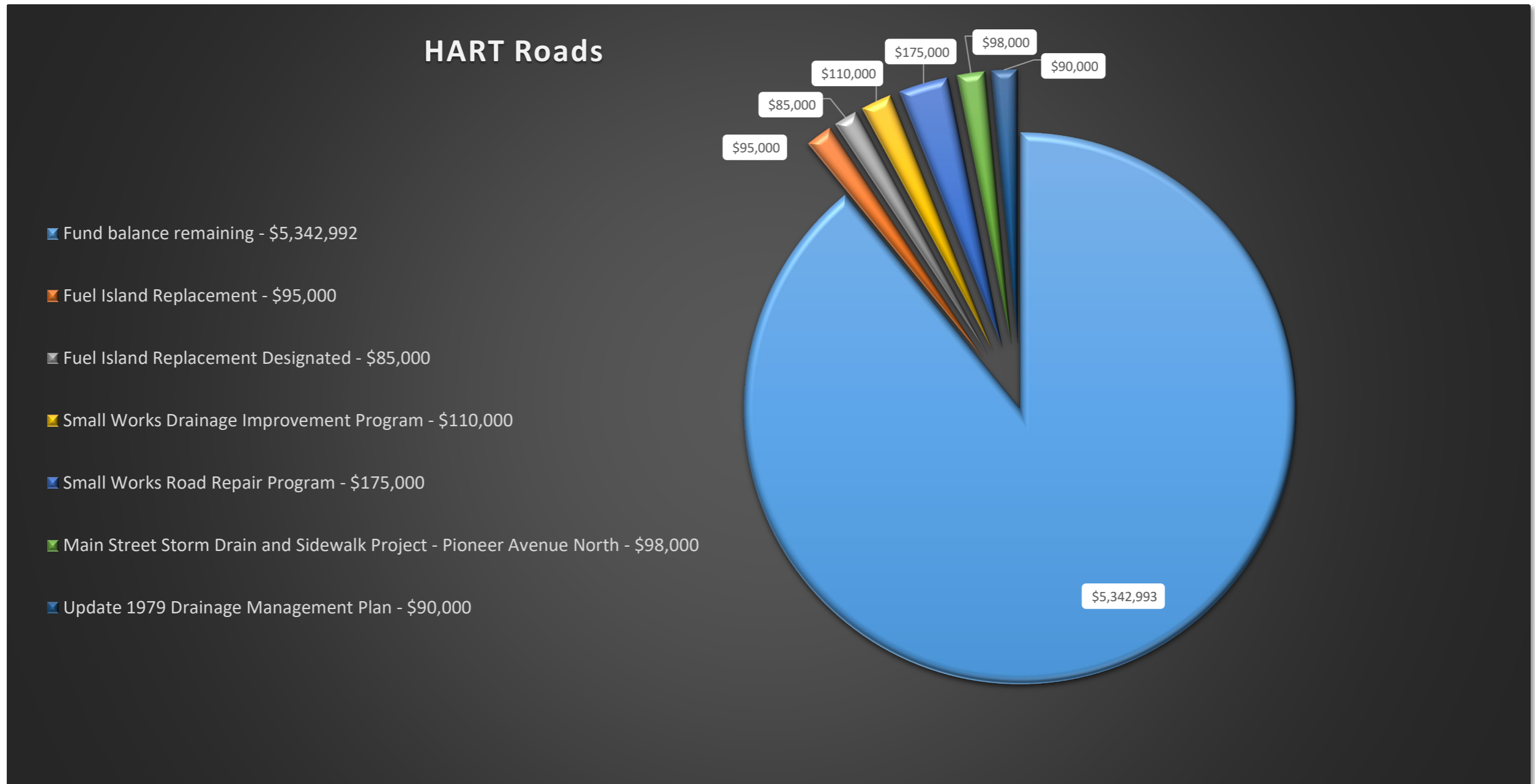
B. **Designated funding is available.** The City Council, on April 24, 2017, passed Resolution 17-038, which adopted the Homer Accelerated Roads and Trails Program ("HART") Manual. The HART Manual identified a set of nine criteria for projects that may be considered for HART funding. The criteria, which would be met by the Fuel Island Replacement Program, include:

- Improves life, safety and traffic flow
- Reduces maintenance costs

There is currently \$5,995,992.62 in the HART-Roads Fund that could be used to fund the completion of the Fuel Island Replacement Project. I propose a budget of \$95,000 to cover the planning design and permitting of the new Fueling System. Unused funds would remain in the HART-Roads Fund.

III. **Action Recommended:** That the City Council pass the proposed ordinance authorizing expenditure of \$95,000 from the HART-Roads Fund for the planning, design and permitting of the Fuel Island Replacement Project.

	HART - Roads	Already designated in Operating Budget
<b>Fund Balance thru 3/31/20</b>	\$ 5,995,992.62	
<b>Fund balance remaining - \$5,342,992</b>	\$ 5,342,993	
Fuel Island Replacement - \$95,000	\$ 95,000	\$ 85,000.00
<b>Fuel Island Replacement Designated - \$85,000</b>	<b>\$ 85,000</b>	
Small Works Drainage Improvement Program - \$110,000	\$ 110,000	
Small Works Road Repair Program - \$175,000	\$ 175,000	
Main Street Storm Drain and Sidewalk Project - Pioneer Avenue North - \$98,000	\$ 98,000	
Update 1979 Drainage Management Plan - \$90,000	\$ 90,000	



**ORDINANCE REFERENCE SHEET**  
**2020 ORDINANCE**  
**ORDINANCE 20-36**

An Ordinance of the City Council of Homer, Alaska, Amending the 2020-2021 Operating Budget and Authorizing Expenditure of \$36,000 from the HART-Trails Fund for the Small Works Trails Maintenance Program and calling for the development of a Trails Program, to include a Trails Financial Plan.

Sponsor: City Manager/Public Works Director

1. City Council Regular Meeting June 22, 2020 Introduction

Memorandum 20-089 from Public Works Director as backup

**CITY OF HOMER  
HOMER, ALASKA**

City Manager/  
Public Works Director

**ORDINANCE 20-36**

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,  
AMENDING THE 2020-2021 OPERATING BUDGET AND  
AUTHORIZING EXPENDITURE OF \$36,000 FROM THE HART-TRAILS  
FUND FOR THE SMALL WORKS TRAILS MAINTENANCE PROGRAM  
AND CALLING FOR THE DEVELOPMENT OF A TRAILS PROGRAM, TO  
INCLUDE A TRAILS FINANCIAL PLAN.

WHEREAS, The City Council adopted Resolution 17-038, on April 24, 2017, amending the  
Homer Accelerated Roads and Trails Program (HART) Policy Manual; and

WHEREAS, The HART Policy Manual establishes criteria to be used for determining  
which trail projects qualify for HART-Trails funding; and

WHEREAS, The HART Policy Manual identifies a process for nominating and selecting  
trails for funding by the HART-Trails fund, but the process doesn't provide for a financial plan;  
and

WHEREAS, A Trails Program, is needed to assess the condition of existing trails and  
identify maintenance needs as well as the desirability and feasibility of new trail construction;  
and

WHEREAS, The Trails Program should include a Trails Financial Plan that programs the  
use of HART-Trail funds for trails maintenance and construction in a mindful and financially  
sustainable manner; and

WHEREAS, Some of Homer's Trails require some immediate attention due to deferred  
maintenance and high usage; and

WHEREAS, The HART-Trails Fund has sufficient capital to fund a Small Works Trails  
Maintenance Program, while the more comprehensive Trails Program and Financial Plan is  
being developed.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:







## Memorandum 20-089

TO: Mayor Castner and Homer City Council  
THROUGH: Rick Abboud, Acting City Manager  
FROM: Jan Keiser, PE, JD, Director of Public Works  
DATE: June 16, 2020  
SUBJECT: Proposal to Fund the Small Works Trails Maintenance Program

---

I. **Issue:** We propose to (1) systematize a Trails Program, with accompanying Trails Financial Plan as well as (2) create a Small Works Trails Maintenance Program for Homer's trails, funded out of the HART-Trails Fund.

II. **Background:**

A. **Resolution 17-092(A) and Resolution 17-092(A) established a minimum set aside budget from the HART-Trails fund to be used for capital construction and maintenance of trails.** A minimum of \$550,000/year was to be set aside from sales tax revenues to fund the construction of new, and maintenance of existing, roads and trails. Of this, \$500,000/year was to be set aside for roads and \$50,000/year was to be set aside for trails. As of March 31, 2020, \$674,618.94 has accumulated in the HART-Trails fund. We propose to use some of this money for a Small Works Trails Maintenance Program, which would be used for spot repairs or minimal enhancements of existing trails.

B. **The City Council adopted the HART Policy Manual.** The HART Policy Manual identifies a set of nine criteria for projects that may be considered for HART funding, which could apply to maintenance of existing trails. The criteria, which would be met by the Small Works Trails Maintenance Program, include:

- Improves life, safety and traffic flow
- Corrects deficiencies of existing systems
- Completes traffic circulation pattern
- Encourages economic development
- Corrects Drainage Problems
- Reduces maintenance costs

C. **A systematic Trails Program and Trails Financial Plan needed.** While the Policy Manual identifies a basic system for nominating and selecting trail projects that are eligible for

HART funds, there is no provision for a trails financial plan. And, the Manual doesn't specifically address how levels of effort for maintenance will be gauged.

A system is needed to assess (1) the condition of existing trails and identify maintenance needs as well as (2) the desirability and feasibility of new trail construction. Such a system would be used to program the use of HART-Trail funds in a mindful and financially sustainable manner. Groundwork for this effort has already been laid by the Parks, Art, Recreation and Culture Advisory Commission. We will follow up on that work to systematize the process and develop an accompanying Trails Financial Plan.

**D. In the meantime, some of Homer's existing trails need immediate attention.** Trails, over time, deteriorate – they lose their tread, suffer from drainage issues, become overgrown with brush, etc. The City's existing budget allocated \$25,000 from the HART-Trails Fund to the General Fund. However, this was not allocated as a line item dedicated for trails maintenance. The reality is that we spend more than \$25,000/year in normal trail maintenance activities – snow removal, sanding, sweeping and mowing, so that allocation was quickly absorbed.

There is a line item of \$12,444 in the Parks Budget for labor for trails maintenance, but this isn't enough to do substantive work, such as: build up tread, address drainage issues, cut brush, replace signage, etc. For this work, we need to purchase filter fabric, acquire gravel base and occasionally engage 3<sup>rd</sup> party contractor support.

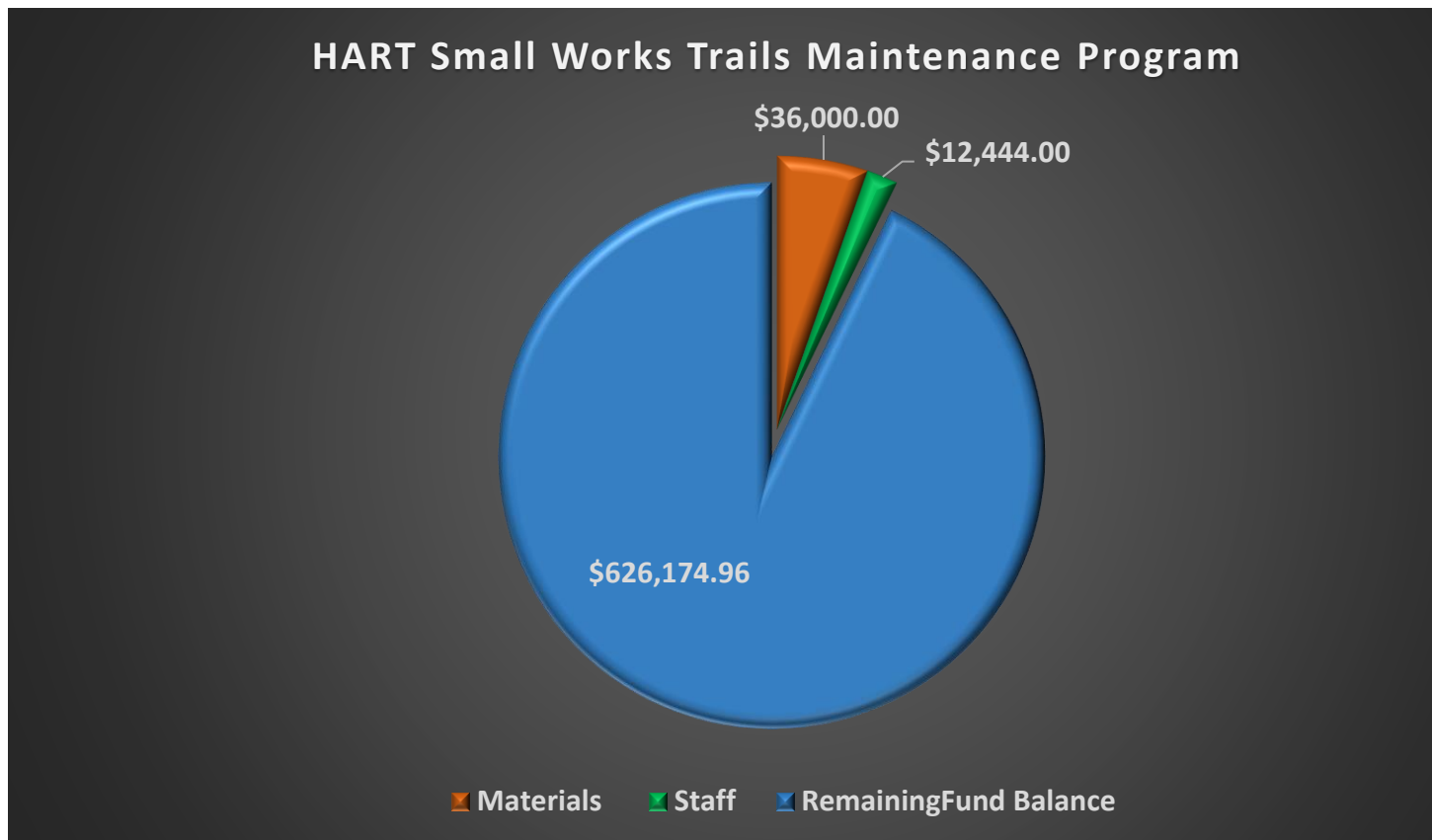
We propose to create a Small Works Trails Maintenance Program, specifically funded by the HART-Trails Fund that can be used to perform substantive maintenance work. For example, immediate attention is needed on the following trails:

- Poopdeck Trail, segment #1– Retreading – needs filter fabric and gravel
- Poopdeck Trail – segment #2 (Land Trust Ext.) – Drainage– needs pipe & aluminum grating
- Reber Trail – Brush cutting – needs 3<sup>rd</sup> party contractor support

**E. Dedicated funding is available.** There is currently \$674,618.94 in the HART-Trails Fund that could be used to fund the Small Works Trails Maintenance Program. I propose an initial budget of \$36,000 for this program. Funds that are not expended from this “bucket” would remain in the HART Fund.

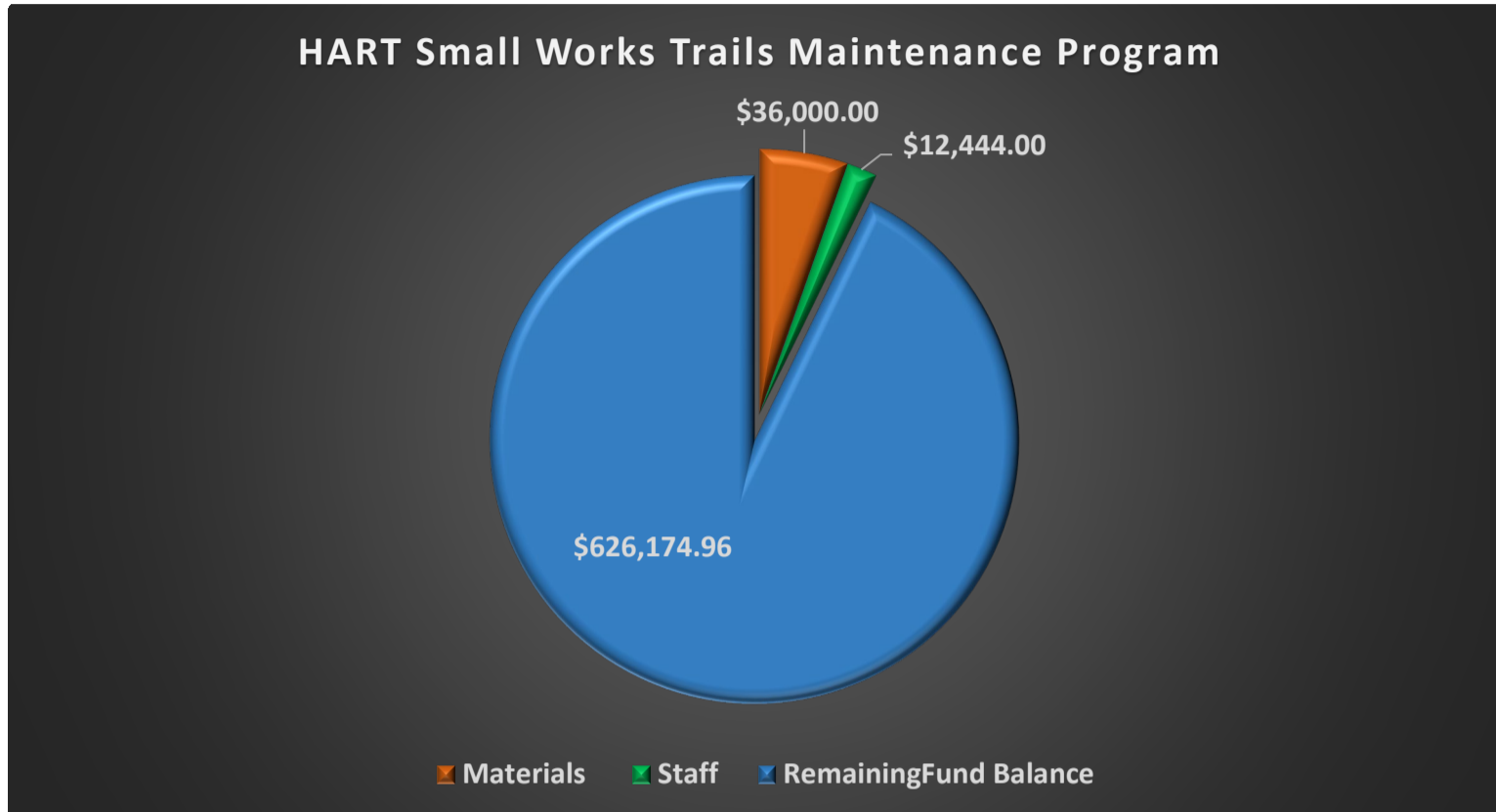
**III. Action Recommended:** That the City Council pass the proposed ordinance authorizing expenditure of \$36,000 from the HART-Trails Fund for the Small Works Trails Maintenance Program and calling for the development of a Trails Program, to include a Trails Financial Plan.

	<b>HART - Trails</b>	<b>Money dedicated to trails maintenance in the past</b>
<b>Fund Balance thru 3/31/20</b>	\$ 674,618.94	
<b>Small Works Trails Maintenance Program</b>		\$ -
Materials	\$ 36,000.00	
Staff	\$ 12,444.00	
RemainingFund Balance	\$626,174.96	





	HART - Trails	Money dedicated to trails maintenance in the past
<b>Fund Balance thru 3/31/20</b>	\$ 674,618.94	
<b>Small Works Trails Maintenance Program</b>		\$ -
Materials	\$ 36,000.00	
Staff	\$ 12,444.00	
RemainingFund Balance	\$626,174.96	



**ORDINANCE REFERENCE SHEET**  
**2020 ORDINANCE**  
**ORDINANCE 20-39**

An Ordinance by the City Council of Homer, Alaska, Amending the FY 2020 Capital Budget to Appropriate \$20,680 to Support the Additional Assistance Provided by Alaska Municipal League during the COVID 19 Public Health Emergency.

Sponsor: Mayor

1. City Council Regular Meeting June 22, 2020 Introduction

Memorandum 20-093 from Mayor as backup

**CITY OF HOMER  
HOMER, ALASKA**

Mayor

**ORDINANCE 20-39**

AN ORDINANCE BY THE CITY COUNCIL OF HOMER, ALASKA,  
AMENDING THE FY 2020 CAPITAL BUDGET TO APPROPRIATE  
\$20,680 TO SUPPORT THE ADDITIONAL ASSISTANCE PROVIDED  
BY ALASKA MUNICIPAL LEAGUE DURING THE COVID 19 PUBLIC  
HEALTH EMERGENCY

WHEREAS, Alaska Municipal League (AML) is a non-profit impacted by this crisis with unanticipated costs that were not budgeted in FY2020; and

WHEREAS, AML has been working to augment the capacity and assist municipalities throughout the COVID 19 Health crisis by providing support of public health response and management and economic relief for residents and businesses; and

WHEREAS, The requested amount of support will be used to benefit the City of Homer in the development of programs by AML for CARES Act compliance, implementing a hot line for accounting and legal questions on the CARES Act; ensure social distancing and sanitation measures at upcoming events; investiture in additional crisis communications for FY21 outreach; support NLC and NACo outreach and advocacy for increased local funding and support.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1: Amending the 2020 Capital Budget

Expenditure

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
	AML Additional Assistance Support	\$20,680

Section 2: This ordinance is a budget ordinance and shall not be codified.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this \_\_\_\_ day of \_\_\_\_\_,  
2020.

CITY OF HOMER

\_\_\_\_\_  
KEN CASTNER, MAYOR



43 ATTEST:

44

45 \_\_\_\_\_

46 MELISSA JACOBSEN, MMC, CITY CLERK

47

48 YES:

49 NO:

50 ABSTAIN:

51 ABSENT:

52

53 First Reading:

54 Public Hearing:

55 Second Reading:

56 Effective Date:

57

58 Reviewed and approved as to form.

59

60 \_\_\_\_\_

61 Rick Abboud, Acting City Manager

62

63 Date: \_\_\_\_\_

\_\_\_\_\_  
Michael Gatti, City Attorney

Date: \_\_\_\_\_



# City of Homer

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

Office of the Mayor

491 East Pioneer Avenue  
Homer, Alaska 99603

[mayor@ci.homer.ak.us](mailto:mayor@ci.homer.ak.us)

(p) 907-235-3130

(f) 907-235-3143

## Memorandum 20-093

TO: HOMER CITY COUNCIL  
FROM: MAYOR CASTNER  
DATE: JUNE 4, 2020  
SUBJECT: ALASKA MUNICIPAL LEAGUE APPROPRIATION

---

AML has sent us an invoice for \$20,680 as our share of funding necessary to fulfill the League's obligation to its members in three areas:

- 1) Covid-19 work taken on in assisting with CARES Act authorization, initiation and interpretations of the various mandates and directives, grant/reimbursement compliance guidance, accounting/bookkeeping advice, general dissemination of information, and legal counsel, and;
- 2) Revenue shortfalls from delays in the efficient collection of remote sales tax due to the novel Coronavirus pandemic, and;
- 3) Revenue shortfalls caused by an anticipated decrease in attendance and sponsorship due to travel and health concerns emanating from increased mixing and the risk of viral infection.

Nils has provided his budget and cost allocations, which is attached. 40% can be considered a cost caused by the COVID-19 response, and can be taken from the funds provided and appropriated in Ordinance 20-25. That would be \$8,272 which should be immediately available.

Homer is a community that is benefiting from the remote sales tax collection program and 30% of the AML request is slated to cover lost revenues. That would be \$6,204 and I will sponsor an ordinance at the next meeting to fund that from an appropriate fund that maintains an accounting trace. While our current COVID-19 related aid has restrictions from being used to replace lost revenues, there have been suggestions that future appropriations may allow those applications.

The remaining 30% is for a prudent view of the lost revenues from reduced participation at the remaining 2020 gatherings. I will include a similar amount in the ordinance mentioned above to cover our share of that projected shortage.

AML has been a terrific partner and information hub. They have risen to the occasion during this pandemic, in not only providing help and assistance to the members, but in also providing

a unified municipal voice to the Dunleavy Administration and Alaska State Legislature. This is money well spent .

1 **CITY OF HOMER**  
2 **HOMER, ALASKA**

3 City Manager

4 **RESOLUTION 20-054**

5  
6 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,  
7 SUPPORTING EFFORTS OF THE ALASKA MUNICIPAL LEAGUE,  
8 ACKNOWLEDGING THE SIGNIFICANT AMOUNT OF STAFF TIME,  
9 AND ORGANIZATIONAL SUPPORT TO MEMBERS THROUGH THE  
10 COVID-19 PUBLIC HEALTH EMERGENCY AND APPROVING THE  
11 REQUESTED CONTRIBUTION FROM THE CITY.  
12

13 WHEREAS, Alaska Municipal League (AML) has been working to assist municipalities  
14 throughout the COVID-19 health crisis; and  
15

16 WHEREAS, One of the allowable expenditures of CARES Act funding is in support of  
17 organizations that are impacted by the public health emergency or are providing services in  
18 support of or response to the COVID-19 crisis; and  
19

20 WHEREAS, Granting funds to AML is an expense that benefits both AML and its  
21 members; and  
22

23 WHEREAS, AML is a nonprofit impacted by the COVID-19 crisis, with unanticipated costs  
24 that were not budgeted for in FY20 and that will continue to be impacted in FY21; and  
25

26 WHEREAS, As a member service organization, AML can augment the capacity of local  
27 governments and provide real value in support of public health response and management,  
28 and economic relief for residents and businesses; and  
29

30 WHEREAS, The requested grant amount is \$20,680 and AML will use the funds to:

- 31 • Invest in the Remote Sales Tax program to further bring down fees and recruit  
32 new members,
- 33 • Ensure social distancing and additional hygiene and sanitation measures at  
34 upcoming events,
- 35 • Develop a shared service program in support of CARES Act compliance,  
36 reporting, and grants,
- 37 • Implement a CARES Act hotline for accounting and legal questions to be  
38 answered,
- 39 • Expand support of AMLIP and AML-JIA as they respond to the economic impact,
- 40 • Invest in additional crisis communications for FY21-public outreach, local  
41 government value, and





ONE SEALASKA PLAZA, SUITE 200 • JUNEAU, ALASKA 99801  
TEL (907) 586-1325 • FAX (907) 463-5480 • WWW.AKML.ORG

Member of the National League of Cities and the National Association of Counties

### **Statement of Need**

AML has devoted a significant amount of staff time and organizational resources to support members through this public health emergency. While the last two months have been challenging, we're glad to have been able to play some role that's been helpful to our members. We know, too, that this public health emergency and economic crisis will continue. We've begun planning now for how to continue this support through FY21 and beyond. A lot of that will mean shoring up our current capacity and investing in additional measures – staff and outreach – that augment member capacity and support members.

### **Request of Members**

One of the very clear allowable expenditures of CARES Act funding is in support of organizations that are impacted by the public health emergency or are providing services in support of or response to this crisis. Granting funds to AML during this time, we believe, is a justifiable expense that benefits both AML and members. We've created this request for supplemental fees that you can treat as optional (but hope that you respond positively to), to be paid for from CARES Act funding as you are able. None of these funds will be used for lobbying purposes. We've estimated our total needs and pro-rated them across members. You can choose to follow this format for granting purposes or come up with a flat amount that is consistent with your budget and other community needs.

### **What AML will do with these funds:**

- Invest in the Remote Sales Tax program to further bring down fees and recruit new members
- Ensure social distancing and additional hygiene and sanitation measures at upcoming events
- Develop a shared service program in support of CARES Act compliance, reporting, and grants
- Implement a CARES Act hotline for accounting and legal questions to be answered
- Expand our support of AMLIP and AML-JIA as they respond to the economic impact
- Invest in additional crisis communications for FY21 – public outreach, local government value
- Support NLC and NACo outreach and advocacy for increased local funding and support

### **Justification**

AML is a nonprofit impacted by the COVID-19 crisis, with unanticipated costs that were not budgeted for in FY20 and that will continue to be impacted in FY21. At the same time, as a member-service organization, we can augment the capacity of local governments and provide real value in support of public health response and management, and economic relief for residents and businesses. Investments that AML makes during this time lower the costs of doing business for members and ultimately Alaska communities. These actions would not otherwise be necessary without the public health and economic crisis.

**Note, for budget purposes:** The AML Annual Local Government Conference will be dedicated to the Costs of COVID – Crisis Management and Recovery. We would argue that this is an allowable expenditure for participation by members, which CARES Act funding may be used for.



ALASKA MUNICIPAL LEAGUE  
 One Sealaska Plaza, Suite 200  
 Juneau, AK 99801

# Invoice

DATE	INVOICE ...
5/15/2020	1

Bill To:  
 City of Homer  
 491 East Pioneer Ave.  
 Homer, AK 99603

P.O. NO.	DUE DATE
	07/1/2020

ITEM	DESCRIPTION	AMOUNT
COVID-19 Response	COVID-19 Supplemental Request <ul style="list-style-type: none"> <li>• Crisis Communications</li> <li>• CARES Act Counsel</li> <li>• Bookkeeping &amp; Grant Compliance</li> <li>• Increased Member Support</li> </ul> <p><i>FY21 Membership Invoices will be sent out as usual in late June.</i></p> <p>Please make check payable to:  <b>Alaska Municipal League</b></p>	\$20,680.00
Thank you for your prompt payment. Please direct any billing questions to Shawn Myers at 907-586-1325		<b>Total</b> \$20,680.00

**CITY OF HOMER  
HOMER, ALASKA**

City Manager

**RESOLUTION 20-059**

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA APPROVING AND ACCEPTING A DONATION OF LAND DESCRIBED AS T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATE S ADDN NO 2 PHASE ONE LOT 2 BLOCK 2 FROM SUNSET VIEW ESTATES LLC FOR CONTINUED USE AS A STORM WATER RETENTION AREA.

WHEREAS, Sunset View Estates, LLC constructed a subdivision in 2006 called Foothills Sub Sunset View Estates Addition; and

WHEREAS, Sunset View Estates, LLC was required by the Army Corps of Engineers to build a storm water retention pond as part of the permit process; and

WHEREAS, Sunset View Estates, LLC stopped developing after phase one and sold all lots within the subdivision but still owns Lot 2, where the retention pond is located; and

WHEREAS, Sunset View Estates, LLC wishes to donate Lot 2 to the City of Homer for continued use as a storm water retention pond.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, accepts the donation the property and authorizes the City Manager to execute the appropriate documents.

PASSED AND ADOPTED by the Homer City Council on this 22nd day of June, 2020.

CITY OF HOMER

\_\_\_\_\_  
KEN CASTNER, MAYOR

ATTEST:

\_\_\_\_\_  
MELISSA JACOBSEN, MMC, CITY CLERK

Fiscal Note: Estimated \$5,000 per ten year maintenance cycle





# City of Homer

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

491 East Pioneer Avenue  
Homer, Alaska 99603

(p) 907-235-8121

(f) 907-235-3140

## Memorandum 20-079

TO: Mayor Castner and Homer City Council  
THROUGH: Rick Abboud, AICP, Acting City Manager  
FROM: Julie Engebretsen, Deputy City Planner  
Dan Gardner, Public Works Superintendent  
DATE: June 5, 2020  
SUBJECT: Donation of Lot 2

---

### Background

Sunset View Estates LLC would like to donate Lot 2 to the City of Homer. The property is just north of West Homer Elementary, on Soundview Ave. When the subdivision was developed in 2006, one condition from the Army Corps of Engineers was the construction of a storm water detention pond to serve the whole subdivision. The pond was built as part of the first phase of the subdivision. Years later, the developers decided not to build phase two, or the remained of the subdivision. They recently sold this land to another developer. In the interest of divesting themselves of any further interest in the subdivision, Sunset View Estates LLC would like to donate the storm water retention lot to the City of Homer. The parcel has an assessed value from the Kenai Peninsula Borough of \$0.

Public Works supports accepting the donation as part of the city storm water system. The anticipated long term maintenance includes clearing brush and removing sediment from the pond. This maintenance will be accomplished about once every 10 years at an anticipated cost of approximately \$5000.

Requested Action: Accept the land donation and authorize the City Manager to execute the appropriate documents

### Attachments

2020 Photograph

Letter from property owner



Lot 2, Detention Pond

Dan Gardner,

City of Homer Public Works Superintendent

In 2007 when Sunset View Estates LLC developed the 31 residential lots in Foothills subdivision addition 2. In the subdivision agreement with the Army Corp of Engineers permit number POA 2006-153-4 lot 2 Block 2 is designated for storm water retention and is not to be used for residential purposes.

As the City of Homer needs to have access to maintain and inspect this lot it makes sense to transfer ownership to the City of Homer.

I have enclosed a quit claim document and have signed and notarized our part, could you hand this off to the city manager and check if this will work for getting the lot transferred. We talked about transferring this lot several years ago but because we had a loan attached to the subdivision development the lot was part of the collateral and could not be transferred before the loan was paid off. The lot is now free and clear.

If you or anyone has questions please contact me at [llcabana@yahoo.com](mailto:llcabana@yahoo.com) or phone 907-202-1029

My mailing address is Leroy L Cabana, box 49, Homer Alaska 99603

Sincerely

Leroy Cabana

**QUITCLAIM DEED**  
**A.S. 34.15.040**

The Grantor(s), Sunset View Estates LLC  
whose mailing address is: Box 49, Homer Alaska 99603

for and in consideration of Ten Dollars (\$10.00), and other good and valuable consideration, in hand paid, the receipt of which is hereby acknowledged, conveys and quitclaims to Grantee(s),

City of Homer - Marvin Yoder city manager  
whose mailing address is:  
491 East Pioneer

all of Grantor(s) interest, if any, in the following described real property:

Lot 2, Block 2, Foothills Sub Sunset View Estates, according to  
Plat No. 2005-68 HRD, located in the City of Homer Recording District, Third  
Judicial District, State of Alaska.

Date: May 19 2020

[Signature]  
(Grantor)

\_\_\_\_\_  
(Grantor)

STATE OF ALASKA }  
3<sup>rd</sup> JUDICIAL DISTRICT }

The foregoing instrument was acknowledged before me on the 19 day of May,  
2020 by LEROY L CABANA.



Kathleen B Scott  
Notary Public for Alaska  
My Commission Expires: 08/16/2020

Return to:

**CITY OF HOMER  
HOMER, ALASKA**

Mayor/Council

**RESOLUTION 20-060**

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,  
APPROVING A REQUEST FOR PROPOSALS (RFP) FOR LOBBYIST  
SERVICES.

WHEREAS, Resolution 20-023 authorized the issuance of an RFP for Lobbyist Services  
for the Large Vessel Harbor project; and

WHEREAS, The last solicitation for Lobbyist Services was in 2011; and

WHEREAS, Given the positive momentum behind the Large Vessel Harbor project, the  
City will benefit from contracting with an experienced and qualified professional to lobby for  
its interests at the State Capitol and assist in navigating this multifaceted, multiyear project  
with state, federal and local partners.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, hereby  
approves the attached Request for Proposals for lobbyist services.

PASSED AND ADOPTED by the Homer City Council this 22<sup>nd</sup> day of June, 2020.

CITY OF HOMER

\_\_\_\_\_  
KEN CASTNER, MAYOR

ATTEST:

\_\_\_\_\_  
MELISSA JACOBSEN, MMC, CITY CLERK

Fiscal note: Advertising costs

**REQUEST FOR PROPOSALS**  
**By the City of Homer, Alaska**  
**for**  
**LOBBYIST SERVICES**

The City of Homer, Alaska, is soliciting proposals from experienced and qualified professionals who are interested in entering into a contract to work collaboratively with the City Council, Mayor, City Manager, and key staff members to represent the City as a State Lobbyist for the first regular session of the 32<sup>nd</sup> Alaska State Legislature.

It is the intent of this Request for Proposals (RFP) to have the successful firm enter into a Professional Services Contract with the City of Homer to provide the services outlined in the proposal documents and includes, but is not limited to the following:

In accordance with standards and criteria of the City of Homer, assist the City in furthering its legislative agenda and securing state funding. The City’s legislative agenda will include, but is not limited to: 1) New Large Vessel Moorage Facility; 2) state funding for capital projects identified as priorities by the Homer City Council; and 3) other legislative priorities identified by Council.

Sealed proposals will be received at the City Clerk’s Office, City of Homer, 491 E. Pioneer Avenue, Homer, Alaska, **starting Monday, July 13, 2020 until 4:30 p.m., Thursday, September 4, 2020.** The time of receipt will be determined by the City Clerk’s time stamp. Proposals received after the time fixed for the receipt of proposals shall not be considered. **All proposers must submit a City of Homer Plan Holders Registration form to be on the Plan Holders List and to be considered responsive.** Respondents not on the plan holders list shall be deemed unresponsive and shall not be considered.

An electronic copy of the RFP documents and plan holder registration forms are available online at <http://www.cityofhomer-ak.gov/rfps>. Paper copies of the Proposal Documents may be purchased at the Office of the City Clerk upon payment of \$10 per set (\$15 for priority mail delivery). All fees are non-refundable.

For **proposal specifications and evaluation criteria** contact: City Clerk’ Office, City of Homer 491 E. Pioneer Avenue, Homer, Alaska 99603, 907-235-3130 or [clerk@cityofhomer-ak.gov](mailto:clerk@cityofhomer-ak.gov)

Please direct all questions in writing regarding this project to:

City Clerk’s Office  
City of Homer  
491 E Pioneer Avenue  
Homer, AK 99603

Questions and answers will be distributed by the Clerk’s Office to all those listed on the plan holders list for this RFP.

The City of Homer reserves the right to accept or reject any or all proposals, to waive irregularities or informalities in the proposals, and to award the contract to the respondent that best meets the selection criteria.

Dated this \_\_\_\_ day of June, 2020.

CITY OF HOMER

\_\_\_\_\_  
Rick Abboud, Acting City Manager

Advertise: Homer News –  
Anchorage Daily News –

Fiscal Note: Split between General Fund and Port & Harbor Enterprise Fund

## REQUEST FOR PROPOSALS

Lobbyist Services  
City of Homer, Alaska

The City of Homer, Alaska (“City”) is soliciting proposals from experienced and qualified professionals who are interested in entering into a contract to work collaboratively with the City Council, Mayor, City Manager, and key staff members to represent the City as a State Lobbyist for the first regular session of the 32<sup>nd</sup> Alaska State Legislature. The following subjects are discussed in this RFP to assist you in preparing your proposal.

- I. Contract Term and Budget
- II. Background Information
- III. Scope of Services
- IV. Proposal Format and Content
- V. Evaluation Criteria and Selection Process
- VI. General Requirements

### **I. Contract Term and Budget**

The City is seeking both to engage a contract for a fixed fee schedule for services performed, including a firm total remuneration set cost, and/or a proposed competitive hourly wage for services as needed, in order to hire a lobbyist for the period of at least October 1, 2020 through October 1, 2021. A contract of longer duration or a contract renewal may be considered based on performance under the initial contract and budget considerations; however, the City will be under no obligation to extend the term of the contract stated above.

### **II. Background Information**

The City of Homer was incorporated March 31, 1964 as a first-class city. The governing body consists of the Mayor and 6-member City Council, assisted by a full-time City Manager.

Departments within the City of Homer are Administration, Finance, Public Library, Planning, Police, Fire, Public Works, and Port and Harbor. While services provided by the City of Homer are primarily intended to benefit the 5,500 citizens residing within city limits, many programs and facilities serve a larger area on the southern Kenai Peninsula encompassing more than 50 square miles with a population of approximately 15,000. Proposers are encouraged to get a sense of the City’s legislative priorities by reading the most recent Capital Improvement Plan (CIP) found here: <https://www.cityofhomer-ak.gov/economicdevelopment/capital-improvement-plan>. Additional information concerning the City’s upcoming CIP process for the years 2021-2026 can be found by consulting Memorandum 20-061 and associated development schedule found here: [https://www.cityofhomer-ak.gov/sites/default/files/fileattachments/memo/61781/memo\\_20-061\\_council\\_cip\\_schedule\\_approval\\_2021-26.pdf](https://www.cityofhomer-ak.gov/sites/default/files/fileattachments/memo/61781/memo_20-061_council_cip_schedule_approval_2021-26.pdf)

One of the City of Homer’s main objectives that necessitates the need to hire a lobbyist is assistance in securing \$750,000 in state funds for the Homer Port’s New Large Vessel Moorage Facility’s General Investigation Study (GIS). More information can be found on page three of the 2020-2025 City of Homer Capital Improvement Plan.

Homer Port, an ice-free deep draft harbor, is the region's transportation hub. It serves commercial fishing boats that work in various fisheries statewide; the Alaska Marine Highway System; the US Coast Guard and a marine industrial/transportation fleet whose service is foundational to Alaskan commerce at all levels. Presently, industry demand far exceeds Homer Port’s capacity. The Large Vessel Port Expansion Project will accommodate 40-60 large size class vessels up to 250 feet in length, not only alleviating congestion and providing safe moorage in Alaskan waters for large vessels, but also providing a strategic economic development initiative for our region and State. High demand and favorable changes in cost drivers have prompted the City and US Army Corps of Engineers (USACE) to reexamine project feasibility utilizing a Section 22 Planning Assistance to States Program (PAS) Study grant in 2018. The PAS study was completed in 2019; its positive outcomes led to a recommendation by the USACE to resume

work on the GIS for this expansion project. The GIS total cost is \$3M, 50% of which will be paid by the Corps and the other \$1.5M split between the State and City. Since this project's inception, the State has been both a contributing and benefitting partner and the City of Homer wishes to reinstate that relationship with a secured financial commitment.

### **III. Scope of Services**

The contract consists of furnishing all labor, materials, equipment, tools, supervision, and any other facilities necessary to assist the City of Homer in accomplishing its state legislative goals.

All documents compiled or completed for this project shall be provided to the City of Homer in a format and on media approved by the City.

The individual or firm hired to perform the services will work under the direction of the City Manager. The exact scope of services will be negotiated based on budget considerations and identified City Council priorities. Scope of services will include, at a minimum, the following:

- Advise and assist the City in development and execution of strategies for the purpose of accomplishing state legislative priorities. Such priorities include, but are not limited to: 1) New Large Vessel Moorage Facility; 2) state funding for capital projects identified as priorities by the Homer City Council; and 3) other legislative priorities identified by Council.
- Provide written updates for City Council meetings as requested and/or be available for updates by teleconference during the legislative session regarding the status of legislation, issues, or topics of interest to the City and the measures taken to achieve the City's objectives.
- Work and collaborate with Homer's project management team for the New Large Vessel Moorage Facility.

### **IV. Proposal Format and Content**

Proposals which do not address the items listed in this section may be considered incomplete and may be deemed non-responsive by the City.

1. Title Page (one page maximum). At a minimum, the title page shall show the name of the services being proposed (State Legislative Lobbying Services), the firm name, address, telephone number, name of contact person, and the date.
2. Cover Letter which includes the following information:
  - A description of experience relevant to this Scope of Services
  - Description of strategy for accomplishing the goals and priorities of the City, with specificity provided in regards to the City's New Large Vessel Moorage Facility.
  - A complete list of other current clients and those served within the preceding twelve months of the submission date of this proposal
  - A description of any conflicts, perceived or actual, which might impact the successful implementation of stated goals and priorities of the City
  - A firm, fixed fee schedule for services performed, with total remuneration over the contract period, and an alternative proposed competitive hourly wage and listing for services, should services be arranged on an "as needed" basis.
3. Current and accurate resume of the person or persons who will be principally responsible for providing services under the contract. Any contract resulting from this procurement will require that services be provided by the identified individual(s), with any change in personnel subject to approval by the City in its sole discretion.
4. Letters of reference (at least three), preferably from Alaska municipalities to which similar services have been provided by the individual(s) identified under Section IV(2) above within the last three years.



## V. Evaluation Criteria and Selection Process

The City of Homer reserves the right to reject any and all proposals submitted and shall not be liable for any costs incurred by any respondent in response to this solicitation or for any work done prior to the issuance of an executed contract.

The Mayor will appoint an evaluation committee consisting of two Councilmembers and the Port and Harbor Director to review the proposals. The evaluation committee will then make a recommendation to City Council. In addition to reviewing the written proposals, the committee may investigate a proposer's prior work experience and performance, including projects referenced in the proposal and available written evaluations, and may contact listed references or other persons knowledgeable of a respondent's past performance. Factors such as overall experience relative to the proposed contract, quality of work, cost control, and the ability to meet schedules may be addressed during the evaluation.

Through this process, proposals will be ranked according to the following criteria:

- Completeness of proposal (as per Proposal Format and Guidelines) – 5 points
- Respondent's experience (past performance, work products, timeliness, cost control) – 20 points
- References – 5 points
- Fee schedule/budget proposal – 5 points
- Strategy for accomplishing goals and priorities for the City – 30 points
- Strategy for accomplishing goals and priorities for the City specific to the New Large Vessel Moorage Facility project – 35 points

The City of Homer reserves the right to award a contract to the highest ranked firm based solely on the written proposal or request oral interviews with a "short list" of the highest ranked firms. The City of Homer reserves the right to terminate negotiations with any proposer should it be in the City of Homer's best interest.

## VI. General Requirements

The following information is presented as a general guideline for the preparation of the proposals.

To achieve a uniform review process and obtain the maximum degree of comparability, it is required that the proposals address all the items described in the Section IV, Proposal Format and Content. Proposals that do not address these items may be considered incomplete and may be deemed non-responsive by the City.

Interested firms shall submit one original and one copy of the completed proposal in an opaque envelope marked as follows:

CITY OF HOMER LOBBYIST

Proposal dated \_\_\_\_\_, 20\_\_

The proposals shall be addressed to:

City Clerk's Office  
City of Homer  
491 E. Pioneer Avenue  
Homer, Alaska 99603

Proposals shall be received at the office of the City Clerk starting **Monday, July 13, 2020 until 4:30 p.m., Thursday, September 4, 2020**. Faxed or emailed proposals are not accepted.

An electronic copy of the RFP documents and plan holder registration forms are available online at <http://www.cityofhomer-ak.gov/rfps>. Paper copies of the Proposal Documents may be purchased at the Office of the

City Clerk upon payment of \$10 per set (\$15 for priority mail delivery). All fees are non-refundable.

For **proposal specifications, evaluation criteria** contact: City Clerk's Office, City of Homer 491 E. Pioneer Avenue, Homer, Alaska 99603, 907-235-3130 or [clerk@cityofhomer-ak.gov](mailto:clerk@cityofhomer-ak.gov)

Please direct all questions in writing regarding this project to the City Clerk's Office. Questions and answers will be distributed by the Clerk's Office to all those listed on the plan holders list for this RFP.

## LIBRARY ADVISORY BOARD

### REPORT TO HOMER CITY COUNCIL

June 17, 2020

In its ongoing efforts to optimize library services, the library has expanded its list of available services and has updated times for limited services by reservation inside the building. The chart below lists service status as of June 22. This information will be posted on the library's homepage and at the front door and will be updated as events warrant.

Library Service	Reservation/ Mask Required	Status as of June 22, 2020
Alaska Digital Library		Available through the library website.
Bookmobile		Available M and W 10:30-12:30 library parking lot.
Book Sale*	Y	Available M-F: 10:00-11:30, 1:30-3:00 and 4:00-5:30.
CD/DVD burner		Available through curbside pickup.
Community meetings		Available online through Zoom. Contact the library to organize a meeting.
Curbside pickup		Available M-F: 10-6.
Fines payment		No fines are being collected at the moment.
Flipster online magazines		Available through the library website.
Food for Kids and Teens		Available M-F: 10-6, beside the bookdrop.
Headphones*	Y	Available M-F: 10:00-11:30, 1:30-3:00 and 4:00-5:30.
Holds		Available through curbside pickup.
In-library browsing*	Y	Available M-F: 10:00-11:30, 1:30-3:00 and 4:00-5:30.
In-library checkout*	Y	Available M-F: 10:00-11:30, 1:30-3:00 and 4:00-5:30.
In-library computer/internet access*	Y	Available M-F: 10:00-11:30, 1:30-3:00 and 4:00-5:30.
In-library study*	Y	Available M-F: 10:00-11:30, 1:30-3:00 and 4:00-5:30.
Interlibrary Loan (ILL)		Not available
Laptops		Available through curbside pickup.
Library card registration		Available by phone or email.
Meeting room		Not available
Online databases		Available through the library website.
Photocopying*	Y	Available M-F: 10:00-11:30, 1:30-3:00 and 4:00-5:30.
Printing*	Y	Available M-F: 10:00-11:30, 1:30-3:00 and 4:00-5:30.
Projector (digital)		Available through curbside pickup.
Projector (overhead)		Available through curbside pickup.
Reference/Reader Advisory		Available by phone or email, M-F, 10-6.
Returns		Available through the bookdrop.
Scanning*	Y	Available M-F: 10:00-11:30, 1:30-3:00 and 4:00-5:30.
Storytime		Available on air Thursdays at 10:00 am on KBBI AM890.
Study rooms		Not available
Summer Reading and Learning Program		Available online and through curbside pickup.
Videophone*	Y	Available M-F: 10:00-11:30, 1:30-3:00 and 4:00-5:30.
Wi-fi (indoors)*	Y	Available M-F: 10:00-11:30, 1:30-3:00 and 4:00-5:30.
Wi-fi (outdoors)		Available outside the building (signal is very weak). Contact the library for a list of other places that offer wi-fi.
<b>For questions, reservations, or curbside-pickup scheduling, call 235-3180 or email library@cityofhomer-ak.gov.</b>		
<b>*Services that require a reservation and use of face mask. Please be on time for your reservation or notify us if you will be late. We can provide a mask if you do not have your own.</b>		

In addition, the library filed a grant application June 12 to fund several technology improvements, including:

- Extended wireless coverage to parking lot, plaza and front entryway areas
- More laptops for circulation
- Ability to submit print jobs from outside the building to collect from curbside pickup
- Improvements to in-building services such as touchless self-checkout

The LAB is holding a special meeting at 5:30 pm, Tuesday, July 7, to review the library's fines and fees policies.

The next regularly scheduled meeting is 5:30 pm, Tuesday, August 4.

We have two vacancies on the LAB -- for a Homer resident member and a student representative -- and encourage community members who care about this essential public service to join us.

Respectfully submitted,

Marcia Kuszmaul, Chair  
Library Advisory Board

**ORDINANCE REFERENCE SHEET**  
**2020 ORDINANCE**  
**ORDINANCE 20-26**

An Ordinance of the City Council of Homer, Alaska Amending Homer City Code 11.36 Vegetation in Rights-of-Way Sections 11.36.010 Vegetation in Rights-of-Way; 11.36.020 Removal of Vegetation in Rights-of-Way and Rights-of-Way Maintenance; Repealing 11.36.030 Removal for Compliance-Public Works Director Discretion and Reenacting 11.36.030 Annual Road Maintenance Plan; and Enacting 11.36.040 Public Notice and 11.36.050 Emergency Authority.

Sponsor: City Manager/Public Works Director

1. City Council Regular Meeting June 8, 2020 Introduction
  - a. Memorandum 20-071 from Public Works Director as backup
2. City Council Regular Meeting June 22, 2020 Public Hearing & Second Reading
  - a. Memorandum 20-071 from Public Works Director as backup

1 **ORDINANCE 20-26**

2 City Manager/  
3 Public Works Director

4 **CITY OF HOMER**  
5 **HOMER, ALASKA**

6  
7 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA  
8 AMENDING HOMER CITY CODE 11.36 VEGETATION IN RIGHTS-OF-  
9 WAY SECTIONS 11.36.010 VEGETATION IN RIGHTS-OF-WAY;  
10 11.36.020 REMOVAL OF VEGETATION IN RIGHTS-OF-WAY AND  
11 RIGHTS-OF-WAY MAINTENANCE; REPEALING 11.36.030 REMOVAL  
12 FOR COMPLIANCE-PUBLIC WORKS DIRECTOR DISCRETION AND  
13 REENACTING 11.36.030 ANNUAL ROAD MAINTENANCE PLAN; AND  
14 ENACTING 11.36.040 PUBLIC NOTICE AND 11.36.050 EMERGENCY  
15 AUTHORITY.

16  
17 WHEREAS, In October 2016, the Homer City Council adopted Ordinance 16-51, which  
18 established Chapter 11.36, Vegetation in Rights-of-Way, clarifying the City of Homer’s right and  
19 obligation to maintain public rights-of-way; and

20  
21 WHEREAS, In October 2019, the Homer City Council adopted Resolution 19-073(S)  
22 establishing a moratorium on the removal of vegetation located in all public rights-of-way and  
23 establishing a ROW Policy Evaluation Team; and

24  
25 WHEREAS, The ROW Policy Evaluation Team has recommended that it would be  
26 beneficial for the Homer City Council to clarify policy and processes involving the removal of  
27 vegetation in the public rights-of-way across all City streets.

28  
29 NOW THEREFORE, THE CITY OF HOMER ORDAINS:

30  
31 Section 1. Homer City Code Chapter 11.36, “Vegetation in Rights-of-Way, is amended  
32 as follows:

33 Chapter 11.36  
34 VEGETATION IN RIGHTS-OF-WAY

35  
36 Sections:

- 37 11.36.010 Vegetation in rights-of-way.
- 38 11.36.020 Removal of vegetation in rights-of-way and rights-of-way maintenance.
- 39 11.36.030 Removal for compliance – public works director discretion
- 40
- 41 11.36.010 Vegetation in rights-of-way
- 42

43 **The city recognizes the value trees and vegetation generate for the public good by**  
44 **helping to stabilize soils and their underlying substrates as well as by**  
45 **counteracting the negative effects of “urban deforestation”, beautifying**  
46 **neighborhoods, providing habitat for wildlife, serving as sight/sound barriers,**  
47 **combatting climate change, and providing other benefits. That being said, there**  
48 **are times when the city must exercise its stewardship over public rights-of-way to**  
49 **maintain the functionality and integrity of roads, pedestrian ways and utilities**  
50 **located in said rights-of-way by clearing trees and other vegetation that interferes**  
51 **with that function/integrity. To this end, a**  
52 All or any part of a tree, shrub, ground  
53 material or other vegetation that is located in, over or under a public right-of-way in the  
54 city is subject to removal by the city as necessary for the reasonable public use of the  
55 right-of-way, including without limitation removal as authorized in HCC 11.36.020,  
56 regardless of whether:

- 57 a. The vegetation existed in, over or under the right-of-way before the granting,  
58 dedication or improvement of the right-of-way;  
59 b. The vegetation was planted in the right-of-way by another person, including  
60 without limitation an owner of property adjacent to the right-of-way; or  
61 c. The vegetation originated on property adjacent to the right-of-way, to the extent  
62 that limbs, branches or roots of the vegetation extend into, over or under the right-  
63 of-way.

64  
65 11.36.020 Removal of vegetation in rights-of-way and rights-of-way maintenance.

66  
67 Except as otherwise provided in this chapter, the City Manager may cause the removal  
68 of all or any part of a tree, shrub, ground material or other vegetation that is located on,  
69 over or under a public right-of-way if the City Manager finds that the vegetation:

- 70  
71 a. Obstructs or interferes with the use of the ~~right-of-way~~ **road** by vehicular or  
72 pedestrian traffic;  
73 b. Obscures visibility **site distance** to or from the right-of-way ~~or otherwise constitutes~~  
74 ~~a safety hazard;~~  
75 **c. Constitutes a safety hazard;**  
76 ~~e.d. Interferes with the~~ **Obstructs** maintenance of the ~~right-of-way~~ **road**, including  
77 without limitation paving, grading, cleaning, drainage ~~and snow removal,~~ **and snow**  
78 **storage;**  
79 ~~d. e.~~ Has the potential if not removed to damage pavement or other improvements in  
80 the right-of-way;  
81 ~~e.f.~~ Has the potential if not removed to damage or interfere with the operation **or**  
82 **maintenance** of overhead or underground public utility facilities in the right-of-way.

84            Section 2. HCC 11.36.030 Removal for Compliance-Public Works Director Discretion is  
85 hereby repeal and reenacted as follows:

86  
87            **11.36.030     Annual Road Maintenance Plan**

88  
89            **a. The public works director shall develop an Annual Road Maintenance Plan,**  
90            **which shall be updated on an annual basis, to document (i) the condition of the**  
91            **all roads accepted by the city for maintenance, regardless when a particular**  
92            **road was accepted, and (ii) the maintenance activities that will be performed**  
93            **on said roads.**

94  
95            **b. The Annual Road Maintenance Plan shall address, as a minimum, the following**  
96            **topics:**

97            **1. Integrity of road structure;**

98            **2. Condition of road surface;**

99            **3. Integrity of drainage ways;**

100           **4. Integrity of any pedestrian ways;**

101           **5. Condition of road signage**

102           **6. Barriers to efficient operations/maintenance, such as limited opportunities**  
103           **for snow storage, excessive vegetation, etc.;**

104           **7. A plan for maintenance, which, among other things, could include the**  
105           **necessary removal of vegetation and resulting debris cleanup, crack**  
106           **sealing, dust control, etc.;**

107           **8. Recommendations for capital improvements, which, among other things,**  
108           **could include reconstruction or improvement of drainage works,**  
109           **pedestrian ways, etc.**

110  
111           **c. The Annual Road Maintenance Plan shall be presented to the City Council for**  
112           **information as part of the City's budget process.**

113  
114            Section 3. HCC 11.36.040 Public Notice and HCC 11.36.050 Emergency Authority are  
115 hereby enacted as follows:

116  
117            **11.36.040 Public Notice**

118  
119            **a. Whenever the city needs to remove vegetation from its rights-of-way, the city shall**  
120            **provide property owners who own property adjacent to the rights-of-way where**  
121            **vegetation removal will take place with reasonable notice no less than 30 calendar**  
122            **days before the vegetation removal commences.**

123  
124            **b. In addition to notice provided under 11.36.040(a), whenever the city needs to cut**  
125            **or limb mature trees and/or remove stumps from the rights-of-way, the city shall**



126 **provide property owners who own property adjacent to the rights-of-way where**  
127 **the tree cutting/limbing will take place with individual notice no less than 7**  
128 **calendar days before the work commences, via door knocking, door hangars, or a**  
129 **phone call.**

130  
131 **11.36.050 Emergency Authority**

132  
133 **a. Upon finding that a hazard which could cause injury or property damage, the City**  
134 **Manager is authorized to direct the removal/mitigation of the hazard. In this**  
135 **event, the City Manager shall report the incident in his/her next City Manager’s**  
136 **Report.**

137  
138 Section 4. This ordinance is of a permanent nature and general character and shall be  
139 included in Homer City Code.

140  
141 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

142  
143 CITY OF HOMER  
144  
145  
146 \_\_\_\_\_  
147 KEN CASTNER, MAYOR

148 ATTEST:  
149  
150  
151 \_\_\_\_\_  
152 MELISSA JACOBSEN, MMC, CITY CLERK

153  
154 YES:  
155 NO:  
156 ABSTAIN:  
157 ABSENT:  
158  
159 Reviewed and approved as to form.  
160  
161  
162 \_\_\_\_\_  
163 Marvin Yoder, City Manager  
164  
165 Date: \_\_\_\_\_

162 \_\_\_\_\_  
163 Michael Gatti, City Attorney  
164  
165 Date: \_\_\_\_\_



# City of Homer

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

Public Works

3575 Heath Street  
Homer, AK 99603

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

(p) 907- 235-3170

(f) 907-235-3145

## Memorandum 20-071

TO: Marvin Yoder, City Manager  
FROM: Jan Keiser, Director of Public Works  
DATE: June 1, 2020  
SUBJECT: ROW Clearing Ordinance

---

**Issue:** The City needs an ordinance that addresses road maintenance, including vegetation management, for city streets.

**Background:** In October 2019, the Homer City Council adopted Resolution 19-073(S) establishing a moratorium on the removal of vegetation located in public rights-of-way until it received recommendations to clarify policy involving the removal of vegetation in the public rights-of-way.

**Proposed Solution:** Amend the existing ordinance HCC 11.36 to clarify policy involving the removal of vegetation in the public rights-of-way.

**Action Recommended:** That the City Council review, take public comment on and ultimately pass amendments to HCC 11.36 to address the Council's concerns.

**Discussion:** We propose to amend the existing HCC 11.36 to address the following issues:

1. Acknowledge the value trees and vegetation bring to the environment and to the city's infrastructure, particularly in the context of combatting climate change.
2. Acknowledge there are times when trees/vegetation need to be cleared from city ROW.
3. Delegating authority to the city manager to cause the removal of such vegetation, under designated conditions.
4. Charging the public works director with the task of creating a Road Maintenance Plan, which would provide a systematic way of cataloguing the condition of city roads and identifying when and how maintenance needs to be conducted.
5. Specifying that public outreach would be conducted before maintenance activities specified in the Road Maintenance Plan are executed.

An edited version of HCC 11.36, as we propose to amend it, is attached. An example of the Road Maintenance Plan is also attached. The concept is that the Road Maintenance Plan would primarily be housed in the City's existing GIS program.

### Condition Assessment

Street	RATINGS				Recomendations
	Road Surface Rating	Drainage Rating	Obstruction Rating	Snow Storage Rating	
Grubstake Ave.	Fair	Good	Good	Good	
Grubstake Ave. East	Excellent	Good	Excellent	Good	
Ohlsen Ln	<u>Poor</u>	Fair	Good	Fair	Complete rebuild
Mattox Rd.	Good	Excellent	Excellent	Good	
Eagle Pl	<u>Poor</u>	<u>Poor</u>	Good	Fair	Complete rebuild/clear right of way/ re-establish ditches



Grubstake: Paved road in excellent condition - road structure, drainage, sight distance, safety all meet standards



Mattox: Gravel road in excellent condition

### Condition Assessment

Street	SURFACE CONDITION ISSUES							
	Abrasion	Rutting	Potholes	Subsidence/ Boils	Washboards	"Alligator" Cracking	Parallel Cracking	Lateral Cracking
Grubstake Ave.	No	None	No	None	None	None	> 1000 ft	500 ft
Grubstake Ave. East	No	None	No	None	None	None	None	20 ft
Ohlsen Ln	No	None	Several	300 ft	None	440 ft	60 ft	340 ft
Mattox Rd.	No	None	No	None	60 ft	None	None	None
Eagle Pl	No	None	No	> 1000 ft	None	None	None	None



Ohlsen Ln: Paved road with multiple issues including major cracking, subsidence, and out of spec road corridor



Eagle Pl: Gravel road with subsidence issues, and inadequate drainage

### Condition Assessment

Street	DRAINAGE ISSUES				SAFETY ISSUES		
	Ditching	Road Culvert Damage	Drive Culvert Damage	Snow Storage Available	Sight Distance Obstructions	Striping Present	Signage Present
Grubstake Ave.	None	None	None	Yes	No	No	Yes
Grubstake Ave. East	None	None	None	Yes	No	Yes	Yes
Ohlsen Ln	None	1 crushed culvert	None	Yes	No	No	Yes
Mattox Rd.	None	None	None	Yes	No	N/A	Yes
Eagle Pl	Re-Dig entire Ditch to Spec	None	None	Yes	No	N/A	Yes



Extensive crack repair on Grubstake Ave. (West) Crack sealing is an annual maintenance task



Cracking and pothole formation on Ohlsen Ln. Narrow road corridor causes out of spec travel lanes, shoulders and

**Condition Assessment**

BACKGROUND						
Street	TYPE	Maintenance Type	From	To	Length FT	Historical
Grubstake Ave.	Paved	Urban Road Maintenance	Heath St	End of Rd	1322.61	East side Grubstake Ave. constructed 2016 to city standards
Grubstake Ave. East	Paved	Urban Road Maintenance	Heath St	Lake St.	974.58	
Ohlsen Ln	Paved	Urban Road Maintenance	Bunnell St	Sterling Hwy	925	Inherited from state 20 years ago. No Fabric, little to no gravel when state paved road. Not constructed to city standards
Mattox Rd.	Gravel	Urban Road Maintenance	E.E RD	Iris Court	1700.34	
Eagle Pl	Gravel	Rural Road Maintenance	E.E.Rd	End of Rd	1301	Road Maintenance acquired during annexation, Constructed without fabric and gravel. Not constructed to city standards

**Condition Assessment**

Street	Notes and Additional Info
Grubstake Ave.	
Grubstake Ave. East	
Ohlsen Ln	Out of Spec: Drive lanes 10' wide/ shoulder to shoulder 24 feet wide. Subsidence occurring in Alligator cracking area. Sub-surface wholly inadequate
Mattox Rd.	Washboard damage negligible; repaired annually
Eagle Pl	Road compromised by subsidence and "boiling" during break-up

**ORDINANCE REFERENCE SHEET**  
**2020 ORDINANCE**  
**ORDINANCE 20-27**

An Ordinance of the City Council of Homer, Alaska Accepting and Appropriating a Donation from Arnold C. Wallace in the Amount of \$5000 for the Children's Room at the Homer Public Library.

Sponsor: City Manager/Library Director

1. City Council Regular Meeting June 8, 2020 Introduction
  - a. Memorandum 20-075 from Library Director as backup
2. City Council Regular Meeting June 22, 2020 Public Hearing and Second Reading
  - a. Memorandum 20-075 from Library Director as backup



1 **CITY OF HOMER**  
2 **HOMER, ALASKA**

3 City Manager/  
4 Library Director

5 **ORDINANCE 20-27**

6  
7 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,  
8 ACCEPTING AND APPROPRIATING A DONATION FROM ARNOLD C.  
9 WALLACE IN THE AMOUNT OF \$5,000 FOR THE CHILDREN’S ROOM  
10 AT THE HOMER PUBLIC LIBRARY.

11  
12 WHEREAS, The Library Advisory Board has committed themselves to encourage  
13 patrons and others to donate to the support of the Library; and

14  
15 WHEREAS, The Library Advisory Board may solicit donations of money and/or property  
16 for the benefit of the library in accordance with HCC 2.48.050(e); and

17  
18 WHEREAS, Monetary donations shall be deposited in a reserve fund designated for the  
19 use of the Homer Public Library; and

20  
21 WHEREAS, Arnold C. Wallace passed away late in 2019 and in his will he left \$5,000 to  
22 the children’s room in the Homer Public Library with no stipulation as to how the money can  
23 be spent.

24  
25 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

26  
27 Section 1. The Homer City Council hereby accepts and appropriates a donation from  
28 Arnold C. Wallace, in the amount of \$5,000 to use in the children’s room of the Homer Public  
29 Library.

30

<u>Description</u>	<u>Amount</u>
Donation to the Homer Public Library	\$5,000

31  
32  
33  
34 Section 2. This is a budget amendment ordinance, is temporary in nature and shall not  
35 be codified.

36  
37 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this \_\_\_ day of \_\_\_\_\_, 2020.

38  
39 CITY OF HOMER

40  
41 \_\_\_\_\_  
42 KEN CASTNER, MAYOR

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ATTEST:

\_\_\_\_\_  
MELISSA JACOBSEN, MMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

First Reading:

Public Hearing:

Second Reading:

Effective Date:

Reviewed and approved as to form:

\_\_\_\_\_  
Marvin Yoder, City Manager

\_\_\_\_\_  
Michael Gatti, City Attorney

Date: \_\_\_\_\_

Date: \_\_\_\_\_



## City of Homer

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

Homer Public Library

500 Hazel Avenue  
Homer, AK 99603

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

(p) (907)-235-3180

(f) (907)-235-3136

## Memorandum

TO: Homer City Council

THROUGH: City Manager Marvin Yoder

FROM: Library Director Dave Berry

DATE: May 29, 2020

SUBJECT: Donation from Arnold C. Wallace

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Arnold C. Wallace passed away late in 2019. In his will, he left \$5,000 to the children's room in the Homer Public Library, with no stipulations as to how the money can be spent. That will has now completed probate and the library has received the check.

### RECOMMENDATION

Adopt an ordinance to accept the donation.

**ORDINANCE REFERENCE SHEET**  
**2020 ORDINANCE**  
**ORDINANCE 20-30**

An Ordinance of the City Council of Homer, Alaska, Amending the 2020 Capital budget by Authorizing the Expenditure of up to \$47,484 to Design the Seawall Armor Rock Improvement Project.

Sponsor: Aderhold/City Manager

1. City Council Regular Meeting June 22, 2020 Introduction

Memorandum 20-083 from City Engineer as backup  
Memorandum 20-072 from City Engineer as backup  
Memorandum 20-073 from City Engineer as backup

1 **CITY OF HOMER**  
2 **HOMER, ALASKA**

Aderhold/City Manager

3  
4 **ORDINANCE 20-30**

5  
6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,  
7 AMENDING THE 2020 CAPITAL BUDGET BY AUTHORIZING THE  
8 EXPENDITURE OF UP TO \$47,484 TO DESIGN THE SEAWALL  
9 ARMOR ROCK IMPROVEMENT PROJECT.

10  
11 WHEREAS, Seawall maintenance costs have been increasing; ~~and~~ ~~the~~ special service  
12 district mil rate that funds this effort will need to be dramatically increased to repair existing  
13 damage and expected future damage unless long term solutions are implemented; ~~;~~ and  
14

15 WHEREAS, Installation of armor rock to protect the toe of the wall from further erosion  
16 is considered to be the most economical method of minimizing current repair and long term  
17 maintenance costs; ~~;~~ and  
18

19 WHEREAS, The City Council has recognized that it is imperative that the wall be  
20 protected from further erosion by December 2020, since significant damage from the 2019  
21 winter storms threatens the wall's integrity (see Memorandum 20-072 and 20-073 from Public  
22 Works); and  
23

24 WHEREAS, A property owner in the Ocean Drive Loop Special Service District (Seawall)  
25 has initiated the process to form a Special Assessment District to pay for the installation of  
26 armor rock along the seawall (the Seawall Armor Rock Improvement project); and  
27

28 WHEREAS, Based on the timeline for the Seawall Armor Rock Improvement project  
29 provided to the Homer City Council supported the initiation of design of the Seawall Armor  
30 Rock Improvements project at for the June 8 City Council meeting based on the timeline  
31 established and requested that an ordinance be placed on the June 22 Council meeting  
32 agenda to formally authorize expenditures on project design is timely; and  
33

34 WHEREAS, based on ~~the support for design initiation~~ initiation of a Special Assessment  
35 District process, Public Works has submitted an application for a U.S. Army Corps of Engineer's  
36 permit and for an Alaska Department of Environmental Conservation (ADEC) low interest loan  
37 for the project; and  
38

39 WHEREAS, The City Council would accept the ADEC low interest loan only if a Special  
40 Assessment District is formed for the project; and  
41

42 WHEREAS, The expenditures required to complete the construction of the Seawall  
43 Armor Rock Improvement project would only be authorized by the City Council if a Special  
44 Assessment District is formed to construct the recommended erosion control improvements.  
45

46 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:  
47

48 Section 1. Amending the 2020 Capital Budget  
49

50 Expenditure

51	<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
52	156-0369-5261	City Seawall Maintenance Fund	\$ 5,698 (12%)
53	808-0375-5261	Seawall Special Service Area Fund	\$ 41,786 (88%)
54			
55			
56		Total Expenditure	\$47,484
57			

58 Section 2. This is a budget ordinance and shall not be codified.  
59

60 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA this \_\_\_ day of \_\_\_\_\_,  
61 2020.

CITY OF HOMER

\_\_\_\_\_  
KEN CASTNER, MAYOR

66 ATTEST:  
67

68 \_\_\_\_\_  
69  
70 MELISSA JACOBSEN, MMC, CITY CLERK  
71

72 YES:

73 NO:

74 ABSTAIN:

75 ABSENT:  
76

77 First Reading:

78 Public Hearing:

79 Second Reading:

80 Effective Date:  
81

82 Reviewed and Approved as to form and content:  
83

84 \_\_\_\_\_  
85 Rick Abboud, Acting City Manager  
86  
87 Date: \_\_\_\_\_

\_\_\_\_\_  
Michael Gatti, City Attorney  
  
Date: \_\_\_\_\_



# City of Homer

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

Public Works

3575 Heath Street  
Homer, AK 99603

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

(p) 907- 235-3170

(f) 907-235-3145

## Memorandum 20-083

TO: Mayor Castner and Homer City Council  
THRU: Rick Abboud, Acting City Manager  
FROM: Carey Meyer, City Engineer  
DATE: June 17, 2020  
SUBJECT: Ordinance 20-30 Authorizing Seawall Design Funds

---

Property owners, City Council members, maintenance crews and myself have expressed concern about the condition of the seawall and its ability to continue to protect property behind the wall:

- 1) Seawall maintenance costs have been increasing substantially in recent years,
- 2) The seawall maintenance budget, authorized to be spent this year, has been spent,
- 3) Full repairs of significant damage from the 2019 winter storms are estimated to approach \$100,000,
- 4) In 2019, the Council approved funding for a study to identify alternative solutions (from the Ocean Drive Loop Special Service District seawall maintenance account), and this was completed,
- 5) Protecting the toe of the wall with armor rock appears to be the most cost effective solution, property owners have shown support for implementing this solution,
- 6) A property owner requested SAD creation process is underway,
- 7) The timeline to assure that armor rock is in place by November of this year (eliminating the need for significant repair) requires prompt action now in order to proceed with the SAD creation process and procurement (see attached timeline).

Allowing the normal process to play out – benefited property owner engagement, Council action to create a Special Assessment District, design, environmental permitting, construction bidding, contract award, quarrying of the rock, transporting it to the site, and placement of the rock; traditionally will not allow for project completion in the timeframe required this year.

Any improvements to the seawall must be completed under the existing Corps of Engineers permit (the Corps has ruled that the City is the entity with the permit). The design and permitting for the project needs to be initiated quickly by the City if the work is to be completed this year.

The existing Ocean Drive Loop Special Service District fund (containing funds collected by the Borough through property tax, designated for seawall maintenance) can be used to design and



construct improvements to the seawall. The account balance currently is approximately \$60,000.

**Recommendation:** The City Council authorize the expenditure of \$47,484 to complete seawall improvement design (12% from the City's Seawall Maintenance Fund/88% from the Seawall Special Service Area Fund). Funds will be utilized to complete a design survey, prepare bid ready drawings and specifications, complete required rock size calculations, and support environmental permitting.



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## Memorandum 20-072

**TO:** Marvin Yoder, City Manager  
**FROM:** Carey Meyer, City Engineer  
**DATE:** May 11, 2020  
**SUBJECT:** Seawall Failure Concerns

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Rigid (steel) sheet piling is typically driven into the ground to a depth that allows it to support itself and resists loads applied from behind the wall (and in the case of a seawall wave forces from the front).

Our seawall was designed to utilize less rigid piling and tie-rods connected to concrete blocks (sometimes called dead men) buried behind the wall to provide the additional support necessary. See attached drawing. The blocks are tie-rodged to the wall. This tie-rod technique is used successfully in many civil engineering applications.

The vulnerability of this technique is that loss of the backfill in which the tie-rodged concrete “dead men” block is buried can result in the loss of structural support of the wall. As long as the wall protects the material behind the wall, the concrete blocks will continue to provide wall support.

Since the wall was backfilled with dredge spoils (sand), this material is very erodible.

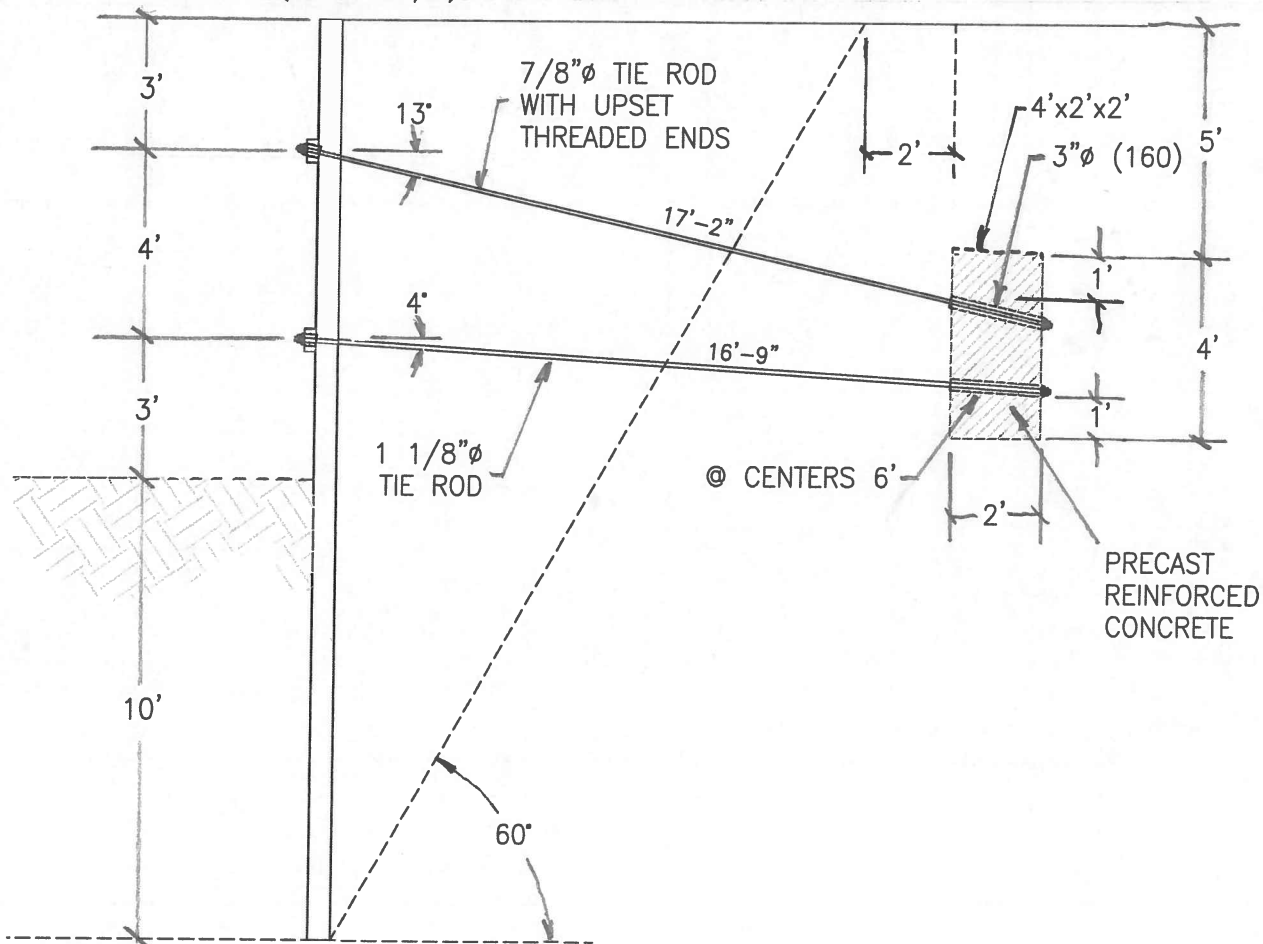
The fear that I have expressed (regarding complete failure of the wall) stems from the potential that should a section of wall be punctured (most probable during a significant winter storm), material from behind the punctured wall section would begin eroding away. This would expose and undermine the concrete block and eliminate support of that wall section.

Once one wall section was lost, material behind the adjacent wall section would begin to erode, exposing and undermining its dead man concrete block, removing structural support of the adjacent wall section. This would trigger the loss of the adjacent wall section and this would domino down the wall, potentially taking out the entire wall. In a storm this would happen very quickly.

**Why is this important now?** An inspection in April determined that 20 of the 85 wood panels that protect the sheet piling from damage needs significant rebuild (cost approaching \$100,000). In addition, sinkholes behind the wall are more frequent, indicating puncturing of the fiberglass sheet piling. The sheet piling behind one wood panel has experience significant damage this last winter and is particularly susceptible to the type of wall failure described above.

This year’s allocated maintenance budget has been spent (approximately \$45,000), make necessary repairs between January 1 and April 30.

WALER  
STRUCTURAL TUBE  
(TS 6x3x3/8)



C:\PhukanLogo.jpg	Civil Geotechnical Surveying Environmental Construction Materials Testing 2702 Gambell Street, Suite 201 Anchorage, Alaska, 99503 Tele: (907) 272-7111 Fax: (907) 277-3177 Email: pcarie@alaska.net	DATE	12/11/01	FIGURE 1  -  -  EROSION CONTROL PROJECT HOMER, AK
		SCALE	1/4" = 1'-0"	
		FILE NAME	FIG-DRAFT	
		JOB NO.	01965.1	
			187	



# City of Homer

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(p) 907- 235-3170

(f) 907-235-3145

## Memorandum 20-073

**TO:** Marvin Yoder, City Manager  
**FROM:** Carey Meyer, City Engineer  
**DATE:** May 28, 2020  
**SUBJECT:** Seawall Alternatives

---

Seawall maintenance costs have been increasing. The special service district mil rate that funds this effort will need to be increased. The wall was battered this winter – significant damage threatens the wall’s integrity. 20 of the 85 wood panels needs significant rebuild (cost approaching \$100,000). In addition, sinkholes behind the wall are more frequent, indicating failure of the fiberglass sheet piling along the toe.

Damage to the wall is a direct result of erosion at the bottom of the wall. Erosion of the toe exposes the fiberglass sheet pile (below the protective timber face). This makes it easier for wave forces to get behind the timber panels, breaking them and damaging the sheet pile. Holes in the sheet pile at the bottom of the wall allow material from behind the wall to escape. The wall is structurally supported by tie-rodged concrete blocks buried behind the wall. Protection the toe of the wall from erosion will significantly reduce maintenance costs and extend wall life.

This year’s maintenance budget has been spent (approximately \$45,000). This will get us through the summer, but another winter like the last one, I fear, may very well result in complete wall failure.

The City has been looking at workable, affordable solutions. Protecting the toe of the wall with armor rock seems to be the most practical cost effective solution. Public Works has prepared a map, conceptual cost estimate, and spreadsheets (all attached) to help the Council and property owners evaluate what property is benefitted, how improvement/maintenance districts might be established, calculating potential assessments under each potential assessment method (for both construction of the armor rock improvements and the special service district funding long term maintenance).

Currently, the most realistic approach seems to be the creation of a special service district (SAD) for the cost of placement of the armor rock (administered by the City, assessment methods not yet determined); and a special service district for long-term maintenance costs (collected by the Borough similar to the existing SDD, mil rate not yet determined).

Financing for the armor rock placement has also not been determined; options being considered include direct City financing and use of low interest ADEC/EPA revolving loan funds.

The following is a brief introduction to the maps, cost estimates, and spreadsheets attached:

The **map** shows historical erosion, projected erosion, lots potentially impacted by erosion as defined in the Coastal Erosion Study (updated in 2006). The map shows potential expanded special assessment/service district boundaries. The map shows more lots than those immediately behind the wall that benefit from the wall (i.e. - loss of Krueth Way eliminates road access and utilities serving several lots). Lots shaded beige are properties that currently contribute to seawall maintenance; lots shaded blue are properties that one could argue also benefit from the existence of the seawall.

**Conceptual Cost Estimate** shows the estimated cost of placing armor rock (as defined in the HDR memo) that evaluated alternative methods of protecting the toe of the wall from erosion. This cost reflects discussions with local contractors (that complete this type of work using rock produced from across the Bay).

**Spreadsheet #1 Seawall SAD Analysis – Current District Members Only** reflects physical characteristics of lots that currently remain in the original district; and potential assessment costs (under several assessment methodologies) for a \$1.47M armor rock improvement.

**Spreadsheet #2 Seawall Special Assessment District (SAD) – Armored Toe Improvement** reflects the physical characteristics of each of the lots potentially benefitted by the seawall; and estimates assessments (for a \$1.47M project) under several different assessment methods.

**Spreadsheet #3 Seawall Overall Assessment Analysis** reflects the KPB tax value of each of the lots potentially benefitted by seawall (blue columns), and calculates in the orange column, 1) total annual assessments (for both rock placement and maintenance) if only those lots that are located directly behind the wall are included (base on equal share assessments for rock placement), and 2) the same for an expanded district (green columns).

# #1 SEAWALL SPECIAL ASSESSMENT DISTRICT (SAD) ANALYSIS - Current District Members Only

EST. ARMOR ROCK IMPROVEMENT COST = \$1,474,824

PARCEL ID	KPB PARCEL_ID	LOT ADDRESS	OWNER	LOT CHARACTERISTICS							ALTERNATIVE ASSESSMENTS METHODS				
				DIRECT WALL FRONTAGE (LF)	KPB LAND VALUE	KPB STRUCTURE VALUE	TOTAL ASSESSED VALUE	TAXABLE VALUE	LOT AREA (SF)	BENEFITTED LOT AREA (SF)	DIRECT WALL FRONTAGE	KPB PROPRTY VALUE	LOT AREA	BENIFITTED LOT AREA	EQUAL SHARE
A	17718019	829 OCEAN DRIVE LOOP	NEWBY REVOCABLE TRUST	200	\$ 127,200	\$ 325,500	\$ 452,700	\$ 102,700	50,682	39,500	\$180,407	\$185,222	\$157,056.65	\$233,891	\$105,344.57
B	17718016	869 OCEAN DRIVE LOOP	SZAJKOWSKI JOHN J & JANET L	100	\$ 120,900	\$ 366,800	\$ 487,700	\$ 137,700	25,329	18,719	\$90,203	\$199,543	\$78,491.14	\$110,841	\$105,344.57
			HOMER CITY OF	30	TBD		TBD	TBD	TBD	TBD	\$27,061	TBD	TBD	TBD	TBD
C	17717701	895 OCEAN DRIVE LOOP	HUEPER MARILYN	110	\$ 117,000	\$ 461,500	\$ 578,500	\$ 528,500	25,679	17,122	\$99,224	\$236,694	\$79,575.74	\$101,384	\$105,345
D	17717702	917 OCEAN DRIVE LOOP	NORMAN W SCHUMACHER TRUST	115	\$ 64,600	\$ 118,900	\$ 183,500	\$ 183,500	26,568	10,582	\$103,734	\$75,079	\$82,330.63	\$62,659	\$105,345
E	17717703	939 OCEAN DRIVE LOOP	IRWIN PATRICK L	100	\$ 53,700	\$ 71,900	\$ 125,600	\$ 75,600	27,411	7,209	\$90,203	\$51,389	\$84,942.98	\$42,687	\$105,345
F	17717704	957 OCEAN DRIVE LOOP	PFEFFER MARK E REVOCABLE TRUST	100	\$ 44,900	\$ 1,500	\$ 46,400	\$ 46,400	28,247	6,128	\$90,203	\$18,985	\$87,533.63	\$36,286	\$105,345
G	17717705	979 OCEAN DRIVE LOOP	ABBOTT FINDLAY	100	\$ 31,900	\$ 1,500	\$ 33,400	\$ -	29,075	5,310	\$90,203	\$13,666	\$90,099.49	\$31,442	\$105,345
H	17717706	997 OCEAN DRIVE LOOP	HOMER CITY OF	100	\$ 2,100	\$ -	\$ 2,100	\$ -	29,977	3,414	\$90,203.30	\$859	\$92,894.66	\$20,215	\$105,345
I	17717707	1017 OCEAN DRIVE LOOP	HOMER CITY OF	100	\$ 2,600	\$ -	\$ 2,600	\$ -	42,759	5,500	\$90,203.30	\$1,064	\$132,504.35	\$32,567	\$105,345
			HOMER CITY OF	60	TBD		TBD	TBD	TBD	TBD	\$54,121.98	TBD	TBD	TBD	TBD
J	17717904	3102 LAKE ST	JUMP CHARLENE A	100	\$ 106,000	\$ 148,300	\$ 254,300	\$ -	30,555	12,735	\$90,203.30	\$104,047	\$94,685.81	\$75,408	\$105,345
K	17717903	1065 KRUETH WAY	GOODE LARRY JACK LIVING TRUST	140	\$ 111,500	\$ 405,100	\$ 516,600	\$ 516,600	37,135	13,948	\$126,284.62	\$211,367	\$115,076.33	\$82,590	\$105,345
L	17923036	1103 KRUETH WAY	KING LAWRENCE A	130	\$ 96,700	\$ 320,700	\$ 417,400	\$ 417,400	56,319	56,319	\$117,264.29	\$170,779	\$174,524.95	\$333,482	\$105,345
M	17923026	1121 SEA BREEZE CT	FRANKLIN CAMARRON JAY	75	\$ 73,200	\$ 181,400	\$ 254,600	\$ 254,600	17,180	15,890	\$67,652.48	\$104,170	\$53,238.49	\$94,089	\$105,345
N	17923028	1137 SEA BREEZE CT	LAWER DAVID A	75	\$ 94,000	\$ 155,200	\$ 249,200	\$ 249,200	49,008	36,695	\$67,652.48	\$101,960	\$151,869.15	\$217,282	\$105,345
				1,635	\$ 1,046,300	\$ 2,558,300	\$ 3,604,600	\$ 2,512,200	475,924	249,071	\$ 1,474,824	\$ 1,474,824	\$ 1,474,824	\$ 1,474,824	\$ 1,474,824

## #2 SEAWALL SPECIAL ASSESSMENT DISTRICT (SAD) ANALYSIS - ARMORED TOE IMPROVEMENT

EST. ARMOR ROCK IMPROVEMENT COST = \$1,474,824

PARCEL ID	KPB PARCEL_ID	LOT ADDRESS	OWNER	LOT CHARACTERISTICS								ALTERNATIVE ASSESSMENTS METHODS					
				DIRECT WALL FRONTAGE (LF)	KPB LAND VALUE	KPB STRUCTURE VALUE	TOTAL ASSESSED VALUE	TAXABLE VALUE	LOT AREA (SF)	BENEFITTED LOT AREA (SF)	% TIERED BENEFIT	DIRECT WALL FRONTAGE	KPB PROPRTY VALUE	LOT AREA	BENEFITTED LOT AREA	TIERED BENEFIT	EQUAL SHARE
A	17718019	829 OCEAN DRIVE LOOP	NEWBY REVOCABLE TRUST	200	\$ 127,200	\$ 325,500	\$ 452,700	\$ 102,700	50,682	39,500	100	\$190,916	\$107,185	\$102,738	\$122,101	\$71,943	\$56,724
B	17718016	869 OCEAN DRIVE LOOP	SZAJKOWSKI JOHN J & JANET L	100	\$ 120,900	\$ 366,800	\$ 487,700	\$ 137,700	25,329	18,719	100	\$95,458	\$115,471	\$51,345	\$57,864	\$71,943	\$56,724
C	17717701	895 OCEAN DRIVE LOOP	HUEPER MARILYN	110	\$ 117,000	\$ 461,500	\$ 578,500	\$ 528,500	25,679	17,122	100	\$105,004	\$136,970	\$52,054	\$52,927	\$71,943	\$56,724
D	17717702	917 OCEAN DRIVE LOOP	NORMAN W SCHUMACHER TRUST	115	\$ 64,600	\$ 118,900	\$ 183,500	\$ 183,500	26,568	10,582	100	\$109,777	\$43,447	\$53,856	\$32,711	\$71,943	\$56,724
E	17717703	939 OCEAN DRIVE LOOP	IRWIN PATRICK L	100	\$ 53,700	\$ 71,900	\$ 125,600	\$ 75,600	27,411	7,209	100	\$95,458	\$29,738	\$55,565	\$22,284	\$71,943	\$56,724
F	17717704	957 OCEAN DRIVE LOOP	PFEFFER MARK E REVOCABLE TRUST	100	\$ 44,900	\$ 1,500	\$ 46,400	\$ 46,400	28,247	6,128	100	\$95,458	\$10,986	\$57,260	\$18,943	\$71,943	\$56,724
G	17717705	979 OCEAN DRIVE LOOP	ABBOTT FINDLAY	100	\$ 31,900	\$ 1,500	\$ 33,400	\$ -	29,075	5,310	100	\$95,458	\$7,908	\$58,938	\$16,414	\$71,943	\$56,724
H	17717706	997 OCEAN DRIVE LOOP	HOMER CITY OF	100	\$ 2,100	\$ -	\$ 2,100	\$ -	29,977	3,414	100	\$95,458	\$497	\$60,767	\$10,553	\$71,943	\$56,724
I	17717707	1017 OCEAN DRIVE LOOP	HOMER CITY OF	100	\$ 2,600	\$ -	\$ 2,600	\$ -	42,759	5,500	100	\$95,458	\$616	\$86,677	\$17,001	\$71,943	\$56,724
J	17717904	3102 LAKE ST	JUMP CHARLENE A	100	\$ 106,000	\$ 148,300	\$ 254,300	\$ -	30,555	12,735	100	\$95,458	\$60,210	\$61,939	\$39,366	\$71,943	\$56,724
K	17717903	1065 KRUETH WAY	GOODE LARRY JACK LIVING TRUST	140	\$ 111,500	\$ 405,100	\$ 516,600	\$ 516,600	37,135	13,948	100	\$133,641	\$122,314	\$75,277	\$43,116	\$71,943	\$56,724
L	17923036	1103 KRUETH WAY	KING LAWRENCE A	130	\$ 96,700	\$ 320,700	\$ 417,400	\$ 417,400	56,319	56,319	100	\$124,095	\$98,827	\$114,165	\$174,091	\$71,943	\$56,724
M	17923026	1121 SEA BREEZE CT	FRANKLIN CAMARRON JAY	75	\$ 73,200	\$ 181,400	\$ 254,600	\$ 254,600	17,180	15,890	100	\$71,593	\$60,281	\$34,826	\$49,119	\$71,943	\$56,724
N	17923028	1137 SEA BREEZE CT	LAWER DAVID A	75	\$ 94,000	\$ 155,200	\$ 249,200	\$ 249,200	49,008	36,695	100	\$71,593	\$59,002	\$99,345	\$113,430	\$71,943	\$56,724
O	17923029	1143 SEA BREEZE CT	LAWER DAVID A & BETSY		\$ 99,100	\$ 452,700	\$ 551,800	\$ 551,800	46,649	28,273	50		\$130,648	\$94,563	\$87,397	\$35,971	\$56,724
P	17923030		LAWER CHILDRENS TRUST		\$ 37,600	\$ -	\$ 37,600	\$ 37,600	13,510	13,510	50		\$8,902	\$27,386	\$41,762	\$35,971	\$56,724
Q	17923033	1136 SEA BREEZE CT	LAWER SARAH 2012 TRUST		\$ 62,800	\$ 145,300	\$ 208,100	\$ 208,100	25,035	25,035	50		\$49,271	\$50,749	\$77,387	\$35,971	\$56,724
R	17923027	1120 SEA BREEZE CT	LAWER SARAH 2012 TRUST		\$ 31,300	\$ 1,500	\$ 32,800	\$ 32,800	15,726	15,726	50		\$7,766	\$31,878	\$48,612	\$35,971	\$56,724
S	17717807		SCHEFFEL TIM		\$ 42,400	\$ -	\$ 42,400	\$ 42,400	21,504	21,504	50		\$10,039	\$43,591	\$66,472	\$35,971	\$56,724
T	17717808	1054 KRUETH WAY	MATTHEWS KELLY E		\$ 38,200	\$ 455,100	\$ 493,300	\$ 443,300	14,294	14,294	50		\$116,797	\$28,976	\$44,185	\$35,971	\$56,724
U	17717614	3119 LAKE ST	TALBOTT JOSEPH C		\$ 58,200	\$ 210,700	\$ 268,900	\$ -	15,539	15,539	50		\$63,667	\$31,499	\$48,034	\$35,971	\$56,724
V	17717615	1002 OCEAN DRIVE LOOP	JAMES HARRY W		\$ 59,100	\$ 223,700	\$ 282,800	\$ -	16,096	16,096	50		\$66,958	\$32,628	\$49,755	\$35,971	\$56,724
W	17717616	984 OCEAN DRIVE LOOP	SOTELO ED		\$ 46,300	\$ -	\$ 46,300	\$ 46,300	30,038	30,038	50		\$10,962	\$60,891	\$92,852	\$35,971	\$56,724
X	17717610	964 OCEAN DRIVE LOOP	O'CONNOR ABIGAIL		\$ 37,900	\$ 19,100	\$ 57,000	\$ 57,000	13,942	13,942	50		\$13,496	\$28,262	\$43,097	\$35,971	\$56,724
Y	17717611	946 OCEAN DRIVE LOOP	HAAS ANDREW H		\$ 37,900	\$ 166,900	\$ 204,800	\$ 154,800	13,942	13,942	50		\$48,490	\$28,262	\$43,097	\$35,971	\$56,724
Z	17718013	811 OCEAN DRIVE LOOP	RENNER MARTIN		\$ 117,300	\$ 281,300	\$ 398,600	\$ 338,600	25,349	20,139	100		\$94,375	\$51,385	\$62,253	\$71,943	\$56,724
				1,545	\$ 1,597,100	\$ 4,233,300	\$ 5,830,400	\$ 4,086,300	702,199	477,109		\$ 1,474,824	\$ 1,474,824	\$ 1,474,824	\$ 1,474,824	\$ 1,474,824	\$ 1,474,824

### #3 SEAWALL OVERALL ASSESSMENT ANALYSIS

EST. ARMOR ROCK IMPROVEMENT COST = \$1,474,824

PARCEL ID	KPB PARCEL ID	LOT ADDRESS	OWNER	LOT CHARACTERISTICS				ASSESSMENT SCENARIOS - Equal Share Assessment							
				KPB LAND VALUE	KPB STRUCTURE VALUE	TOTAL ASSESSED VALUE	TAXABLE	CURRENT DISTRICT BOUNDARY				POTENTIAL EXPANDED DISTRICT BOUNDARY			
								TOTALSAD EQUAL SHARE ASSESSMENT (ARMOR ROCK TOE)	ANNUALSAD EQUAL SHARE ASSESSMENT (ARMOR ROCK TOE) 30 YRS @ 2%	ANNUALSSD ASSESSMENT (20 MIL) FOR MAINTENANCE	TOTALANNUAL ASSESSMENT (ROCK + MAINTENANCE)	TOTALSAD EQUAL SHARE ASSESSMENT (ARMOR ROCK TOE)	ANNUALSAD EQUAL SHARE ASSESSMENT (ARMOR ROCK TOE) 30 YRS @ 2%	ANNUALSSD ASSESSMENT (6 MIL) FOR MAINTENANCE	TOTALANNUAL ASSESSMENT (CONST + MAINTENANCE)
A	17718019	829 OCEAN DRIVE LOOP	NEWBY REVOCABLE TRUST	\$ 127,200	\$ 325,500	\$ 452,700	\$ 102,700	\$105,345	\$4,704	\$2,054	\$6,758	\$56,724	\$2,533	\$616	\$3,149
B	17718016	869 OCEAN DRIVE LOOP	SZAJKOWSKI JOHN J & JANET L	\$ 120,900	\$ 366,800	\$ 487,700	\$ 137,700	\$105,344.57	\$4,704	\$2,754	\$7,458	\$56,724	\$2,533	\$826	\$3,359
C	17717701	895 OCEAN DRIVE LOOP	HUEPER MARILYN	\$ 117,000	\$ 461,500	\$ 578,500	\$ 528,500	\$105,344.57	\$4,704	\$10,570	\$15,274	\$56,724	\$2,533	\$3,171	\$5,704
D	17717702	917 OCEAN DRIVE LOOP	2016 NORMAN W SCHUMACHER REVOCABLE TRUST	\$ 64,600	\$ 118,900	\$ 183,500	\$ 183,500	\$105,344.57	\$4,704	\$3,670	\$8,374	\$56,724	\$2,533	\$1,101	\$3,634
E	17717703	939 OCEAN DRIVE LOOP	IRWIN PATRICK L	\$ 53,700	\$ 71,900	\$ 125,600	\$ 75,600	\$105,344.57	\$4,704	\$1,512	\$6,216	\$56,724	\$2,533	\$454	\$2,986
F	17717704	957 OCEAN DRIVE LOOP	PFEFFER MARK E REVOCABLE TRUST	\$ 44,900	\$ 1,500	\$ 46,400	\$ 46,400	\$105,344.57	\$4,704	\$928	\$5,632	\$56,724	\$2,533	\$278	\$2,811
G	17717705	979 OCEAN DRIVE LOOP	ABBOTT FINDLAY	\$ 31,900	\$ 1,500	\$ 33,400	\$ -	\$105,345	\$4,704	\$0	\$4,704	\$56,724	\$2,533	\$0	\$2,533
H	17717706	997 OCEAN DRIVE LOOP	HOMER CITY OF	\$ 2,100	\$ -	\$ 2,100	\$ -	\$105,345	\$4,704	\$0	\$4,704	\$56,724	\$2,533	\$0	\$2,533
I	17717707	1017 OCEAN DRIVE LOOP	HOMER CITY OF	\$ 2,600	\$ -	\$ 2,600	\$ -	\$105,345	\$4,704	\$0	\$4,704	\$56,724	\$2,533	\$0	\$2,533
J	17717904	3102 LAKE ST	JUMP CHARLENE A	\$ 106,000	\$ 148,300	\$ 254,300	\$ -	\$105,345	\$4,704	\$0	\$4,704	\$56,724	\$2,533	\$0	\$2,533
K	17717903	1065 KRUETH WAY	GOODE LARRY JACK LIVING TRUST	\$ 111,500	\$ 405,100	\$ 516,600	\$ 516,600	\$105,345	\$4,704	\$10,332	\$15,036	\$56,724	\$2,533	\$3,100	\$5,632
L	17923036	1103 KRUETH WAY	KING LAWRENCE A	\$ 96,700	\$ 320,700	\$ 417,400	\$ 417,400	\$105,345	\$4,704	\$8,348	\$13,052	\$56,724	\$2,533	\$2,504	\$5,037
M	17923026	1121 SEA BREEZE CT	FRANKLIN CAMARRON JAY	\$ 73,200	\$ 181,400	\$ 254,600	\$ 254,600	\$105,345	\$4,704	\$5,092	\$9,796	\$56,724	\$2,533	\$1,528	\$4,060
N	17923028	1137 SEA BREEZE CT	LAWER DAVID A	\$ 94,000	\$ 155,200	\$ 249,200	\$ 249,200	\$105,345	\$4,704	\$4,984	\$9,688	\$56,724	\$2,533	\$1,495	\$4,028
O	17923029	1143 SEA BREEZE CT	LAWER DAVID A & BETSY	\$ 99,100	\$ 452,700	\$ 551,800	\$ 551,800					\$56,724	\$2,533	\$3,311	\$5,844
P	17923030		CUDDY JANE TRUSTEE LAWER CHILDRENS TRUST	\$ 37,600	\$ -	\$ 37,600	\$ 37,600					\$56,724	\$2,533	\$226	\$2,758
Q	17923033	1136 SEA BREEZE CT	LAWER SARAH 2012 IRREVOCABLE TRUST	\$ 62,800	\$ 145,300	\$ 208,100	\$ 208,100					\$56,724	\$2,533	\$1,249	\$3,781
R	17923027	1120 SEA BREEZE CT	LAWER SARAH 2012 IRREVOCABLE TRUST	\$ 31,300	\$ 1,500	\$ 32,800	\$ 32,800					\$56,724	\$2,533	\$197	\$2,730
S	17717807		SCHEFFEL TIM	\$ 42,400	\$ -	\$ 42,400	\$ 42,400					\$56,724	\$2,533	\$254	\$2,787
T	17717808	1054 KRUETH WAY	MATTHEWS KELLY E	\$ 38,200	\$ 455,100	\$ 493,300	\$ 443,300					\$56,724	\$2,533	\$2,660	\$5,193
U	17717614	3119 LAKE ST	TALBOTT JOSEPH C	\$ 58,200	\$ 210,700	\$ 268,900	\$ -					\$56,724	\$2,533	\$0	\$2,533
V	17717615	1002 OCEAN DRIVE LOOP	JAMES HARRY W	\$ 59,100	\$ 223,700	\$ 282,800	\$ -					\$56,724	\$2,533	\$0	\$2,533
W	17717616	984 OCEAN DRIVE LOOP	SOTELO ED	\$ 46,300	\$ -	\$ 46,300	\$ 46,300					\$56,724	\$2,533	\$278	\$2,811
X	17717610	964 OCEAN DRIVE LOOP	O'CONNOR ABIGAIL	\$ 37,900	\$ 19,100	\$ 57,000	\$ 57,000					\$56,724	\$2,533	\$342	\$2,875
Y	17717611	946 OCEAN DRIVE LOOP	HAAS ANDREW H	\$ 37,900	\$ 166,900	\$ 204,800	\$ 154,800					\$56,724	\$2,533	\$929	\$3,462
Z	17718013	811 OCEAN DRIVE LOOP	RENNER MARTIN	\$ 117,300	\$ 281,300	\$ 398,600	\$ 338,600					\$56,724	\$2,533	\$2,032	\$4,564
				\$ 1,597,100	\$ 4,233,300	\$ 5,830,400	\$ 4,086,300	\$1,474,824	\$65,851	\$50,244		\$1,418,100	\$65,851	\$26,549	



**Seawall - Armor Rock Toe Protection**

**Conceptual Cost Estimate**

5/28/2020

**Assumptions:**

Wall length = 1700 LF

Filter rock (type 2) = 75 lbs to 300 lbs (200 lb average)

Armor Stone (type 3) = 750 lb to 2250 lb (1500 lb average)

Armor Stone (type 4) = 1000 lb to 3000 lb (2000 lb average)

25% of armor rock is type 3; 75% of armor rock is type 4

Item of Work	Quantity	Quantity Unit	Unit Price	Item Cost
Mobilization/Demobilization	1	LS	\$20,000	\$20,000
Geotextile Fabric	4,722	SY	\$6	\$28,333
F&I Filter Stone (Type 2)	7,064	Tons	\$70	\$494,511
F&I Primary Armor Stone (Type 3)	1,704	Tons	\$85	\$144,821
F&I Primary Armor Stone (Type 4)	6,609	Tons	\$105	\$693,902

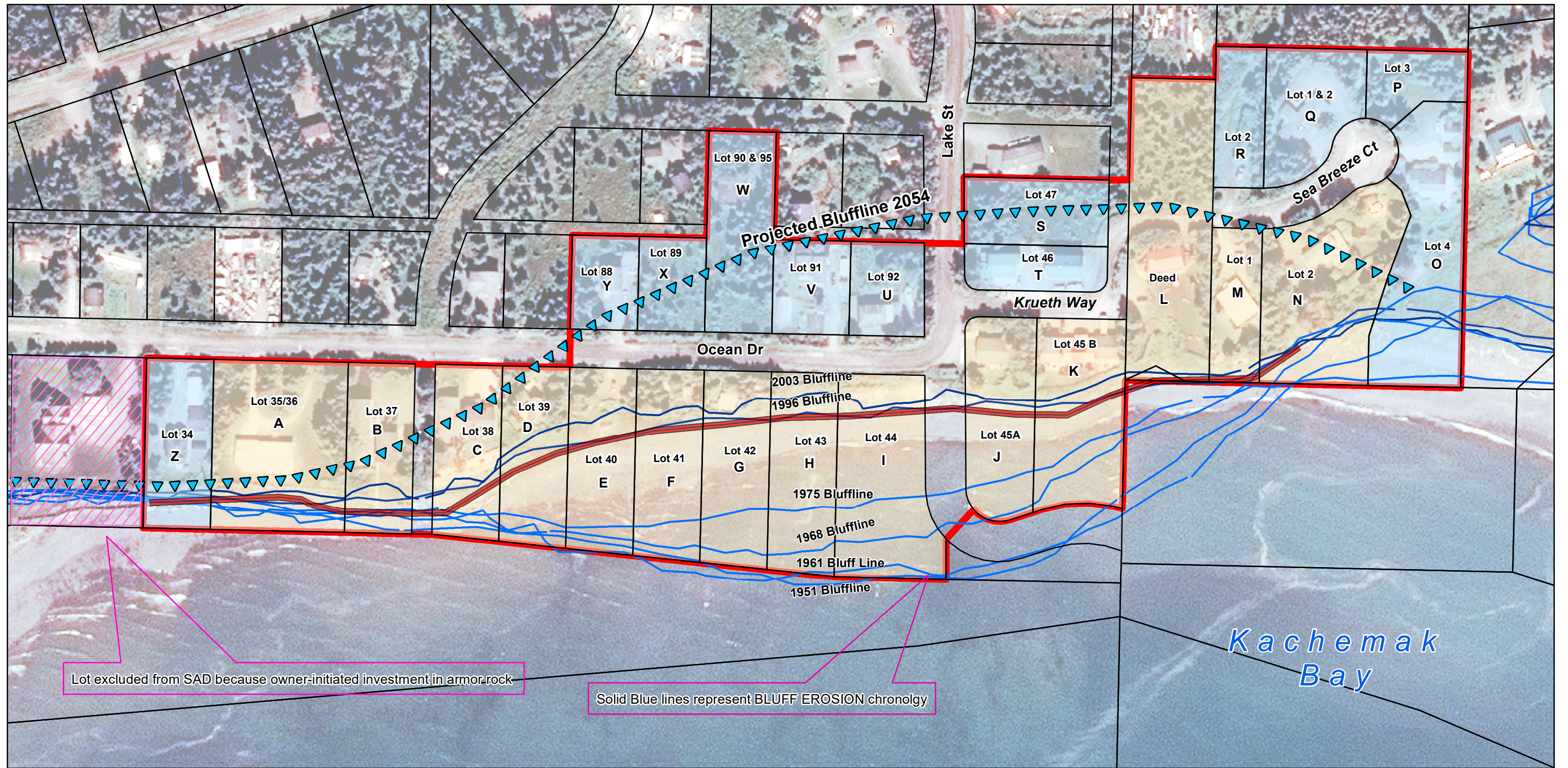
**Total Construction** **\$1,381,568**

Design \$69,078

Permitting \$10,362

Inspection \$13,816

**Total Project Cost** **\$1,474,824**



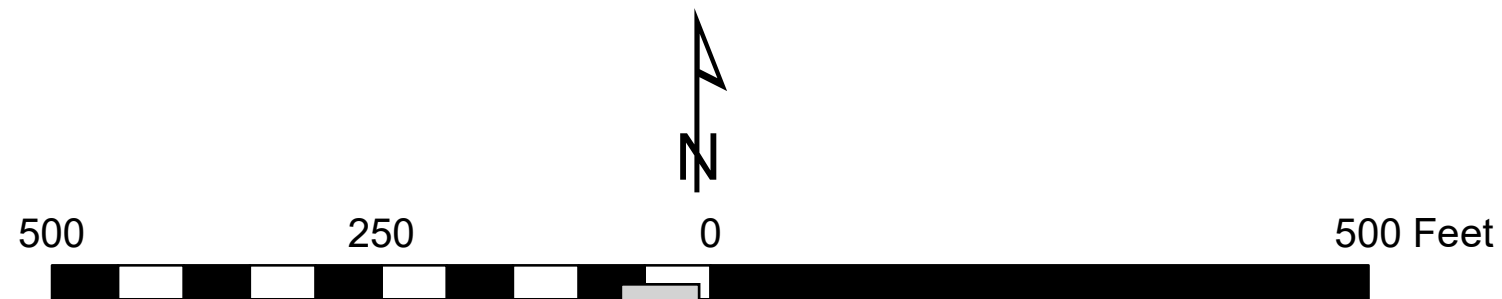
Lot excluded from SAD because owner-initiated investment in armor-rock

Solid Blue lines represent BLUFF EROSION chronology

## POTENTIAL SEAWALL SPECIAL ASSESSMENT/SERVICE DISTRICT MAP

**Legend**

- ▲▲▲▲ Projected Bluffline 2054
- Seawall - Sheet Pile
- Original Construction LID
- Other Parcels Benefiting
- Potential SAD District Boundary



DEPT OF PUBLIC WORKS  
March 11, 2020

Disclaimer:  
It is expressly understood the City of Homer, its council, board, departments, employees and agents are not responsible for any errors or omissions contained herein, or deductions, interpretations or conclusions drawn therefrom.

**ORDINANCE REFERENCE SHEET**  
**2020 ORDINANCE**  
**ORDINANCE 20-37**

Ordinance 20-37, an Ordinance of the City Council of Homer, Alaska Extending the Moratorium on Applications for Professional Offices and Medical Clinics in the Residential Office District and Directing the Planning Commission to Make a Recommendation to the City Council for the Creation of a Medical District in the Vicinity of the South Peninsula Hospital that was established in Ordinance 19-49(S)(A) to September 15, 2020.

Sponsor: Smith

1. City Council Regular Meeting June 22, 2020 Introduction

**CITY OF HOMER  
HOMER, ALASKA**

Smith

**ORDINANCE 20-37**

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA EXTENDING THE MORATORIUM ON APPLICATIONS FOR PROFESSIONAL OFFICES AND MEDICAL CLINICS IN THE RESIDENTIAL OFFICE DISTRICT AND DIRECTING THE PLANNING COMMISSION TO MAKE A RECOMMENDATION TO THE CITY COUNCIL FOR THE CREATION OF A MEDICAL DISTRICT IN THE VICINITY OF THE SOUTH PENINSULA HOSPITAL THAT WAS ESTABLISHED IN ORDINANCE 19-49(S)(A) TO SEPTEMBER 15, 2020.

WHEREAS, The 2018 Homer Comprehensive Plan Land Use Recommendations Map identifies areas in the Residential Office District south of the South Peninsula Hospital be considered for a future medical district; and

WHEREAS, The 2018 Homer Comprehensive Plan Land Use Chapter Goal 1, Objective B recommends updating the zoning map to reflect a desired pattern of growth; and

WHEREAS, Medical District planning has been on the Planning Commission agenda and is expected to be completed in the near future; and

WHEREAS, A moratorium on the acceptance of non-residential conditional use permits will allow the area under consideration for a medical district to remain consistent during the planning process

NOW THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. That the uncodified law of the City of Homer is amended to include the following:

A moratorium on issuing non-residential conditional use permits for the area displayed in Attachment A shall be in extended until September 15, 2020.

The City will not accept any additional conditional use permit applications that are subject to this moratorium. This does not apply to those conditional use permit applications that have been previously received and/or approved.

42 Section 2. The Planning Commission is directed to work with the neighborhood and  
43 produce recommendations regarding the creation of a medical district by September 15, 2020.  
44 The recommendations should come in the form of a draft ordinance and a memo explaining  
45 the recommendations and process followed to develop them.

46  
47 Section 3: This ordinance is of a temporary nature and shall not be included in the  
48 City Code.

49  
50 ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER THIS \_\_\_\_\_ DAY OF  
51 \_\_\_\_\_, 2020.

52  
53 CITY OF HOMER

54  
55 \_\_\_\_\_  
56 KEN CASTNER, MAYOR

57  
58 ATTEST:

59  
60 \_\_\_\_\_  
61 MELISSA JACOBSEN, MMC, CITY CLERK

62  
63  
64 YES:

65 NO:

66 ABSTAIN:

67 ABSENT:

68  
69 First Reading:

70 Public Hearing:

71 Second Reading:

72 Effective Date:

73  
74 Reviewed and approved as to form:

75  
76 \_\_\_\_\_  
77 Rick Abboud, Acting City Manager

76 \_\_\_\_\_  
77 Michael Gatti, City Attorney

78  
79 Date: \_\_\_\_\_

78  
79 Date: \_\_\_\_\_



# City of Homer

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

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(f) 907-235-3148

## Memorandum

TO: Mayor Castner and Homer City Council  
FROM: Rick Abboud, Acting City Manager  
DATE: June 18, 2020  
SUBJECT: City Manager's Report for June 22 City Council Meeting

### **CARES Act Dollars Received, CARES Act Local Implementation Manager Contract Signed**

The City of Homer received the first distribution of CARES Act dollars (\$3,867,758.79) from the State on June 11<sup>th</sup>. At the recommendation of the Mayor, the HR and Finance Departments worked together with Administration to finalize the hiring Jody Mastey of Fiddlehead Creative to serve as the CARES Act Local Implementation Manager for outreach, application development, management, and the reviewer of applications for the City of Homer Small Business Economic Relief Grant (SBERG) program. Authorization was given by Council through Ordinance 20-25(S) to pay for the initial administration costs including additional personnel and direct expenses of SBERG, up to \$90,000.

### **Borough Input on Third Party Involvement in Distributing CARES Act Funds**

Staff requested input from the Borough concerning the use of third parties (ie. foundations or organizations) to help the City distribute CARES Act dollars as other municipalities have discouraged this practice. Per Community and Fiscal Projects Manager Ahlberg, "The borough will not be entering into third party agreements for the purpose of distributing the funds to other programs, i.e. businesses or nonprofits. We are not authorized by statute to issue a program for individual assistance. Entering into an agreement with a third party is an unnecessary risk for the borough; for example, the more sub-subrecipient agreement relationships the more exposure may incur that later the KPB would still be accountable for in the event of misuse of funds by the third party. My driving mantra is that a federal dollar is a federal dollar from federal government to beneficiary. The adherence to federal regulations, internal policies and program justifications that we function under must be based upon accountability of funds that we may ultimately be asked to explain to the state auditors – or worse – be expected to pay back with penalties and interest. Not worth the risk."

### **State of Alaska COVID-19 Assistance to City of Homer**

At the June 8<sup>th</sup> City Council meeting, Dr. Anne Zink discussed how boroughs and cities have different legal authorities when it comes to the ability to locally mandate COVID-19 prevention

protocols such as wearing masks indoors. Staff contacted Alaska Department of Health and Social Services Commissioner Crum's office with an initial scoping call to see what local options are available to the City in addressing the pandemic. The state's Incident Commander Bryan Fisher and Director of Public Health Heidi Hedberg requested more clarity from Council on what initiatives they would be interested in implementing. It was confirmed that it is unlikely that the state will issue any more mandates. If the City felt that additional local measures are necessary, they could be crafted into an emergency ordinance. This would leave all responsibility for any enforcement of additional measures to the City of Homer.

Incident Commander Fisher has provided Council with examples from the Lake and Peninsula Borough, Whittier, and Valdez on how these communities localized their responses to the pandemic with state input. The Lake and Peninsula Borough passed an ordinance that provided further guidance on the operation of lodges. Whittier developed "Code Orange Community Outbreak Rules" regarding business entry limitations, reversion to state strict social distancing and travel mandates, and medical quarantine. Valdez issued a proclamation to implore its residents and visitors to follow best practices to protect the health and safety of its community. Commissioner Crum pointed to the temporary suspension of the M/V Tustumena's schedule and suspending fish processor facility operations as examples of how the State may address outbreaks. Commissioner Crum and his team encouraged Homer to take a localized, creative, nuanced approach in addressing the needs of our community, keeping in mind that enforcement is the challenging part of passing stricter mandates.

Homer is currently a community transmission hotspot, with active community transmission and positive cases elsewhere in the state being traced back to when those individuals visited Homer and the Southern Kenai Peninsula. Local Public Health Nurses are following 200+ community tracing and index cases in the Southern Kenai Peninsula and have other nurses from across the state helping manage the SKP caseload. During the call, Dr. Zink said it would be of great benefit to the State of Alaska to address Homer's increasing rate of community transmission and said what Homer is experiencing now is similar to what occurred in Fairbanks during the onset of the pandemic. Fairbanks, however, benefited from the State's implementation of more stringent protocols and mandates – Homer is responding to the pandemic during a time when the state has reopened, which makes flattening the curve for our area more difficult. Dr. Zink and the State are willing to help the City of Homer in our response, especially those dealing with particular messaging. Being from this area and a Homer High graduate, Commissioner Crum is open to providing a public statement for our area to address the importance of observing COVID-19 best practices. The City's PIO team will be working with his office to get additional public messaging/educational support.

### **Conservative Approach to City Operating Expenses**

In addition to presenting capital projects information to Council in the upcoming supplemental packet, I have asked departments to provide input/data on how they are

approaching operations conservatively for the long-term given the direction provided through Resolution 20-050. Below details the input I have received thus far for City operations.

Library: The library imposed a freeze on ordering new materials in March. In the last couple of weeks we've resumed ordering, but slowly, in order to keep up with the highest-demand items while still keeping spending down. We are also looking ahead to a two-month pause in ordering AV materials during July and August, as our main orderer will be out of the office. We have dropped subscriptions to the *Wall Street Journal* (our second-most expensive periodical) and Adobe software. Looking ahead, we will likely not renew *The New York Times* (our most expensive periodical) when the subscription runs out. As of today the library has spent exactly 1/3 of its annual budget, so we are well below normal levels for this point in the year.

HPD: It is difficult for HPD to come up with any significant savings. The police department's budget is almost 90% personnel costs. The O and M part of HPD's budget is close to 75% fixed costs, utilities, leases, insurance and such. The only spending we do that may be considered discretionary is for operating and training supplies however those are still much needed expenses to occur.

Community Recreation: In FY20 we can expect to see a budget cut savings of approximately \$15,000 (9.2% of the entire budget) that includes part time wages/benefits, operating supplies, Professional Services, transportation, subsistence and employee training. There may be additional savings of printing and binding around \$1,800 but that is to be determined.

HVFD: With respect to operational budget sending, Chief Kirko has implemented new in house guidance to all staff that all non-essential equipment or items must first be approved by a Chief Officer prior to purchasing. All staff was instructed back in March to be more fiscally responsible with HVFD's budget with the anticipation of needed reductions.

Economic Development: No travel or professional development. No purchases of anything except essential items such as software tool subscriptions. Flex time (per City Manager permission) or take comp time to erase any overtime costs associated with evening EDC meetings. Hand over City First Net phone to another PIO-entity and not utilize a City-issued phone for this position, as it will not need to be contacted during non-working (8-5 pm) hours.

### **Campground Revenue, Limited Staff & Serving the Public**

The visitor and revenue numbers for 2020 are so far very close to the numbers for 2019:

<b>2019</b>	<b>Revenue</b>	<b>Camping</b>	<b>People</b>
<b>April</b>	\$890	46	77
<b>May</b>	\$19,380	967	1,729
<b>June*</b>	\$10,387	583	1,136
<b>YTD:</b>	<b>\$30,657</b>	<b>1,596</b>	<b>2,942</b>

<b>2020</b>	<b>Revenue</b>	<b>Camping</b>	<b>People</b>
-------------	----------------	----------------	---------------



<b>April</b>	\$1,086	54	138
<b>May</b>	\$18,547	928	1,822
<b>June*</b>	\$9,795	485	1,022
<b>YTD:</b>	<b>\$29,428</b>	<b>1,467</b>	<b>2,982</b>

According to Parks Maintenance Coordinator Steffy, “from the start of the lockdown, our parks have been under a VERY heavy level of usage. On a busy day in early April, I counted over 50 cars at Mariner and 168 people on the beach. Bishops has also been extremely busy, often with no parking spaces available and the beach full.” PW staff have been working hard to address the significant impact to public places like restrooms with limited staffing. Typically PW has 10 season employees this time of year – currently they have 5 staff who are working on other duties besides restroom cleaning. Solutions to make up for the limited personnel time include hiring a temporary Parks COVID-19 compliance custodian (details below); recruiting for casual labor with the assistance of HR; and contracting with a 3<sup>rd</sup> party janitorial firm for twice-daily deep cleaning of the Fishing Hole restroom as that is probably the busiest restroom on the Spit.

### **Temporary Parks COVID-19 Compliance Custodian**

Former Interim City Manager Yoder had tasked HR Director Browning to work with Parks to hire a temporary COVID-compliance type staff member. Originally the thought was that this would be charged to the CARES funding. Once mandates and other circumstances changed, the position was scaled back a bit to a Parks COVID-19 Compliance Janitor with a job description that has these additional COVID-19 related duties spelled out. This means that Parks will have one temporary hire that is dedicated to maintaining COVID-19 compliance practices and standards as directed by the Center for Disease Control, the Department of Health and Social Services, and the Parks Maintenance Coordinator. They clean the restrooms like other seasonal Parks Temporary Laborers, but also are the one working with Parks Maintenance Coordinator Steffy about compliance and providing updates as well as being available for other duties. The Parks staff is short of personnel this season, and under budget so they can absorb this position within their regular budget however a file and notes will be kept if there is an opportunity to submit these personnel costs for reimbursement later through CARES or FEMA.

### **Emergency Ordinance 20-22 allocation of \$80K, Library during COVID-19**

To date, \$98,974 has been coded to Homer's COVID cost center. This does not factor in any credit card spending for the month of June or any outstanding invoices yet to be submitted to Finance. So, there is roughly \$31,026 left on the \$80k appropriation through Emergency Ordinance 20-22. This figure does not include any non-budgeted personnel costs, as these were approved in a different emergency ordinance. Emergency Ordinance 20-22 expires July 11<sup>th</sup> however Council gave authorization through Ordinance 20-25(S) under Section 1. C to reimburse the City's advance of emergency funding that was used to meet the demands of the first few weeks of Covid-19 response and altered municipal operations. Therefore, staff will not seek authority under an additional emergency ordinance and will utilize the remaining \$31,026

balance to cover any June and July costs and will come before Council on July 27<sup>th</sup> with requests for additional budgetary authority to respond to the pandemic if needed. \$20k of the \$80k appropriation was intended to cover an online reservation system for the campgrounds however the City will not be pursuing that project. An expense that could use these funds would be boosting internet signal at the Homer Public Library (estimated cost of \$4,600) so that the public could use internet from the parking lot as noted in the "Summary of Borough-Wide Communication Regarding CARES Act Funds" memo. Additionally, Library Director Berry cannot currently identify a safe way to expand physical access to the Library. The Library will continue with the services currently in place and have filed a grant application to expand HPL's long-distance offerings to patrons.

### **Development of Other Programs for Distribution of CARES Act Funds**

Per State Local Government Specialist Lynn Kenealy, there is no penalty for not spending CARES Act monies more quickly. The only deadline the City needs to worry about is the December 30, 2020 deadline for expending all funds. However, the City must spend at least 80% of the first disbursement in order to receive the second. Specialist Kenealy was recently informed that she will be given more specifics about this funding disbursement process soon, and will have more information she can share with Administration in the next week. Staff will report this information to Council once received. Council may need to revisit within the next month whether it needs to reappropriate how the funds were allocated under Ord. 20-25(S) if disbursement is not occurring fast enough since we need to spend 80% in order to receive second disbursement. I have been working with Councilmembers Lord and Aderhold on a list of priorities for the City to consider as ways to distribute funds, and will provide a list of other needs of the City to be considered by the body in the supplemental packet. Council's prompt development of other programs (such as for non-profit or individual disbursement) will only mean the City is ready to rapidly respond to any changes we need to make after considering the progress of the SBERG program. I appreciate Council's patience as the needs of the City and community are ever-evolving given the reality that the pandemic is not over and will continue to impact our daily lives into the future for a duration unknown.

### **SPH's request for Financial Assistance**

South Peninsula Hospital has provided additional clarification regarding their request to the City for CARES Act dollars. Please see the attached enclosure dated June 15, 2020.

### **Municipal Arts & Culture Matching Grant Program**

AML has made the City aware of an opportunity to maximize CARES Act dollars for arts and cultures-oriented organizations. "The Municipal Arts and Culture Matching Grant Program is a partnership between Rasmuson Foundation and Alaska municipalities in cooperation with AML. The matching grant program is designed to fund arts and culture organizations whose local revenue sources are disrupted due to COVID-19. Rasmuson Foundation will match a municipality's allocation of CARES Act funds to arts and culture organizations, the match ratio is 1:1 up to \$20,000 to any entity and 1:2 for allocated municipal funds in excess of \$20,000 to

that entity. In order to receive this grant, beneficiaries should be able to demonstrate real and projected revenue decline due to COVID-19, it is the responsibility of the municipality to ensure compliance with US Treasury guidelines for use of CARES Act funds.” An enclosure detailing more specifics concerning this opportunity is attached for Council consideration. Debra Schnabel had also contacted the City, sharing that the Rasmuson Foundation “has set aside \$250,000 as matching funds to incentivize municipal allocation of CARES Act funds to local arts and culture programs.” Among other questions, Schnabel asked if the City maintained funding to an arts & culture organization in Homer’s budget. Staff shared that Homer’s budget includes an annual amount of \$69,000 budgeted for the Pratt Museum for FY20 and FY21 and that for disbursing funds into the community, Homer City Council allocates funding to the Homer Foundation, which then awards funds to nonprofit organizations that apply for assistance.

### **RAVN Bankruptcy Update**

Prior to Ravn Alaska-Corvus Airlines’ declared bankruptcy, the company was in arrears with the City for \$19,975.92. This balance is the result of lease payments charged in 2018-2019 that the company had not caught up on. The Proof of Claim 410 form JDO Attorney Gary Sleeper has completed for the City as a “pre-filing” covers this roughly \$20k total as an unsecured claim. There is no guarantee the City could recoup costs associated with unsecured claims. The lease the City had with Ravn was in effect until March 30, 2023. Currently, Ravn still has a presence at the Homer Airport Terminal with vehicles, equipment, and most of Ravn’s office supplies on site. The automatic stay which arose upon Ravn’s filing of a bankruptcy petition prohibits a creditor (the City) from taking any action against a debtor without court approval so Ravn’s materials at the airport terminal should remain status quo. Building Maintenance Supervisor Zelinski visited the terminal and confirmed Ravn’s materials are just as they were when the company was operating and took photos for reference. Please see the enclosed June 17<sup>th</sup> notice received by Ravn, confirming their award of CARES Act dollars. This proceeding is a work in progress that has many moving parts, updates to come.

### **Getting to ‘Yes’ on New Large Vessel Moorage Facility: Secure Funding for GIS**

Through Resolution 20-023, Council authorized a request for proposals to hire a lobbyist to advocate for capital projects and legislation on behalf of the City. One of their main objectives during the first regular Session of the 32<sup>nd</sup> Legislature (January – May 2021) will be to secure \$750k in state funds to match the City’s \$750k appropriation made by Council through Ordinance 20-06 for the New Large Vessel Moorage Facility’s General Investigation Study (GIS). The GIS is required by the US Army Corps of Engineers in order to proceed with the future construction of the facility. The GIS total cost is \$3M, 50% of which will be paid by the Corps and the other \$1.5M split between the State and City. Since this project’s inception, the State has been both a contributing and benefitting partner and we want to reinstate that relationship. Both Alaska Department of Transportation (AKDOT) and Corps personnel were impressed by the City’s commitment to the project when we set aside our share of the funding. The Corps placed the New Large Vessel Moorage Facility project on their 2020 work plan and within their regular budget however their funding request was not approved.

Fortunately the Corps also put the project on their 2021 workplan list/within their FY22 budget just in case the project could not occur in 2020. This is all the more reason why it is important the City be represented at the table in Juneau to reinstate our partnership with Alaska DOT through a financial commitment, while also contracting with a third party expert familiar with project management at the federal level to ensure the Corps can commit both time and budget so we can get to work in 2021. Prior to her departure, former City Manager Koester and Harbormaster Hawkins met with the engineering firm HDR, Inc. at the start of the year to gauge what services they could provide to push the New Large Vessel Moorage Facility project forward. It would be in the best interest of the City to utilize our term contract with HDR, Inc. to secure them as an owner's representative on this project. Attached please find the proposal Coastal Engineer McPherson provided the City in February of 2020. HDR, Inc. is well positioned to assist the City in navigating relationships and workflow within the State and the Corps, with the State recently closing down their Coastal Engineering department and outsourcing those projects to HDR and the Corps similarly consulting with HDR Inc. to assist in their projects. Harbormaster Hawkins believes that the city would greatly benefit from securing a contract with HDR because the Corps is feeling tremendous pressure to address the lacking infrastructure needs of the Arctic as well as numerous other environmental driven emergencies around our state and HDR has a contractual agreement in place with the Corps that is essentially a master contract allowing them to perform any tasks that the Corps would need to outsource. In HDR's proposal, Phases 1-3 mirror working with the Corps to produce the GIS. Depending on the project management style, Phase 1 work alone can cost up to \$300k. The City does not have to contract with HDR Inc. as an owner's representative yet, as their work and services will be needed once funding from AKDOT and the Corps has been secured, however staff wanted to present this information to Council so that we could hit the ground running Once all funding is in place and the Corps have indicated that they are prepared to launch the study. To date the City has not signed an MOU with the State for the port expansion project. Staff can work on an MOU to be shared with both AKDOT staff and our future lobbyist so they can use the document when speaking with the decision makers in Juneau this upcoming session. Currently, the City has many irons in the fire to fund the GIS. We submitted a Funding Assistance Request to Denali Commission for \$750,000 (the City's contribution). The Borough passed legislation supporting that the EDA fully fund (\$3M) the GIS through one of their Economic Adjustment grants. We have been actively petitioning the Corps and working with their staff to ensure this project remains on their workplan list. As an aside we have also kept our delegation in the loop, with Sen. Murkowski, Sen. Sullivan, and Congressman Young's offices expressing their support of the project while also sharing materials with Sen. Stevens and Rep. Vance's offices. Homer's Port and Harbor is a regional port used to support many industries, so much so that we have to annually turn away between 40-60 large size class vessels requesting to use us as their home port due to the increasing congestion and limitations of our current port. This will be the case, even more so, when the AKLNG project comes on line -or any other south central, western or arctic maritime support industry vessels comes through seeking safe harbor that is both road and air connected and has a fantastic network of marine trades support critical to keeping their vessels competitive and safe for

operations - and starts placing demands on our port. The AKLNG project very recently received the Federal Energy Regulatory Commission's approval to construct the estimated \$43 billion pipeline LNG project. We need to get ahead of AKLNG, while simultaneously relieving large vessel congestion, navigational safety hazards in the small boat harbor, turning away large vessels, and providing secure moorage compatible with the USCG's assets. Construction of the New Large Vessel Moorage Facility will do this, and we need firm commitments from the State and Corps to get started.

### **Seawall Special Assessment District (SAD) Petition**

The City received a Special Assessment Petition Application on June 9, 2020. Per the applicant, the "special assessment district would be for seawall improvements." Council received notice from the City Clerk on June 11<sup>th</sup> that Resolution 20-056 initiating the SAD by Council failed given it did not have a three-fourths Council vote. Since Resolution 20-056 requested additional action from City Council a memorandum will be on the agenda that will provide recommendations on the action that Council can take to remedy the resulting issue. The Clerk's Office has prepared the petition initiated by the applicant and it will be ready for distribution after the decision on June 22, 2020. Properties included in the proposed SAD district will have 60 days to respond to the petition.

### **Update on Overslope Development: Oyster Bar**

The City now has its first complete overslope development project proposal. Homer Spit Oyster Bar has proposed a project to build an overslope platform and oyster bar containing both indoor and outdoor deck seating areas overlooking the harbor. Nested above the oyster bar are two short term room rental accommodations. The applicant has been working closely with the City to acquire approval from the Planning and Port and Harbor Advisory commissions, and after having received its Fire Marshal permit, as of June 16<sup>th</sup> 2020, now has a completed proposal with all needed permitting to move forward for Council consideration. The proposal and lease application are expected to be presented at the next City Council meeting on July 27 for review.

### **2019 Total Sales Tax Revenue**

Finance staff discovered there was an error within the internal formula used to distribute the lump sum of sales tax dollars received from the Borough on a monthly basis. Finance Director Walton has corrected this error in the general ledger and has made the necessary entries to correct the misallocation. Below are the corrected distributions of 2019 sales tax dollars:

- General Fund: \$5,848,056
- HAWSP: \$1,462,014
- HART-Roads: \$1,315,813
- HART-Trails: \$146,201
- Police Station Debt Service: \$584,806
- Police Station Maintenance (to GF): \$97,468

Finance Director Walton has updated the reports provided to Council as of June 16, 2020, specifically the: General Fund Reconciliation; HAWSP Reconciliation; HART-Roads Reconciliation; and HART-Trails Reconciliation. These reports are being re-communicated with Council to ensure members of the public have the correct information. Accompanying these updated reports is Finance Director Walton's June 17, 2020 "Fund Balance Update" memo and the "2020/21 Budget Modeling" sheet for the general fund provided as follow up to the feedback received during the June 8 worksession addressing Resolution 20-050. Enclosed please also find the Police Station Debt Service Fund Reconciliation updated as of June 15, 2020. As an aside, the 4Q Sales Tax report; May comparables; and the 1Q report will be provided in the upcoming supplemental packet.

### **University of Alaska, Kenai Peninsula College**

In Council's 2019 City of Homer Municipal Impact Statement, Council shared concern for the impact cuts to the University system would have on our local economy. Recent news coverage has pointed to yet another financial crisis before the University of Alaska system. Campus Director Reid Brewer shared the Kenai Peninsula College is still open and taking registration for fall courses at both Homer and Kenai campuses; there are many scholarships and monies available to help students. Though most of the courses will be delivered via alternate means/distance delivery, a few will have face to face students. Faculty, staff and students on campuses will practice safety measures consistent with the University of Alaska and the State of Alaska and faculty and staff have been working diligently to make sure that the student learning experience is as engaging and safe as possible. Thank you Councilmember Venuti for helping provide this update.

### **Request for extra-territorial water service**

Kachemak City had contacted the Mayor and former Interim City Manager Yoder about the possibility of getting Homer City water to the Kachemak Community Center, specifically what would be the process for applying for Homer City water and what the cost would be if allowed to hook up. After consulting with the Mayor, I summarized what I feel is an honest assessment of where we stand in consideration of previous actions and inactions. I shared with City Clerk Fitzpatrick that at this time we do not have a clear path in code for their request nor any cost estimates to provide. That correspondence has been provided as an enclosure.

### **Parking along the Homer Spit Road**

There are serious safety issues involved with people parking along the Homer Spit Road. A few examples from this past weekend: a small child was nearly hit when he wandered out into traffic and in another instance a door was opened in front of an oncoming vehicle and nearly caused a serious accident. In order to address these safety concerns as quickly as possible, Port and Harbor ordered 'candlestick' pylons to clearly mark areas along the road as no parking zones. This parking concern is not a new one for Homer Spit and Port and Harbor, HPD, and Public Works staff are working closely together to address this issue immediately with both signage and enforcement.

## Census Update

Homer's percentage of returns for the census is 44.3% with Soldotna (52+%), Kenai (49+%) and Seward (44+%) ahead of us. Seldovia is at 27+% but moving up fast. Per KPEDD staff member Caitlin Coreson, the real-time tracking of Census submissions and community participation rates can be viewed at <https://2020census.gov/en/response-rates.html> . The value per participant to the state in Alaska in 2010 was roughly \$3,000, but the current value per participant in federal funding for State programs is not yet know. Census Enumerators are currently traveling to local communities and the deadline to participate/complete the census is October 31<sup>st</sup>. The enclosed utility insert will target areas of need including the City of Homer. Library Director Berry is happy to work with census organizers to promote HPL's online reservation system and curb side pickup as methods to respectively complete the census and distribute informational materials. Council's championship of raising Homer's percentage of return through encouraging our residents to participate will be of great benefit to Alaska. I would like to thank EDC Chair Karin Marks for helping provide this update.

## Enclosures:

1. Examples from Lake and Peninsula Borough, Whittier, Valdez, and Seward (provided by City of Seward) on how these communities localized their responses to the pandemic with state input
2. June 16, 2020 "Summary of Borough-Wide Communication Regarding CARES Act Funds" memo
3. June 15,2020 correspondence from SPH
4. Municipal Arts & Culture Matching Grant Program
5. June 17, 2020 Notice: Ravn Air Group Approved To Receive \$31.6 million in CARES Act Payroll Support Program (PSP) Grants
6. February 12, 2020 HDR, Inc. Homer Large Vessel Harbor Expansion Owner's Representative memo
7. June 16, 2020 General Fund Reconciliation; HAWSP Reconciliation; HART-Roads Reconciliation; and HART-Trails Reconciliation reports
8. June 17, 2020 "Fund Balance Update" memo
9. 2020/21 Budget Modeling" sheet
10. June 15, 2020 City of Homer Police Station Debt Service Fund
11. June 10, 2020 Kachemak City Email
12. Census Flier
13. June 17, 2020 Updated Active Projects Spreadsheet
14. Homer Foundation Summer 2020 Newsletter – Update on COVID activities
15. April 2020 Kenai Peninsula Unemployment Benefit Claims, provided by AML
16. HERC Demo memo from City Engineer Meyer

## LAKE AND PENINSULA BOROUGH

### ORDINANCE NO. 20-07

#### AN ORDINANCE PRESCRIBING CONDUCT FOR LODGE OWNERS AND GUESTS TO LAKE AND PENINSULA BOROUGH DURING THE COVID-19 (“CORONAVIRUS”) PANDEMIC

##### **Section 1. Classification:**

This ordinance is of a temporary nature and is a non-code ordinance

##### **Section 2. Assembly Findings:**

The Borough Assembly of the Lake and Peninsula Borough finds and determines that:

##### **Findings**

- A. The Lake and Peninsula Borough has approximately seventy lodges, inns, bed & breakfast facilities, and hotels.
- B. COVID 19 is a respiratory disease that can result in serious illness or death and is caused by the SARS-Cov-2 virus, a new strain of the coronavirus that has not been previously identified in humans and is easily transmittable person to person.
- C. The World Health Organization designated the outbreak of COVID-19 as a pandemic on March 11, 2020; and the United States Center for Disease Control and Prevention (CDC) has identified COVID-19 as a significant public health risk; and on March 11, 2020, Governor Dunleavy issued a declaration of public health disaster emergency in response to the COVID-19 anticipated outbreak in the State of Alaska; and on March 13 President Trump declared a National Emergency in response to the coronavirus pandemic
- D. ..Governor Dunleavy has issued eighteen (18) mandates to regulate schools, health care providers, intrastate travel, protective measures for independent commercial fishing vessels, and more.
- E. As of today, in Alaska there is a cumulative total of 381 positive COVID-19 cases, 328 recovered and 10 deaths. In the USA, as of today, there is a cumulative total of 1,324,488 positive COVID-19 cases, and 79,756 deaths.
- F. As a home rule municipality, Lake and Peninsula Borough has all the powers not prohibited by law or by the Borough's charter. The Borough's



charter, in turn, authorizes the Borough to exercise all powers permitted by law.

- G. The Borough does not intend to duplicate the efforts of the federal or state regulatory or permitting processes, although the Borough intends to rely in part upon materials and evidence generated by those processes. Rather, the Borough intends to address the unique impacts of the remote logistics of Lake and Peninsula Borough.
- H. By this ordinance, to the greatest extent permitted by law and under its charter, the Borough intends to exercise its authority as a home rule municipality to mitigate the impacts of any health risks to our residents.
- I. By this ordinance, the Borough seeks to allow businesses an opportunity to operate and add to the economy of the Lake and Peninsula Borough, without limited risks to their guests, our residents, and our limited health care system.

**Section 3. General Provisions:**

NOW, THEREFORE, the Borough Assembly of Lake and Peninsula Borough enacts the following ordinance:

**PROTOCOLS FOR ALL GUESTS AND VISITORS TO THE LAKE AND PENINSULA BOROUGH:**

- 1. Guests shall follow current State of Alaska mandates and guidelines for social distancing, hygiene, and group size limits, including during dining and recreating.
- 2. Guests should avoid interaction within Lake and Peninsula communities. Visitors are to go straight to their destination.
- 3. If a guest cannot avoid contact with residents, personal protective equipment, such as breathing masks, are encouraged.
- 4. Any person feeling ill or experiencing any symptoms of COVID-19, are not to enter Lake and Peninsula Borough. Persons are encouraged to seek medical attention in an urban environment such as Anchorage.
- 5. All persons visit Lake and Peninsula Borough are assumed to understand that medical options are limited within the Borough and it is advised that medical services should be sought in Anchorage or other larger cities. The clinics in Lake and Peninsula Borough are not equipped or prepared to provide lifesaving COVID-19 services to non-residents.

**PROTOCOLS FOR BUSINESSES OPERATING IN LAKE AND PENINSULA BOROUGH WHICH HOST GUESTS OR VISITORS:**

1. All guests are to be prescreened. Prescreened means each guest entering the state of Alaska must fill out a form and pass a medical screening in Anchorage or other Alaska entry site, before being allowed to proceed to their destination. The guest must also sign a declaration that they are experiencing no symptoms of COVID-19. They must not have a temperature of 100.3 degrees or higher.
2. All employees not residents of Alaska, must observe the 14-day quarantine before being allowed to interact and work with guests.
3. All employees must have their temperature taken and recorded before and after each shift and a log of this shall be kept available on site.
4. Employers must conduct employee training to teach best practices for mitigating any viral infections such as sanitizing, personal protection, personal hygiene, etc.
5. All persons are to follow current state mandates and guidelines for social distancing, hygiene, and group size limits.
6. Employers are to conduct regular touch-point sanitization of any shared facilities.
7. Employers are to ensure employees use best practices and provide every employee with protective equipment, gear and knowledge as appropriate to fulfil their job in the safest manner possible.
8. Employers are to provide an isolation area for any employee or guest who exhibits any symptoms of COVID-19 until they can be transported to Anchorage.

**Section 4. Effective Date:**

This ordinance shall become effective upon its adoption.

**ADOPTED** by a duly constituted quorum of the Lake and Peninsula Borough Assembly on this 26<sup>th</sup> day of May 2020.

**IN WITNESS THERETO:**



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Glen Alsworth, Sr., Mayor

**ATTEST:**



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Kate Conley, Borough Clerk

Introduced: May 12, 2020

Public Hearing: May 26, 2020

Adopted:

Ayes: Alvarez, Anderson, Olsen, Ravenmoon, Salmon

Nays: none

Not voting: Alsworth

Absent: Pedersen

## CITY OF WHITTIER “CODE ORANGE” COMMUNITY OUTBREAK RULES

These “Community Outbreak Rules” were adopted by Whittier City Council via Emergency Ordinance 2020-2 on May 5, 2020. These rules **only** go into effect when the City Manager declares a “Code Orange” in Whittier in compliance with the City COVID-19 Recovery Plan. During all other recovery phases, the City’s Emergency COVID-19 Rules and the State of Alaska Health Mandates apply. To the extent State of Alaska health mandates are in effect that impose stricter restrictions or requirements, all those mandates shall apply.

**Rule O-1. Business entry limitations.** All businesses open to the public shall limit the individuals within its establishment to no more than five individuals at any one time, including employees. This rule applies to grocery stores but does not apply to employers where essential operations of the business will be substantially disrupted as a result of the limitation. Employers seeking an exception to this rule due to substantial disruption shall seek an exception from this rule from the City Manager. A written request for exception must state the reasons for the exception. Any employer excepted from this rule shall enter into a mutual aid agreement with the City to ensure protective measures are taken to prevent the spread of COVID-19 within the City.

**Rule O-2. Reversion to State Strict Social Distancing and Travel Mandates.** All individuals entering the City and all private facilities operating within the City must comply with State of Alaska Public Health Mandate 11 as it was issued March 27, 2020 (“Original State Health Mandate 11”) and attached to these rules. Except as otherwise required in these Community Outbreak Rules, facilities and individuals shall continue to comply with all other State of Alaska Public Health Mandates that are not in direct conflict with Original State Health Mandate 11.

**Rule O-3. Medical Quarantine.** Individuals under a healthcare quarantine order or an individual testing positive for COVID-19 must:

1. Stay in his or her place of residence or lodging for the specified period of time in the quarantine order or for a minimum of 14 days from the date of a positive COVID-19 test if no quarantine order has been issued; and
2. Notify a healthcare provider that the individual is under medical quarantine or has tested positive for COVID-19 before making any physical contact with that healthcare provider or entering the provider’s premises.

An individual subject to this rule may NOT leave his or her residence to attend work, obtain supplies, engage in physical exercise or any activity except as permitted by State of Alaska health mandate or permitted within the medical quarantine order issued to that individual. The City shall not physically force individuals into quarantine under this rule but the City shall fine individuals to the maximum extent permitted by law for violations of this rule and may obtain a court order enforcing the quarantine order against the individual. Each individual exit from quarantine constitutes a separate and distinct violation of this rule.



## WHITTIER'S COVID-19 RECOVERY PLAN

The City of Whittier has been carefully monitoring the state of the COVID-19 outbreak in the State of Alaska and in the City as well as Alaska's statewide response to this outbreak. Over the last two weeks, Governor Dunleavy has announced the State's Reopen Alaska Responsibly Plan and has repeatedly stated that the State Plan works best when applied uniformly. Governor Dunleavy also recognized that local jurisdictions may need to implement more restrictive rules based upon the risks and resources available within those jurisdictions. The City Manager and its emergency operations team is tasked, first and foremost, with protecting the health and safety of the community from the devastating impacts of the COVID-19 pandemic. However, the Team recognizes that any and all protective measures come at a cost and the Team must ensure that this cost is a necessary one. This Plan ensures that the City's response to COVID-19, both in the short and long term, is medically-based, fluid, and narrowly tailored. Additionally, the Plan is designed to be easily understood by and communicated to Whittier community members and visitors. The Plan ensures that local mandates mirror State mandates to the greatest extent responsible in light of the City's unique needs and risks. It also aims to adopt easy to follow rules that are: 1) based upon medical and epidemiological data regarding COVID-19 and 2) the City's resources to prepare and respond to a COVID-19 outbreak.

### **THE STATE APPROACH: A 5-STEP SYSTEM TO RECOVERY**

The State Plan anticipates a 5-phase climb to recovery for Alaska. In order to climb from one phase to the next, the State's emergency management team, led by Governor Dunleavy, will employ a color-coded status – red, yellow or green - to indicate whether it's safe to move forward to a less restrictive phase or if a "roll-back" to red is needed. While the State has not yet identified each phase of its Plan, The State Plan establishes four basic metrics that will be tracked by Alaska Department of Health and Social Services (DHSS) in determining when to move forward or "roll back." The Four Basic Metrics are as follows:

1. *Epidemiology*

Tracking disease trends and trend forecasting.

2. *Testing*

Monitoring overall testing volume and changes in the percentage of positive tests at the community, regional, and statewide levels. Ensuring fast turnaround of tests and reporting of results. The goal is to maintain COVID-19 positive tests at less than one per one-thousand.

3. *Public health capacity*

Monitoring cases and conducting necessary contact investigations for positive cases.

4. *Health care capacity*

Ensuring hospitals have adequate capacity and supplies (such as PPE and ventilators) to care for COVID-19 patients and other patients needing urgent care.

### **TAILORING THE STATE’S APPROACH TO THE CITY: CLIMBING TO RECOVERY**

In this Plan, the City adopts the State’s four metrics and five phase approach to recovery. To this end, the City’s COVID-19 Rules have been revised to impose lock-step social distancing restrictions with the State while also maintaining local requirements regarding the submission of plans and protocols to local authorities, local business postings, and mutual aid agreements. These postings and submissions ensure that the City, its residents, and its visitors have the information needed to ensure the public’s awareness and compliance with State mandates.

Although the City embraces the State Plan, it also recognizes the need to provide the Emergency Operations Team the flexibility to respond when the local situation worsens but State COVID-19 metrics remain unchanged. To this end, the City Plan adopts the State’s red, yellow, and green alerts but adds a local “orange alert.” The local “orange alert” ensures the City can “roll back” reopening efforts in the event the City’s metrics fall out of line with the State. In an effort to ensure that every citizen and visitor knows exactly what local rules apply in each recovery phase, the City has revised its rules to eliminate any provisions more restrictive than those adopted by the State in the City’s COVID-19 Recovery Rules<sup>1</sup> and to adopt COVID-19 “Community Outbreak Rules.” The City’s COVID-19 Community Outbreak Rules will only become effective when the City Manager, in collaboration with the Emergency Operations Team, declares an “orange alert,” triggering the need for the implementation of stricter restrictions on the local level. These rules “rollback” to social distancing and business operation restrictions previously imposed by the State of Alaska and/or the City.

#### **Whittier’s Orange Alert: When and How is Whittier’s Orange Alert Triggered?**

The City’s Orange Alert Rules will be triggered when the following occurs:

1.) *Epidemiology*

A review of COVID-19 trends and trend forecasting suggests that there is an increase in the transmission of COVID-19 in Whittier or a substantial increase in neighboring communities within Whittier’s industry markets, fisheries or transportation lines that has not triggered a change in the State’s alert level.

2.) *Testing*

The City’s testing capacity diminishes or testing becomes unavailable at the community level. Currently, the City has not yet had a positive COVID-19 test. The State’s goal for testing is to maintain COVID-19 positive tests at less than one per one-thousand. While

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<sup>1</sup> The COVID-19 Revised Rules retains posting and filing requirements as well as mutual aid agreement requirements to ensure that the City and the public has the tools and information necessary to monitor compliance with State mandates.

Whittier's size does not lend itself to analysis under the State goal, the City's goal to maintain COVID-19 positive tests to less than two cases in a 14 day period is designed to ensure the City has appropriate testing capabilities to detect COVID-19 in the City and take steps to curb its spread before the pandemic overwhelms the City's limited medical resources. This metric may be adjusted based upon recommendations from the State or a medical advisor retained by the City.

3.) *Public health capacity*

The City's public health capacity is significantly impacted by the commercial fishing industry and the influx of intrastate and interstate workers and visitors at certain periods. During these periods, any COVID-19 positive test may warrant temporary imposition of greater social distancing restrictions.

4.) *Health care capacity*

The City's limited ability to care for COVID-19 patients alongside other patients reaches its limited capacity or the City exhausts or is at risk of exhausting its minimal PPE supplies.

**Orange Alert: How Does it Work?**

In the event the City Manager declares an "Orange Alert," he will work with the emergency operations team to:

- 1) Post Notice on the City website and in at least three other City locations that the COVID-19 Alert Status is "LOCAL ORANGE."
- 2) The Notice will be sent electronically or hand delivered to Council members within 24 hours of issuing the declaration. Council may schedule an emergency meeting to repeal the City Manager's declaration of the orange alert via resolution. Any Council member may request the emergency meeting and resolution. Failure of Council to adopt a resolution repealing the orange alert within five business days from the issuance of the alert shall constitute Council approval of the alert and implementation of the "Community Outbreak Rules."
- 3) Orange Alert Status Notices will be provided for distribution to tunnel employees and distributed if tunnel officials agree to such distribution.
- 4) Notice of the "orange alert" status and the reasons for the deviation from the State's code level will be sent to the State of Alaska.
- 5) If practicable, the City will notify all businesses registered with the City of the "orange alert" status and provide a copy of the "Community Outbreak Rules."

"The Community Outbreak Rules" or "Orange Alert Rules" shall be submitted to Council for review and approved by Council before the adoption of this Recovery Plan. Unlike promulgated City COVID-19 Rules, Council may amend, revise or supplement the Community Outbreak Rules. Any Council revisions or amendments to the Community



Outbreak Rules must be reviewed by the City Attorney for legality before becoming effective.

### **APPENDICES**

The City has attached the following documents and incorporates these documents into this Plan:

- 1) Appendix A: Whittier's Color-Coded System
- 2) Appendix B: Emergency Order 2020-03-Revised COVID-19 Emergency Rules
- 3) Appendix C: Whittier's Community Outbreak Rules
- 4) Appendix D: Local Resources Regarding Alaska's COVID-19 Recovery
- 5) Appendix E: State Resources Regarding Alaska's COVID-19 Recovery



# PROCLAMATION

WHEREAS, as the State of Alaska begins to reopen, it is even more imperative for every individual to take responsibility for protecting the health and safety of ourselves, our families, our neighbors, and our community; and

WHEREAS, the City of Valdez has been tirelessly working to respond to the COVID-19 outbreak; and

WHEREAS, the COVID-19 pandemic has generated a public health emergency that threatens to overwhelm the Valdez health system and economy of our community, endangering the lives and wellbeing of our citizens.

NOW THEREFORE, to prevent or slow the spread of Coronavirus Disease 2019 (COVID-19) in our community, the City of Valdez hereby issues this Proclamation imploring all residents and visitors to act as follows:

1. Read and follow all state health mandates, state health alerts, local health proclamations, and the instructions of public health officials.
2. Practice good hygiene. Wash your hands regularly with soap and water for at least 20 seconds. If you do not have access to soap and water, use hand sanitizer instead. Avoid touching your face. Regularly sanitize high touch surfaces. Cover your coughs and sneezes. Stay home if you feel even mild symptoms of illness.
3. Practice social (physical) distancing. Maintain a minimum of six feet of separation from anyone outside your immediate household. If singing, projecting your voice, or participating in exercise, maintain a minimum of ten feet of separation from anyone outside your immediate household. If you are responsible for the care of children, please help them remember social (physical) distancing applies, regardless of age.
4. Whenever possible, wear a cloth face covering while in public to protect others as suggested in State Health Alert 010.
  - a. Face coverings should cover your nose and mouth; fit snugly but comfortably against your nose and the side of your face; be secured with ties, ear loops, fasteners or some other method so it does not slide down your face; consist of several layers of fabric or other material to prevent respiratory droplets from passing through; allow for breathing without restriction; and be sturdy in construction.

- b. Understand how to properly wear your face covering. Practice hand hygiene prior to putting it on and taking it off. Avoid touching the front of your cloth face covering, as it may be contaminated. After removing it, immediately discard or place in a designated container for laundering. Wash in hot, soapy water between uses.
  - c. Cloth face coverings need not be worn at home, in your personal vehicle, or outdoors while alone or with members of your household.
  - d. Children under the age of two and those with certain health conditions should not wear cloth face coverings. Accommodations should also be made for those who suffer from claustrophobia or traumatic experiences related to face coverings.
  - e. Social (physical) distancing must still be maintained by those wearing cloth face coverings.
  - f. Do not wear N-95 or surgical masks, as those are needed by healthcare workers and first responders.
5. Stay near your home, boat, RV, hotel, campground, or other lodging as much as possible. Limit your interactions with others to only that which is necessary. Avoid gatherings of more than 20 people.
6. Following the guidance of Dr. Anne Zink, Chief Medical Officer for the State of Alaska, somehow notate where you have been and who you have been in contact with for the past two weeks. If you are unable to list the people you have been around for more than 10 minutes during that time period, you are interacting with too many people.
7. When you do venture out, please do so only for essential activities. The following are considered essential activities in Valdez:
- a. Obtaining food, groceries, supplies, or services.
  - b. Going to work or participating in official duties for your employer.
  - c. Visiting your medical provider or the pharmacy.
  - d. Getting fresh air and exercise through outdoor recreation including walking, bicycling, hiking, camping, fishing, hunting, etc.
  - e. Practicing your faith or spiritual path.
  - f. Caring for loved ones or assisting others with essential activities.
  - g. Participating in or staffing childcare or day camps for children.
8. Attempt to send only one person into the store, post office, or service provider and take advantage of call ahead, curbside, or delivery options whenever possible.

9. Make restaurant reservations in advance and only eat out with those in your household.
10. Follow all public health procedures and instructions of the establishments you visit, including the Valdez harbor and other public facilities.
11. If you start to feel symptoms such as cough, breathing problems, fever or other COVID-19 symptoms, STAY HOME AND CALL AHEAD to the hospital, your medical provider, or public health clinic for screening. If your symptoms are life-threatening, please dial 911 for emergency assistance and answer all of the dispatcher's questions honestly. Your answers will not stop first responders from coming to help. Your answers will simply adjust the personal protective equipment which must be worn when they do.

**A few additional guidelines for those arriving from communities with confirmed COVID-19 cases:**

1. To keep yourself and others safe, avoid entering local establishments or interacting with others outside your household during your first two weeks in Valdez.
2. If you must obtain supplies locally during your first two weeks in Valdez, attempt to first use delivery or curbside pick-up options. If delivery or curbside pick-up options are not available and the item is absolutely necessary, please reach out to the business or vendor by telephone for guidance. Several local organizations exist who can help you obtain needed supplies if you have no other options. Boaters staying overnight at the harbor may also reach out to the Harbormaster for assistance.
3. Interstate and international travelers remain subject to State Health Mandate 010, which requires filing a traveler declaration form with the state and a mandatory 14-day quarantine upon arriving or returning to Alaska.

DATED this 30<sup>th</sup> day of April, 2020.

CITY OF VALDEZ, ALASKA



\_\_\_\_\_  
Jeremy O'Neil, Mayor

ATTEST:



\_\_\_\_\_  
Sheri L. Pierce, MMC, City Clerk



**Sponsored by:** Meszaros  
**Introduction Date:** June 12, 2020  
**Public Hearing Date:** June 12, 2020  
**Enactment Date:** June 12, 2020

**CITY OF SEWARD, ALASKA  
EMERGENCY ORDINANCE 2020-006**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEWARD,  
ALASKA, ADOPTING THE CITY'S COVID-19 RECOVERY PLAN AND  
THE "COMMUNITY OUTBREAK RULES" THAT WILL BE  
EFFECTIVE ONLY DURING A LOCAL ORANGE ALERT UNDER  
THAT PLAN, AND RATIFYING REVISIONS TO THE CITY'S  
EMERGENCY COVID-19 RULES**

**WHEREAS**, the United States Center for Disease Control and Prevention (CDC) has identified COVID-19 as a significant public risk; and

**WHEREAS**, on March 11, 2020, Governor Dunleavy issued a declaration of public health disaster emergency in response to the anticipated outbreak of COVID-19 within Alaska's communities; and

**WHEREAS**, on March 11, 2020, The World Health Organization designated the COVID-19 outbreak a pandemic; and

**WHEREAS**, the State of Alaska and the City continue to operate under a state of emergency created by COVID-19 but the State of Alaska has introduced a five-phase plan to reopen Alaska responsibly; and

**WHEREAS**, the City Council and the Emergency Operations Team support the State's reopening efforts; and

**WHEREAS**, City Council and the Emergency Operations Team also acknowledge the need to have specific local policies and rules that permit the City to protect public health and safety from a local outbreak or the threat of a local outbreak; and

**WHEREAS**, the City Manager determined that direct Council involvement in the City's Recovery Plan and the rules adopted in furtherance of that plan was in the City's best interest and the best interest of its residents and visitors.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEWARD,  
ALASKA HEREBY ORDAINS that:**

**Section 1.** The Seward City Council hereby adopts the City COVID-19 Recovery Plan as attached to this Ordinance as Exhibit A.

**CITY OF SEWARD, ALASKA  
ORDINANCE 2020-006**

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**Section 2.** The Seward City Council hereby adopts the City “Community Outbreak Rules” as attached to this Ordinance as Exhibit B and included in the COVID-19 Recovery Plan.

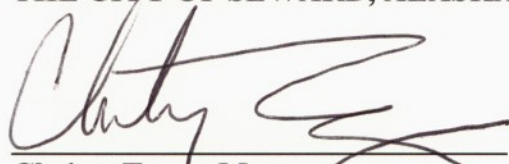
**Section 3.** The Seward City Council hereby ratifies the revisions to the City COVID-19 Emergency Rules as proposed in Emergency Order 2020-04.

**Section 4.** This ordinance is an emergency ordinance, is not permanent in nature, and shall not be codified.

**Section 5.** This ordinance shall take effect on the day it is enacted and shall expire upon the expiration or repeal of the declared State of Emergency arising from COVID-19.


**ENACTED BY THE CITY COUNCIL OF THE CITY OF SEWARD, ALASKA**  
this 12<sup>th</sup> day of June, 2020.

**THE CITY OF SEWARD, ALASKA**

  
\_\_\_\_\_  
**Christy Terry, Mayor**

AYES: Seese, Butts, Crites, Osenga, Baclaan, McClure, Terry  
NOES: None  
ABSENT: None  
ABSTAIN: None

**ATTEST:**

  
\_\_\_\_\_  
Brenda J. Ballou, MMC  
City Clerk

(City Seal)



# CITY OF SEWARD

## DRAFT COVID-19 RECOVERY PLAN

*Presented to Council June 8, 2020*

*Amended and approved by Council June 12, 2020  
via Emergency Ordinance 2020-006*

**This document is a working draft. The Seward City Council and Seward City Administration are working together to create a plan that protects City residents and visitors from COVID-19 to the greatest extent possible while preserving the economic well-being of City businesses and residents. This Plan includes proposed rules and metrics adapted from other communities, the State of Alaska, and other Alaska government agencies as well as procedures and rules unique to Seward. The purpose of this Draft Plan is to provide Council, the Administration, and members of the public a starting place in developing a COVID-19 recovery plan that incorporates commentary, insight, and guidance from the Seward community as a whole.**

## SEWARD'S COVID-19 RECOVERY PLAN

The City of Seward has been carefully monitoring the state of the COVID-19 outbreak in the State of Alaska and in the City, as well as Alaska's statewide response to this outbreak. Governor Dunleavy recently announced the State's Reopen Alaska Responsibly Plan and has repeatedly stated that the State Plan works best when applied uniformly. Governor Dunleavy also recognized that local jurisdictions may need to implement more restrictive rules based upon the risks and resources available within those jurisdictions. The City Manager and the City Emergency Operations Team is tasked, first and foremost, with protecting the health and safety of the community from the devastating impacts of the COVID-19 pandemic. This Plan ensures that the City's response to COVID-19, both in the short and long term, is medically-based, fluid, and narrowly tailored. Additionally, the Plan is designed to be easily understood by and communicated to Seward community members and visitors. The Plan ensures that local mandates mirror State mandates to the greatest extent responsible in light of the City's unique needs and risks. It also aims to adopt easy-to-follow rules that are: (1) based upon medical and epidemiological data regarding COVID-19; and (2) the City's resources to prepare and respond to a COVID-19 outbreak.

### **THE STATE APPROACH: A 5-STEP SYSTEM TO RECOVERY**

The State Plan anticipates a 5-phase climb to recovery for Alaska. In order to climb from one phase to the next, the State's emergency management team, led by Governor Dunleavy, will employ a color-coded status – red, yellow or green - to indicate whether it is safe to move forward to a less restrictive phase or if a "roll-back" to red is needed. While the State has not yet identified each phase of its Plan, The State Plan establishes four basic metrics that will be tracked by Alaska Department of Health and Social Services (DHSS) in determining when to move forward or "roll back." The four basic metrics are as follows:

1. *Epidemiology*

Tracking disease trends and trend forecasting.

2. *Testing*

Monitoring overall testing volume and changes in the percentage of positive tests at the community, regional, and statewide levels. Ensuring fast turnaround of tests and reporting of results. The goal is to maintain COVID-19 positive tests at less than one per 1,000.

3. *Public health capacity*

Monitoring cases and conducting necessary contact investigations for positive cases.

4. *Health care capacity*

Ensuring hospitals have adequate capacity and supplies (such as PPE and ventilators) to care for COVID-19 patients and other patients needing urgent care.



## **TAILORING THE STATE'S APPROACH TO THE CITY: CLIMBING TO RECOVERY**

In this Plan, the City adopts the State's four metrics and five-phase approach to recovery. To this end, the City's COVID-19 Rules have been revised to impose lock-step social distancing restrictions with the State while also maintaining local requirements regarding the submission of plans and protocols to local authorities, local business postings, and mutual aid agreements. These postings and submissions ensure that the City, its residents, and its visitors have the information needed to ensure the public's awareness and compliance with both local rules and State mandates.

Although the City embraces the State Plan, it also recognizes the need to provide the Emergency Operations Team flexibility to respond when the local situation worsens but State COVID-19 metrics remain unchanged. To this end, the City Plan adopts the State's red, yellow, and green alerts but adds a local "orange alert." The local "orange alert" ensures the City can "roll back" reopening efforts in the event the City's metrics fall out of line with the State. In an effort to ensure that every citizen and visitor knows exactly what local rules apply in each recovery phase, the City has revised its rules to eliminate any provisions more restrictive than those adopted by the State in the City's COVID-19 Recovery Rules<sup>1</sup> and to adopt COVID-19 "Community Outbreak Rules." The City's COVID-19 Community Outbreak Rules will only become effective when the City Manager, in collaboration with the Emergency Operations Team, declares an "orange alert," triggering the need for the implementation of stricter restrictions on the local level. These rules "rollback" to social distancing and business operation restrictions previously imposed by the State of Alaska and/or the City.

### **Seward's Orange Alert: When and How is Seward's Orange Alert Triggered?**

The City's Orange Alert Rules will be triggered when the following occurs:

#### **1. *Epidemiology***

A review of COVID-19 trends and trend forecasting suggests that there is an increase in the transmission of COVID-19 in Seward or a substantial increase in neighboring communities within Seward's industry markets, fisheries or transportation lines that has not triggered a change in the State's alert level.

#### **2. *Testing***

The City's testing capacity diminishes or testing becomes unavailable at the community level. At the time this Plan was adopted, there were three positive COVID-19 cases reported in Seward. The State's goal for testing is to maintain COVID-19 positive tests at less than one per 1,000. While Seward's size does not lend itself to analysis under the

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<sup>1</sup> The COVID-19 Revised Rules retains posting and filing requirements as well as mutual aid agreement requirements to ensure that the City and the public has the tools and information necessary to monitor compliance with State mandates.

State goal, this metric may warrant increasing the local alert level when the City Emergency Operations Team and its medical advisors determine that there has been a substantial increase of COVID-19 positive cases and the evidence suggests that these cases are highly likely to result in substantial exposure to COVID-19 within the City and protective measures are necessary to curb the spread of COVID-19 before the pandemic overwhelms the City's limited medical resources.

3. *Public health capacity*

The City's public health capacity is significantly impacted by the commercial fishing industry, tourism, and the influx of intrastate and interstate workers and visitors at certain periods. During these periods, any COVID-19 positive test may warrant temporary imposition of greater social distancing restrictions.

4. *Health care capacity*

The City's limited ability to care for COVID-19 patients alongside other patients reaches its limited capacity or the City exhausts or is at risk of exhausting its minimal PPE supplies.

Each of these metrics will be weighed and balanced collectively in determining the need to deviate from State of Alaska's state of alert. For example, a rapid increase in COVID-19 positive cases within the City may not warrant raising the alert if those cases are unlikely to impact the City's public health and health care capacities. The City Manager shall take into consideration recommendations by the State of Alaska and the City's medical advisors when weighing the City's metrics.

### **Orange Alert: How Does it Work?**

In the event the City Manager declares an "Orange Alert," he will:

1. Submit a Declaration of "Orange Alert" to the City Clerk for distribution to City Council. The Declaration will provide the reasons for the declaration under the metric analysis and confirm that the Declaration is necessary to preserve public health, safety, and welfare within the City.
2. The Declaration shall be posted on the City website with notice of the date and time City Council will consider the Declaration.
3. City Council shall either approve or deny the Declaration via resolution within 48 hours of receiving it. Failure by Council to take action on the Declaration within 48 hours after it is posted shall constitute Council approval of the Declaration.
4. A copy of the Declaration, the resolution approving it, the "Community Outbreak Rules," and the effective date and time of the Declaration shall be posted on the City website no less than 24 hours before the rules take effect;

5. Notice of the "Orange Alert" status and the reasons for the deviation from the State's code level will be sent to the State of Alaska; and

6. If practicable, the City will notify all businesses registered with the City of the "Orange Alert" status and provide a copy of the "Community Outbreak Rules."

"The Community Outbreak Rules" or "Orange Alert Rules" may be amended at any time by an emergency order approved by Council. Unlike promulgated City COVID-19 Rules, Council may amend, revise or supplement Community Outbreak Rules during its consideration. Any Council revisions or amendments to the Community Outbreak Rules must be reviewed by the City Attorney for legality before becoming effective.

### **APPENDICES**

The City has attached the following documents and incorporates these documents into this Plan:

Appendix A: Seward's Color-Coded System

Appendix B: Emergency Order 2020-04 Revising Temporary COVID-19 Emergency Rules

Appendix C: Seward's Community Outbreak Rules

Appendix D: Municipal Resources Regarding Alaska's COVID-19 Recovery

Appendix E: State Resources Regarding Alaska's COVID-19 Recovery

## APPENDICES TABLE OF CONTENTS

The City has attached the following documents referenced or relied upon in the City COVID-19 Recovery Plan:

- Appendix A: Seward's Color-Coded System
- Appendix B: Emergency Order 04 Revising City of Seward Temporary COVID-19 Emergency Rules
- Appendix C: City of Seward "Code Orange" Community Outbreak Rules
- Appendix D: Local Resources Regarding Alaska's COVID-19 Recovery
- Appendix E: State Resources Regarding Alaska's COVID-19 Recovery

**APPENDIX A**

**City of Seward Color-Coded Alert System**

# UNDERSTANDING SEWARD'S COVID-19 ALERTS



**GO:** If we are seeing downward trends and all is going well, we will methodically move to **lift restrictions**. Seward follows the State's lead.

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**PROCEED WITH CAUTION:** If the situation is stable or we are seeing a slow increase in cases, we may ask for **voluntary measures to flatten the curve**. Seward follows the State's lead.

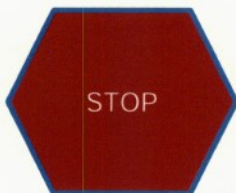
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## LOCAL OUTBREAK ALERT

### *Local Community Outbreak Rules Triggered*

- 1) Consistent or rapid increase in cases within the City
  - 2) Consistent or rapid increase in cases in a community in the City market or a community with direct lines of transportation with the City
  - 3) The City is running out of capacity to care for COVID-19 patients
- 
- 



**STOP:** If we are seeing a consistent or rapid increase in cases or if we think we are running out of capacity to care for people with COVID-19 (regardless of the trend in cases), then we will need to **reinstate some restrictions**. Seward follows the State's lead.

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**APPENDIX B**

**Emergency Order 04 Revising City of Seward Temporary  
COVID-19 Emergency Rules**

**EMERGENCY ORDER 04 REVISING THE CITY OF SEWARD TEMPORARY COVID-19 EMERGENCY RULES AND ADOPTING THE CITY OF SEWARD RECOVERY PLAN**

City Manager Scott Meszaros, in his capacity as the Director of Civil Defense and Disaster, hereby institutes the following revisions to City of Seward, Alaska's Temporary Emergency Rules and Procedures Regarding the COVID-19 Public Health Emergency ("Seward Emergency COVID-19 Rules") and adopts the City of Seward Recovery Plan approved by Council on **[Insert Date]**. These revisions become effective upon implementation by the City Manager and are necessary to protect the public health, welfare, and safety within the boundaries of the City of Seward. These rules and procedures may be identified as the "Emergency COVID-19 Rules" for ease of reference. These revised rules shall be posted on the City website and the City Clerk shall provide City Council members notice of these rules within five days of their adoption. City Council may repeal these rules in whole or in part via resolution. Except as otherwise provided in this revision, the Emergency COVID-19 Rules previously implemented by the City Manager remain in full force and effect. The revised dates contained in this Emergency Order are bolded and underlined.

**Rule 1. Electronic City Council Meetings.** Any regular or special meetings of the City Council ~~may~~<sup>should</sup> be conducted via electronic means, including audio or video conference, unless the Mayor determines that a meeting must be conducted at City Hall and that doing so does not pose a risk to the public health, safety, and welfare. The City Clerk shall post telephone number(s) to call into telephonic or video conference meetings on the City of Seward website and on the written agenda for all regularly scheduled and special meetings. Council shall ensure that reasonable accommodations are made to afford the public a right to be heard telephonically. Telephonic participation by the public is not ideal but is reasonable when weighed against the substantial risk to public health, welfare, and safety posed by group gatherings during the COVID-19 outbreak. In the event the Mayor determines an in-person meeting is necessary and does not pose a risk to public health, welfare, and safety, no more than five members of the public shall enter the same space to make comments at one time. The public may also submit written public comments for all telephonic or video conference Council meetings. The public written comments shall be read into the record during the public comment period at all Council meetings held electronically, except Council work sessions. If written public comments exceed three minutes, the first three minutes of the written comment shall be read during the meeting. Written comments must include the name of the contributor in order to be read publicly during telephonic or video conference meetings. Current time limits placed on public comments and testimony shall apply to telephonic and written public comments submitted under this rule. The City must continue to comply with meeting attendance and scheduling requirements under the Seward City Charter Section 3.2.

Temp. COVID-19 Rules and Procedures-5/21/20



**Rule 2. Council Meeting Notice and packet materials.** The City Clerk shall provide the public and media notice that is reasonable under the circumstances for all emergency special meetings held by Council. All special meetings and agenda items shall be posted on the City website no less than six hours before a special meeting. Failure to post the meeting materials shall not invalidate the actions taken by Council during an emergency meeting if Council states the reason for the failure to post adequate notice or provide materials and clearly finds that the notice and material access provided during the meeting was sufficient and reasonable in light of the emergency circumstances underlying the meeting.

**Rule 3. Meetings of Boards and Commissions.** The City Manager may cancel meetings of any board or commission if he finds that cancellation is necessary to protect public health, safety, and welfare. Any such cancellation shall automatically extend such deadlines for required actions by such board or commission as is specified in the cancellation notice. All board and commission meetings may be held electronically in the same manner ~~prescribed~~ authorized for Council meetings in Rule 1.

**Rule 4. ~~Reserved. Suspension of all Non-essential meetings and agenda items.~~** ~~All non-essential government meetings shall be postponed until no earlier than May 3, 2020. Non-essential action items shall also be postponed until no earlier than May 3, 2020 unless doing so would pose substantial financial harm on the City or another party. Any person objecting to the postponement of an action item may notify the City Manager in writing regarding his or her objection. The City Manager shall review any written objections received and shall determine if the objection warrants consideration of an action item by Council or the appropriate commission or board before May 3, 2020. The City Manager shall notify the Mayor of all written objections received and his determination. Upon receipt of a written objection, the Mayor may override the City Manager's decision to postpone an action item.~~

**Rule 5. Licensed or Permitted Activities.** The City Manager may suspend licenses or permits for special events or any other licenses or permits issued by the City which in the judgment of the City Manager could impact the public health or well-being of residents or visitors to the community.

**Rule 6. Purchases.** The City Manager may authorize any purchase for which funds are available reasonably related to the emergency. Such purchases may be made without following each formal requirement of Title 6 of the Seward City Code.

**Rule 7. Personnel Policies.** The City Manager may adjust any personnel policies related to leave time, other benefits or terms and conditions of employment as are reasonably related to providing sufficient staffing during the term of the emergency while protecting City employees and the community from COVID-19.

**Rule 8. Bargaining Units.** The City Manager is hereby authorized to enter into such temporary agreements, including memoranda of understanding with the City's

bargaining units in order to promote the provision of City services and the health and safety of the public and employees during the emergency.

**Rule 9. City Facilities.** The City Manager may close City facilities or limit hours of operation as is reasonably required to protect the health of the public and employees of the City.

**Rule 10. Public Access to City Facilities.** City offices and facilities shall be open to the public so long as doing so does not pose a substantial risk to public health and safety as determined by the Emergency Operations Team. City offices and facilities may limit access to administrative departments by "appointment only" or restrict the number of individuals permitted in City offices at one time. The City shall post its hours of operation and terms of access on the City website and on all entrances to City facilities. ~~are closed to the public until May 3, 2020 except as specified in this rule. The Harbormaster office and the Police Department dispatch window remain open to the public for service. City services and departments shall remain accessible to the public via telephone and email during regularly scheduled business hours.~~ Individuals may request appointments for in-person meetings with City staff, which will be accommodated if doing so will not jeopardize the health or safety of the community of Seward or its members.

**Rule 11. Private Facilities.** The City Manager may only require businesses and commercial enterprises operating within the City to close or limit operations ~~if necessary to protect public health, welfare, and safety when the City Manager has triggered "orange alert" status under the City COVID-19 Recovery Plan and the Community Outbreak Rules are in effect. The City Manager may only order such closures or impose limitations on private businesses and commercial enterprises when the State of Alaska formally recommends that such action be taken. Any action by the City Manager under this rule must be narrowly tailored to meet State of Alaska recommendations.~~

**Rule 11.1 Business COVID-19 Protection Measures and Protocols.** All businesses operating within the City shall comply with all relevant State of Alaska Health Mandates. All businesses serving members of the public at a physical location within the City shall post "COVID-19 Protection Measures and Procedures" on all entrances to and exits from the business. The "COVID-19 Protection Measures and Procedures" shall include, at minimum:

~~A. A brief statement identifying the essential service or critical infrastructure operation permitting the business to continue operations under the "State of Alaska Essential Business and Critical Infrastructure Workforce Order"~~

AB. The sanitation measures taken by the business to prevent the spread of COVID-19

BC. The social distancing measures taken by the business to prevent the spread of COVID-19

~~D. The description of a process for obtaining goods or services from the business without entering the business, if such a process is at all feasible.~~

~~E.C. A contact number for individuals to report any violations of these measures to the business owner or his or her designee.~~

An example of COVID-19 Protection Measures and Procedures will be posted on the City website. A "business" for purposes of this rule does not include state, federal or municipal government operations or facilities.

**Rule 11.2 ~~Essential Large Business Protocol/Mitigation Plan Submission and Acknowledgement/Critical Infrastructure State Protocols.~~** ~~All businesses continuing to operate at a physical location within the City or on its waters with more than 25 employees~~ Businesses shall identified as "essential" or as "critical infrastructure workforce" under the State of Alaska Essential Business and Critical Workforce Infrastructure Order (State Health Mandate 12 Attachment A) shall submit all protocols, COVID-19 Mitigation Plans or other State-mandated COVID-19 plans required by State of Alaska Health Mandate to the City as soon as possible after filing these protocols or plans with the State of Alaska. Businesses shall also provide the City confirmation of the State's approval of its plan or protocol no more than five days after receiving such approval. In the event a business plan or protocol requires amendment or is rejected by the State, the business submitting that plan or protocol must notify the City no more than 48 hours after receiving the State's notification of deficiency. Businesses required to submit a State plan or protocol under this rule shall complete a "State Protocol Acknowledgement" form and submit that form to the City with its protocol or plan. Submissions under this rule should be submitted electronically to [manager@cityofseward.net](mailto:manager@cityofseward.net). Businesses submitting a State plan and State Protocol Acknowledgement form under this rule are exempt from filing a mutual aid agreement under Rule 11.3.

Field

**Rule 11.3 Mutual Aid Agreements.** All businesses continuing to operate at a physical location within the City or on its waters with more than 25 employees must complete and file a Large Operator Mutual Aid Agreement with the City. This agreement will be available on the City's website. Submissions required under this rule shall be electronically submitted to [manager@cityofseward.net](mailto:manager@cityofseward.net). Businesses filing a State protocol or plan and State Protocol Acknowledgement form under Rule 11.2 are not required to file a mutual aid agreement under this rule. "Businesses" under this rule do not include state, federal or municipal government operations or facilities.

**Rule 12. Social Distancing.** All individuals shall comply with all State of Alaska Health Mandates while located within the City and no person shall enter City boundaries for an activity or in a manner that violates any State of Alaska Health Mandate. The City reserves the right to enforce these rules and State health mandates to the maximum extent permitted under law. In the event the City Manager issues an "orange alert," all individuals entering the City must also comply with the City's "Community Outbreak Rules" while the "orange alert" remains in effect. In the event that the City's Community

Outbreak Rules are in effect, these rules shall preempt any other less-restrictive local or state rules regarding social distancing or business operations.

**Rule 13. Amounts Due and Owing.** The City Manager, upon the recommendation of the Finance Director, is hereby authorized to extend deadlines for payment related to any amounts due and owing to the City.

**Duration.** These rules, as revised, are effective for 90 days from their date of implementation. Council may repeal any or all of these rules by resolution. No rule shall remain in effect for longer than is necessary to protect the public health, safety, and welfare from the emergency public health crisis caused by COVID-19. These rules shall expire immediately upon the repeal or expiration of the City of Seward declaration of emergency arising from COVID-19.

## CITY OF SEWARD TEMPORARY COVID-19 EMERGENCY RULES

*The following are the City of Seward Emergency COVID-19 Rules as revised in Emergency Order \_\_\_. While these rules are updated regularly, we strongly encourage the public to refer directly to the Emergency Orders posted on the City website to ensure that you are referring to the most recent version of the rules. COVID-19 and its impact on our community is rapidly changing. If you have any questions regarding the rules or how these rules apply to you or your business, please call the City at \_\_\_\_\_ or email the Emergency Operations Team at \_\_\_\_\_. Additionally, the City works hard to post up to date "Frequently Asked Questions" regarding both the State Public Health Mandates and City Rules.*

**Rule 1. Electronic City Council Meetings.** Any regular or special meetings of the City Council maybe conducted via electronic means, including audio or video conference, unless the Mayor determines that a meeting must be conducted at City Hall and that doing so does not pose a risk to the public health, safety, and welfare. The City Clerk shall post telephone number(s) to call into telephonic or video conference meetings on the City of Seward website and on the written agenda for all regularly scheduled and special meetings. Council shall ensure that reasonable accommodations are made to afford the public a right to be heard telephonically. Telephonic participation by the public is not ideal but is reasonable when weighed against the substantial risk to public health, welfare, and safety posed by group gatherings during the COVID-19 outbreak. In the event the Mayor determines an in-person meeting is necessary and does not pose a risk to public health, welfare, and safety, no more than five members of the public shall enter the same space to make comments at one time. The public may also submit written public comments for all telephonic or video conference Council meetings. The public written comments shall be read into the record during the public comment period at all Council meetings held electronically, except Council work sessions. If written public comments exceed three minutes, the first three minutes of the written comment shall be read during the meeting. Written comments must include the name of the contributor in order to be read publicly during telephonic or video conference meetings. Current time limits placed on public comments and testimony shall apply to telephonic and written public comments submitted under this rule. The City must continue to comply with meeting attendance and scheduling requirements under the Seward City Charter Section 3.2.

**Rule 2. Council Meeting Notice and packet materials.** The City Clerk shall provide the public and media notice that is reasonable under the circumstances for all emergency special meetings held by Council. All special meetings and agenda items shall be posted on the City website no less than six hours before a special meeting. Failure to post the meeting materials shall not invalidate the actions taken by Council during an emergency meeting if Council states the reason for the failure to post adequate notice or provide materials and clearly finds that the notice and material access provided during the meeting was sufficient and reasonable in light of the emergency circumstances underlying the meeting.

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**Rule 4. Reserved.**

**Rule 5. Licensed or Permitted Activities.** The City Manager may suspend licenses or permits for special events or any other licenses or permits issued by the City which in the judgment of the City Manager could impact the public health or well-being of residents or visitors to the community.

**Rule 6. Purchases.** The City Manager may authorize any purchase for which funds are available reasonably related to the emergency. Such purchases may be made without following each formal requirement of Title 6 of the Seward City Code.

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**Rule 8. Bargaining Units.** The City Manager is hereby authorized to enter into such temporary agreements, including memoranda of understanding with the City's bargaining units in order to promote the provision of City services and the health and safety of the public and employees during the emergency.

**Rule 9. City Facilities.** The City Manager may close City facilities or limit hours of operation as is reasonably required to protect the health of the public and employees of the City.

**Rule 10. Public Access to City Facilities.** City offices and facilities shall be open to the public so long as doing so does not pose a substantial risk to public health and safety as determined by the Emergency Operations Team. City offices and facilities may limit access to administrative departments by "appointment only" or restrict the number of individuals permitted in City offices at one time. The City shall post its hours of operation and terms of access on the City website and on all entrances to City facilities. City services and departments shall remain accessible to the public via telephone and email during regularly scheduled business hours. Individuals may request appointments for in-person meetings with City staff, which will be accommodated if doing so will not jeopardize the health or safety of the community of Seward or its members.

**Rule 11. Private Facilities.** The City Manager may only require businesses and commercial enterprises operating within the City to close or limit operations when the City

Manager has triggered "orange alert" status under the City COVID-19 Recovery Plan and the Community Outbreak Rules are in effect.

**Rule 11.1 Business COVID-19 Protection Measures and Protocols.** All businesses operating within the City shall comply with all relevant State of Alaska Health Mandates. All businesses serving members of the public at a physical location within the City shall post "COVID-19 Protection Measures and Procedures" on all entrances to and exits from the business. The "COVID-19 Protection Measures and Procedures" shall include, at minimum:

- A. The sanitation measures taken by the business to prevent the spread of COVID-19
- B. The social distancing measures taken by the business to prevent the spread of COVID-19
- C. A contact number for individuals to report any violations of these measures to the business owner or his or her designee.

An example of COVID-19 Protection Measures and Procedures will be posted on the City website. A "business" for purposes of this rule does not include state, federal or municipal government operations or facilities.

**Rule 11.2 Large Business Protocol/Mitigation Plan Submission and Acknowledgement.** All businesses continuing to operate at a physical location within the City or on its waters with more than 25 employees shall submit all protocols, COVID-19 Mitigation Plans or other State-mandated COVID-19 plans to the City as soon as possible after filing these protocols or plans with the State of Alaska. Businesses shall also provide the City confirmation of the State's approval of its plan or protocol no more than five days after receiving such approval. In the event a business plan or protocol requires amendment or is rejected by the State, the business submitting that plan or protocol must notify the City no more than 48 hours after receiving the State's notification of deficiency. Businesses required to submit a State plan or protocol under this rule shall complete a "State Protocol Acknowledgement" form and submit that form to the City with its protocol or plan. Submissions under this rule should be submitted electronically to [manager@cityofseward.net](mailto:manager@cityofseward.net). Businesses submitting a State plan and State Protocol Acknowledgement form under this rule are exempt from filing a mutual aid agreement under Rule 11.3.

**Rule 11.3 Mutual Aid Agreements.** All businesses continuing to operate at a physical location within the City or on its waters with more than 25 employees must complete and file a Large Operator Mutual Aid Agreement with the City. This agreement will be available on the City's website. Submissions required under this rule shall be electronically submitted to [manager@cityofseward.net](mailto:manager@cityofseward.net). Businesses filing a State protocol or plan and State Protocol Acknowledgement form under Rule 11.2 are not required to

file a mutual aid agreement under this rule. "Businesses" under this rule do not include state, federal or municipal government operations or facilities.

**Rule 12. Social Distancing.** All individuals shall comply with all State of Alaska Health Mandates while located within the City and no person shall enter City boundaries for an activity or in a manner that violates any State of Alaska Health Mandate. The City reserves the right to enforce these rules and State health mandates to the maximum extent permitted under law. In the event the City Manager issues an "orange alert," all individuals entering the City must also comply with the City's "Community Outbreak Rules" while the "orange alert" remains in effect. In the event that the City's Community Outbreak Rules are in effect, these rules shall preempt any other less-restrictive local or state rules regarding social distancing or business operations.

**Rule 13. Amounts Due and Owing.** The City Manager, upon the recommendation of the Finance Director, is hereby authorized to extend deadlines for payment related to any amounts due and owing to the City.

**Duration.** These rules, as revised, are effective for 90 days from their date of implementation. Council may repeal any or all of these rules by resolution. No rule shall remain in effect for longer than is necessary to protect the public health, safety, and welfare from the emergency public health crisis caused by COVID-19. These rules shall expire immediately upon the repeal or expiration of the City of Seward declaration of emergency arising from COVID-19.



**APPENDIX C**

**City of Seward "Code Orange" Community Outbreak Rules**

## CITY OF SEWARD "CODE ORANGE" COMMUNITY OUTBREAK RULES

These "Community Outbreak Rules" were adopted by Seward City Council via Emergency Ordinance 2020-006 on June 12, 2020. These rules **only** go into effect when the City Manager declares a "Code Orange" in Seward in compliance with the City COVID-19 Recovery Plan. During all other recovery phases, the City's Emergency COVID-19 Rules and the State of Alaska Health Mandates apply. To the extent State of Alaska health mandates are in effect that impose stricter restrictions or requirements, all those mandates shall apply.

**Rule O-1. Reversion to State Strict Social Distancing and Travel Mandates.** All individuals entering the City and all private facilities operating within the City must comply with State of Alaska Public Health Mandate 11 as it was issued March 27, 2020 ("Original State Health Mandate 11") and attached to these rules. Except as otherwise required in these Community Outbreak Rules, facilities and individuals shall continue to comply with all other State of Alaska Public Health Mandates that are not in direct conflict with Original State Health Mandate 11.

**Rule O-2. Medical Quarantine.** Individuals under a healthcare quarantine order or an individual testing positive for COVID-19 must:

1. Stay in his or her place of residence or lodging for the specified period of time in the quarantine order or for a minimum of 14 days from the date of a positive COVID-19 test if no quarantine order has been issued; and
2. Notify a healthcare provider that the individual is under medical quarantine or has tested positive for COVID-19 before making any physical contact with that healthcare provider or entering the provider's premises.

An individual subject to this rule may NOT leave his or her residence to attend work, obtain supplies, engage in physical exercise or any activity except as permitted by State of Alaska health mandate or permitted within the medical quarantine order issued to that individual. The City shall not physically force individuals into quarantine under this rule but the City shall fine individuals to the maximum extent permitted by law for violations of this rule and may obtain a court order enforcing the quarantine order against the individual. Each individual exit from quarantine constitutes a separate and distinct violation of this rule.



# City of Homer

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

## Administration

491 East Pioneer Avenue  
Homer, Alaska 99603

(p) 907-235-8121 x2222

(f) 907-235-3148

## Memorandum

TO: Mayor Castner and Homer City Council  
FROM: Rick Abboud, Acting City Manager  
DATE: June 16, 2020  
SUBJECT: Summary of Borough-Wide Communication Regarding CARES Act Funds

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On June 9, 2020, staff participated in a call hosted by Soldotna City Manager Stephanie Queen to discuss and coordinate Kenai Peninsula cities' approaches to CARES Act funds, focusing on those that would be passed through as grants to small businesses, non-profits, and individuals in the community. A follow-up call was later held with Kenai Peninsula Borough Community and Fiscal Projects Manager Brenda Ahlberg for clarification on how the borough is using CARES Act funds. The below summary details some of the points raised during these calls:

### **Borough and Pass-Through Funds to Cities**

A question was raised concerning the KPB's ability to pass on CARES Act Funds to cities if unable to expend the three allotments received from the State (totaling ~\$37.4M). The Borough does not have the authority to do this. Instead, the funds received by the KPB will be used for response, recovery, mitigation to assist businesses and non-profits impacted by COVID-19, whether it be direct or secondary impacts. KPB is aiming to open their grant program application period for two weeks beginning July 13<sup>th</sup> until July 24<sup>th</sup>. Checks to eligible entities will be awarded the second week of August. The amounts businesses/non-profits receive will be based on the entity's 2019 gross sales history. The borough can provide assistance to cities outside of Homer city limits (ie. Fritz Creek, Kachemak Selo). The borough does have some area-wide powers/responsibilities allowable under the CARES Act that can indirectly contribute to the Homer community, such as providing financial assistance to local schools.

### **Delinquency in SBERG Program**

The City of Homer was encouraged to revisit its stance on sales tax delinquency in the SBERG program. The SBERG program currently states that in order for an entity to be eligible, they "must not be delinquent on payments and filed returns with the Kenai Peninsula Borough Tax Department with no missed filings or balance due on record." There could be a substantial number of entities that are delinquent, quite possibly due to COVID-19. The City of Homer may want to consider changing this eligibility clause to 'must not be delinquent as a result of a lien or violation of payment plan' rather than simply being delinquent. Alternatively, the SBERG program can advertise that anyone delinquent can get current and then apply. The Borough is waiving consideration of an entity's second and third sales tax quarterly reports and will have that waiver provided as a laydown at their June 16<sup>th</sup> meeting. Information concerning this waiver has been provided in the upcoming worksession packet.

### **Accountability**

The KPB will be randomly auditing entities that receive Borough-distributed CARES Act Funds. This is because the borough is assuming they will be audited by the Feds if not next year, then possibly 3 to 5 years down the line. The borough believes they will have to prove to auditors that they assisted grantees in being accountable in how they used the funds. The borough will be providing staff support in order to help build, cultivate, and close all relationships formed with entities who receives CARES Act Funds. Per Ms. Ahlberg, a thorough demobilization of any established grant program is just as important as its creation and distribution of funds since the sub-recipients of CARES Act dollars (the cities) may be on the hook for any incorrectly used grants. The City of Homer needs to ensure all paperwork and applications received as part of the SBERG program assist the City in providing clear documentation that will be easily understandable to future staff and any auditors years from now. As an aside, the borough will be requiring all entities to state what funds they have already received and what those funds will be used for, along with listing out how they will be spending funds from the borough to ensure no duplication of spending will occur. This is how the borough is justifying giving CARES Act dollars to entities that have already received financial support through other programs. When an entity submits an application successfully and is awarded funds, their application will be considered (through a disclaimer) a binding contract between the KPB and the grantee, confirming everything listed in the application is true and correct. This step also ensures accountability and reduces the need for additional paperwork, and should be something included in the City's program. Currently, the State of Alaska's small business grant program will provide funds to businesses that have already received federal aid however any expenses covered by a federal program can't also be covered by the state program.

### **Ways KBP Cities are Structuring Distributions to Businesses**

The City of Soldotna is considering an eligibility requirement for businesses that have spent a certain amount of money in services within City limits. Further follow up from City Manager Stephanie Queen has been requested and shared with Council once received. Kenai is setting up their distribution to businesses with a tiered system of payments of \$2,500/\$5,000/\$7,500/\$10,000 based on gross sales, with the lowest tier set at \$50,000 gross sales. In their research, they determined that most businesses with less than \$50,000 gross sales are small, hobby-type businesses. Opening their program up to businesses with less than \$50,000 gross sales would diminish their ability to make more meaningful (impactful) contributions to other, larger businesses operating in the city. Homer City Council has decided to implement an equal distribution across the board rather than have a system based on tiers, or excluding anyone (tax delinquency excepted).

### **Nonprofit distribution discussion**

Kenai has developed its program for nonprofits as well. Eligible nonprofits do not have to be located within Kenai city limits, but they do have to show that they provide services within the City of Kenai. The top end of the distribution tier to Nonprofits is \$50,000, higher than the top business tier for the following reasons: Many fewer non-profits eligible under this program and non-profits in general rely on businesses donations to support operations. Businesses have less money to contribute to non-profits in this climate and CARES Act money distributed to businesses would not likely go to nonprofits through the business donations channel. Homer City Council can also use the distribution of CARES Act dollars to non-profits to encourage them to provide services to the community. For example, there could be an incentive (i.e. additional dollars awarded) if the nonprofit provides COVID-19 education materials/programs.

### **Internet Access**

Borough Administration may be proposing a wifi project to the Borough Assembly, either for this current wave of funding or the second wave to help improve poor internet connection is in many parts of the Borough now that residents are needing to telecommute more and may need to attend school online in the fall. While still in conceptual phase, the project may utilize towers currently operating in the borough (not installing towers)

and CARES Act funding would reimburse costs needed to provide wifi from that tower. We will follow this potential program to see if Homer towers may qualify.

The City of Soldotna boosted the internet signal at their library so that patrons could access internet from personal laptops/phones in their cars. The most recent emergency ordinance passed by Council for \$80,000 had \$20k earmarked for an online reservation system at the campgrounds. This project is no longer feasible, leaving funds available for a different use. In order to boost internet signal at Homer's library parking lot, the project is estimated at \$4,600. This could be a good expense to incur so that patrons can still access internet in case the Homer Public Library cannot offer in-person online reservations to use the library computers. Additionally, the borough will be encouraging the public to visit their local libraries to complete their KPB grant applications if they do not have internet access at home. This is a service the Homer Public Library is happy to assist the community with, something boosting internet signal would only enhance.

**From:** Angela Hinnegan <ahinnegan@sphosp.org>  
**Sent:** Monday, June 15, 2020 2:56 PM  
**To:** Rachel Friedlander <rfriedlander@ci.homer.ak.us>  
**Cc:** Rick Abboud <RAbboud@ci.homer.ak.us>; Elizabeth Walton <ewalton@ci.homer.ak.us>; Ryan Smith <RSmith@sphosp.org>  
**Subject:** RE: SPH and CARES/City of Homer

Good afternoon Rachel, thank you for reaching out to us to clarify our request. We are grateful for our partnership with the City of Homer and the Kenai Peninsula Borough and hope to continue that partnership beyond this emergency health event.

Since our letter to the City of Homer, our response efforts and funding requests continue to evolve. Although we know we have a financial shortfall, it has been difficult to pinpoint until we know how this virus will affect our local community and our hospital operations. What we know now is this:

- We received a final distribution from HHS. There will be no additional assistance from HHS to help cover our COVID response efforts.
- The Kenai Peninsula Borough has generously offered to allow us to apply for a grant of \$400,000 for our Category B expenses (PPE/Overtime/Alternate care site/Alternate testing site/testing supplies/Infection Control supplies) from their CARES Act Municipal Funds.
- Due to our new funding sources, the Hospital has \$523,000 in unfunded COVID-19 expenditures as of the date of this email. Due to a spike in COVID-19 activity on the peninsula, and significantly increased testing sites and volumes, this gap continues to grow.

We realize that the City council wishes to help as many businesses and individuals in the community as possible and we support that initiative as well. Please know that the Hospital comes to the City with no set dollar amount in mind but what the Council feels is appropriate. Here are some examples of expenditures for which we do not have a funding source:

- |  |           |
|--|-----------|
| • Long-term Care Unit COVID-19 consulting/planning/mitigation  | \$49,000  |
| • Payroll for Planning, Mitigation and Testing (unfunded portion only)   | \$393,000 |
| • Technology – Telehealth application for contactless appointments<br>(we requested a telehealth grant from the FCC, however it was not awarded) | \$51,000  |
| • Supplies – Other   | \$4,800   |
| • Ventilation Improvements (unfunded portion only)   | \$5,700   |
| • Alternate Care Site (unfunded portion only)  | \$19,000  |

As you can see, even \$100,000-\$200,000 could assist the hospital with a large portion of these costs. If the City would like to wait to assist the Hospital with funding from the second or third distribution, we are agreeable to that – although we could ask that the performance period for allowable expenditures be backdated to March 2020.

Again, thank you for your message and I welcome the opportunity to discuss this with you further. Please don't hesitate to reach out.

Kindest,

Angela

Angela Hinnegan, CPA  
Chief Financial Officer  
South Peninsula Hospital  
4300 Bartlett Street  
Homer, AK 99603  
907-235-0395 ph  
907-394-2081 cell  
[ahinnegan@sphosp.org](mailto:ahinnegan@sphosp.org)

## Municipal Arts & Culture Matching Grant Program

A partnership between Municipal Governments and Rasmuson Foundation

**Program Description.** The *Municipal Arts and Culture Matching Grant Program* is a partnership between Rasmuson Foundation and Alaska municipalities in cooperation with the Alaska Municipal League. It is designed to fund arts and culture organizations whose local revenue sources are disrupted by the COVID-19 pandemic. Municipal allocations of Direct Municipal Relief (a category of CARES Act funds) to local arts and culture organizations are matched by Rasmuson Foundation.

**Program Need.** Government mandates in response to the COVID-19 pandemic have caused cancellation of performances, festivals and traditional fundraising activities that local arts and culture organizations depend on for revenue. Additionally, loss of personal income has resulted in less revenue from memberships and donations. Through allocation of CARES Act funds, municipal governments can help sustain arts and culture infrastructure.

**Eligibility.** The matching grant program is intended to support arts and cultural organizations whose revenue sources have been negatively impacted by the COVID-19 pandemic. Municipalities may set their own criteria for allocation of Direct Municipal Relief funds, however, to receive *Municipal Arts & Culture Matching funds*, beneficiaries should be able to demonstrate real and projected revenue decline due to COVID-19 mandates. It is the responsibility of the municipality to ensure compliance with US Treasury guidelines for use of CARES Act funds.

Additionally, beneficiaries must:

- have been a viable nonprofit entity within the municipality on March 1, 2020; and
- have a mission to advance, support, educate or celebrate arts and culture.

Examples of qualifying entities include arts and culture camps, arts councils, dance organizations, theatre and performing arts organizations; symphonies, choral groups and other music entities; language and literary arts organizations; museums and arts-focused festivals and workshops.

**Municipal Guidelines.** Rasmuson Foundation will match a municipality's allocation of CARES Act funds to arts and culture organizations. The match ratio is 1:1 up to \$20,000 to any entity and 1:2 for allocated municipal funds in excess of \$20,000 to that entity.

Example: Municipality allocates \$40,000 of Direct Municipal Relief funds to the local theatre organization. Rasmuson Foundation will match \$20,000 @ 1:1 and remaining \$20,000 @ 1:2 (\$20,000 + \$10,000 = \$30,000). The theatre organization will receive a \$70,000 *Municipal Arts and Culture Matching Grant* (\$40,000 municipal + \$30,000 Rasmuson Foundation).

Rasmuson Foundation limits the match to \$50,000 per municipality and \$250,000 statewide.

The municipal allocation of CARES Act funds may not replace or supplant historical or budgeted municipal support.

## Municipal Arts & Culture Matching Grant Program

A partnership between Municipal Governments and Rasmuson Foundation

**How to Apply.** A municipality may administer the *Municipal Arts and Culture Matching Grant Program* directly or delegate it to a local organization tasked with administering municipal CARES Act funds. After making its allocation determinations, an authorized representative of the municipality applies to Rasmuson Foundation using the designated form. Rasmuson Foundation distributes funds to the municipality. The municipality then distributes the total grant award (CARES Act funds + Rasmuson funds) to arts and culture organizations within their community.

**Use of Funds.** *Municipal Arts and Culture Matching Grant* funds may be used for any legitimate operating or program expense incurred by the organization from March 1 through December 15, 2020 in accordance with CARES Act funding guidelines. Entities that have received funds through another CARES Act program such as PPP or EIDL are eligible for funding through the Direct Municipal Relief providing the use of funds does not duplicate or supplant those other funds.

**Reporting.** The municipality may require benefitted entities to report the use or expenditure of *Municipal Arts & Culture Matching* funds in accordance with CARES Act funding guidelines. The municipality shall verify to Rasmuson Foundation distribution program funds to organizations within 30 days of receipt of Rasmuson funds.



**From:** Ravn Air Group <[no-reply@ravnairgroup.com](mailto:no-reply@ravnairgroup.com)>

**Sent:** Wednesday, June 17, 2020 11:30 AM

**Subject:** Ravn Air Group Approved To Receive \$31.6 million in CARES Act Payroll Support Program (PSP) Grants

## Ravn Air Group Approved To Receive \$31.6 million in CARES Act Payroll Support Program (PSP) Grants

June 17, 2020—Ravn Air Group announced today that it has been approved by the U.S. Treasury to receive \$31.6 million in airline support payroll grants under the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) Payroll Support Program (PSP) subject to Bankruptcy Court approval, which would be available to Treasury-approved bidders seeking to buy the entire Air Group in an upcoming Chapter 11 sale process.

“Today’s announcement about CARES Act payroll grants is fantastic news for our creditors, our employees, our customers, and the 115 communities we served before we had to ground our fleet due to the COVID-19 Pandemic and subsequent travel restrictions. We are grateful to Alaska’s congressional delegation, Senator Lisa Murkowski, Congressman Don Young and especially Senator Dan Sullivan, for their incredible support and tireless work ensuring Ravn and other air carriers in Alaska were able to receive CARES Act support during this global crisis.

“Given this news, and the fact that we now have a number of interested, enterprise-wide bidders who want to buy the entire Air Group and its three airlines, we remain optimistic that we will be able to maximize creditor recoveries, exit Chapter 11 protection, and ensure that Alaska’s largest and most vital regional airline can resume operations later this summer,” said Dave Pflieger, Ravn’s President & CEO.

According to a recent Alaska Public Media report, the regularly scheduled passenger and cargo service that Ravn previously provided has been missed by many rural communities, with only limited service now offered to many Alaska villages, and caused organizations like the Yukon Kuskokwim Health Corporation (YKHC), to pay \$1,000 or more to charter flights and transport sick and ailing patients.

Alaska’s essential seafood industry has been similarly affected. “The City of Sand Point has been devastated by the loss of Ravn Air Group carrier service to the chain. We have very limited options to come and go to Anchorage for Medical, Business, grocery shopping, and some leisure activities. It sure would be nice to see Ravn back servicing our community. The cost of leaving the community has become prohibitive, leaving our residents in quite a bind,” said Glen Gardner Jr., Mayor of the City of Sand Point.

As announced on June 5th by the Honorable Brendan L. Shannon in the United States Bankruptcy Court for the District of Delaware, Ravn Air Group has also been authorized to run a

sales process for all or substantially all of its three airlines and their assets in parallel with the consideration of the plan of liquidation that was initiated when the airline filed for Chapter 11 protection on April 5th. Judge Shannon established June 24, 2020 as the deadline to receive bids for all or substantially all of its three airlines and other assets.

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Visit [FlyRavn.com](https://www.flyravn.com)

## About Ravn Air Group

Before it filed for Chapter 11 protection on April 5, 2020, following a 90% drop in bookings and revenue due to the arrival of COVID-19 in Alaska, and a resultant state-mandated travel ban to slow the spread of the Pandemic, Ravn was Alaska's largest and most vital regional air carrier. The company and its three separate airlines were supported by over 1,300 employees, and it carried passenger, mail, freight, and charter customers to more than 115 destinations throughout Alaska.

Headquartered in Anchorage, Ravn Air Group operated a safe and highly reliable fleet of 72 aircraft on more than 400 flights per day, annually carrying over 750,000 passengers per year, from hubs and communities including Anchorage, Fairbanks, Galena, Barrow, Nome, Kotzebue, Unalakleet, Bethel, Aniak, St. Mary's, McGrath, Dillingham, and King Salmon. In late 2018, Ravn acquired Peninsula Airways and its five Saab 2000s as part of a sale process that ended PenAir's two-year financial bankruptcy and added this company to the Ravn Air Group portfolio. Later, in 2019, Ravn Air Group started Essential Air Service flying to St. Paul in the Pribilof Islands with its highly reliable 29 & 37 seat DHC-8 (Dash 8) aircraft.

Ravn Air Group's two Part 121 air carriers are FAA-approved Safety Management System ("SMS") airlines. In addition, in May 2018 and again in April 2020, RavnAir Alaska became one of a few regional airlines in the U.S. to pass the challenging International Air Transportation Association's (IATA) Safety and Operational Audit (IOSA), and in 2019 RavnAir Alaska became the first and only IOSA-approved Part 121 regional airline in the State of Alaska.



February 12, 2020

Bryan Hawkins  
Port Director and Harbormaster  
City of Homer  
4311 Freight Dock Road  
Homer, AK 99603

Subject: Homer Large Vessel Harbor Expansion Owner's Representative

Thank you for this opportunity to submit information on potential ways that HDR can support the City of Homer (City) on the Homer Large Vessel Harbor Expansion Project (Expansion Project). This project will provide a new port and harbor area that alleviates the current over-stretched moorage needs and anticipated future needs of the harbor that benefit the community.

It is our understanding that the City of Homer engaged the U.S. Army Corps of Engineers (USACE) in 2004 to perform a Feasibility Study of the Expansion Project. This study was temporarily put on hold in 2008 as factors at the time resulted in an unfavorable cost benefit ratio (CBR) that would not support future federal funding. Recently, the USACE developed a Planning Assistance to States (PAS) Section 22 report that re-evaluated the potential CBR based on current information which were found to be more favorable. The City now anticipates the USACE will resume their General Investigation Study for the Expansion Project.

The Expansion Project will have both federal components, those dealing with mission of the USACE - primarily safe navigation, and non-federal components such as moorage facilities (i.e., docks, floats) and upland facilities. Both the federal and non-federal components are reliant upon each other to meet the needs of the Expansion Project as well as the CBR. Thus, it will be critical that the City is successful in developing the non-federal components in parallel to working with the USACE in developing the new basin.

At this stage in the Expansion Project, the path to successfully executing the Port Expansion is uncertain. To help guide and support the City through the federal process and plan non-federal Expansion Project components, HDR would be pleased to assist the City as an Owner's Representative. We feel confident we can provide value to the City in providing guidance working with the USACE and planning and executing large capital improvement projects.

## **Strategic Phased Approach**

For such a large complex project and especially due to the uncertainty in funding and funding sources, federal coordination/timeline, competing priorities, and multiple stakeholders, we recommend a strategic approach to project execution. Specifically, we recommend breaking down the project into discrete phases that are separated by "stage gates." These stage gates are a go/no-go decision that require thoughtfulness at multiple times throughout the project as to whether to advance to the next phase or re-evaluate the project approach. This process focuses efforts into appropriate tasks so that funding is responsibly and efficiently spent. A recommended phased approach includes the following:

**Table 1. Recommended Strategic Phases for Project Execution**

<b>Front End Planning</b>	<b>Phase 1: Appraise Opportunities</b> Identify potential opportunities, define the program, solicit initial stakeholder input, and perform desktop analyses
	<b>Phase 2: Select Alternatives</b> Evaluate project alternatives, select preferred alternatives, define and manage risks
	<b>Phase 3: Define/Develop Alternatives</b> Develop preferred alternative, determine procurement strategies, establish business plan for capital improvements
<b>Execution</b>	<b>Phase 4: Engineering and Procurement</b> Execute final designs and procurement of construction
	<b>Phase 5: Construction</b> Construct federal and non-federal program components
	<b>Phase 6: Commissioning and Start-up</b> Begin use of new facilities
	<b>Phase 7: Operations</b> Operate and maintain new facilities

These phases would run concurrently with the four-phased approach used by the USACE:

- Phase 1 – General Investigation Study,
- Phase 2 – Pre-Construction Engineering and Design,
- Phase 3 – Construction, and
- Phase 4 – Operations & Maintenance and Monitoring

This is shown graphically in Figure 1. Work being performed concurrently by the City of Homer is intended to be done cooperatively with the USACE supporting their mission and considering the project as a whole, both federal and non-federal components. Any in-kind work to be adopted by the USACE should only be performed if previously agreed upon and documented in a Memorandum of Understanding. Additional information on the USACE phased approach to project execution including cost sharing requirements is provided as an attachment to this document.

The first three phases of the strategic approach (Appraise Opportunities, Select Alternatives, and Define/Develop Alternatives) would be performed during the USACE General Investigation Study. Often the USACE Phase 2, Pre-Construction Engineering and Design (PED) occurs concurrently with their General Investigation Study. The PED would overlap directly with Phase 3 and Phase 4 of the strategic approach (Define/Develop Alternatives and Engineering and Procurement) as these are essentially the same tasks.

# Homer Large Vessel Harbor Expansion Project Development and Execution Process

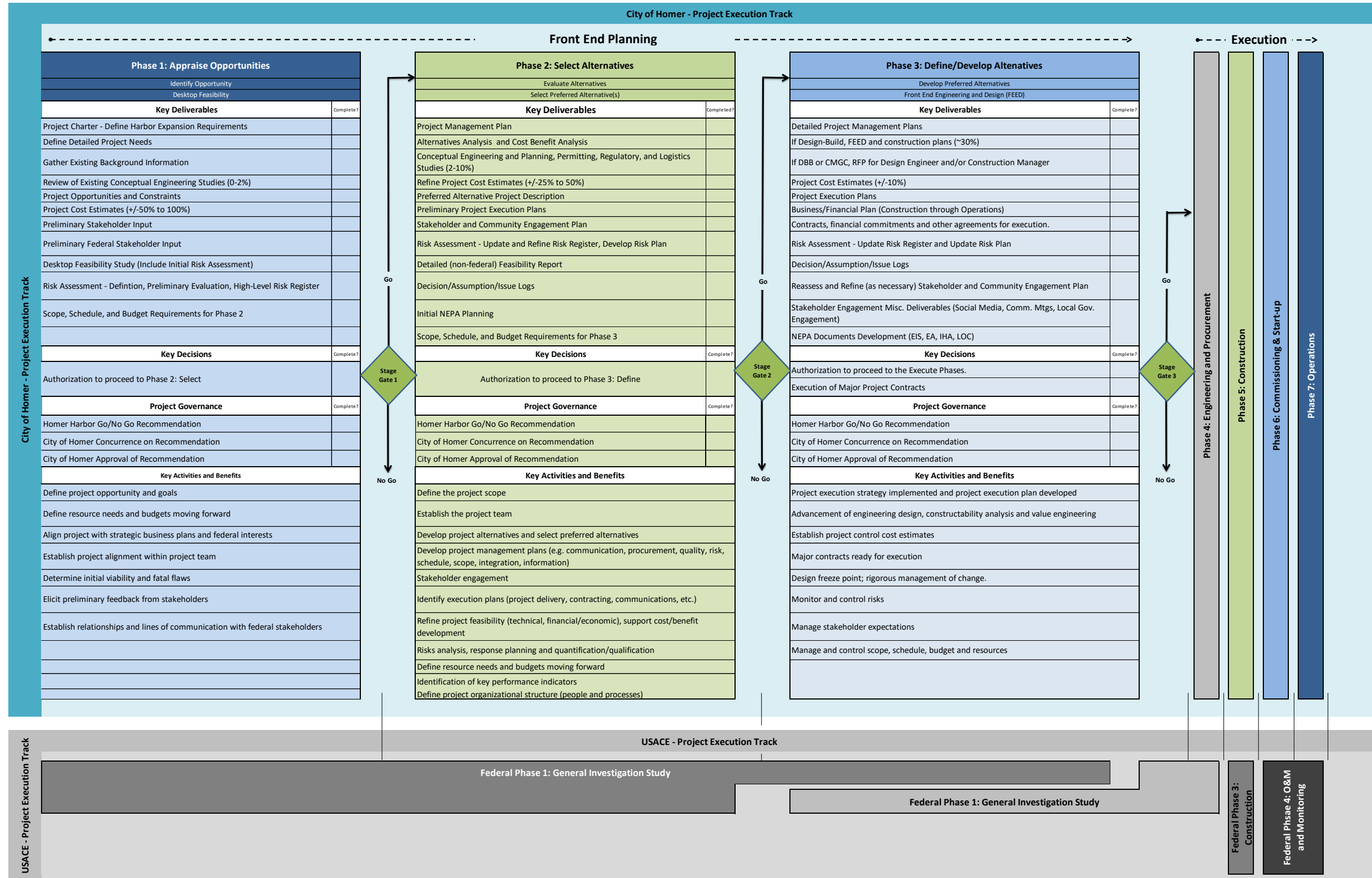


Figure 1 Strategic Phased Approach Stage Gate Concept



## Owner's Representative Tasks

The strategic phased approach outlined in Figure 1 provides the activities and tasks that need to be accomplished before moving to subsequent phases. These activities can be performed by the City, HDR, another supporting entity, or some combination of the above. At each phase, the project will become more defined, risks and risk mitigation will become clearer and as such it is recommended to develop scope, schedule, and budget for the each phase incrementally.

The following provides a potential scope for Phase 1.

### Phase 1: Appraise the Opportunity

Task 1 – Define Project Charter and Detailed Project Needs: HDR will facilitate a meeting with Homer Port and Harbor leadership and City leadership to establish an official charter that will be used as the basis for all decisions moving forward with the Expansion Project. Since federal funding is anticipated for a significant portion of the Expansion Project, it is recommended USACE staff attend to provide input to the charter that helps align the goals of the project to meet the USACE mission. HDR will provide examples of other large project and program charters to provide guidance in the structure and definition required for a robust and thoughtful charter. Following development of the charter, HDR will work with Homer Port and Harbor leadership to define detailed project needs used to shape alternatives for accomplishing the goals of the project.

Task 2 – Preliminary Stakeholder Outreach: HDR will work with Homer Port and Harbor staff to identify project stakeholders. HDR will then endeavor to meet with project stakeholders identified and solicit feedback on the project. Desired feedback includes but is not limited to goals of the project, anticipated outcome(s), concerns, anticipated challenges, impacts of the project to the stakeholders' business, and ideas for improving the CBR of the project. HDR will help to manage stakeholder expectations, communication, and provide meaningful insight for the future steps in the process.

Task 3 – USACE Coordination: HDR will attend the General Investigation kick-off meeting with the City of Homer assumed to be facilitated by USACE. Following the kick-off meeting, HDR will participate in status meetings between the USACE and the City of Homer (assumed to occur once per month). HDR will prepare Port Expansion materials to communicate and document the progress made by the City.

Task 4 – Desktop Feasibility Study: A desktop feasibility study (separate document from the USACE General Investigation or USACE Feasibility Study) will be developed to document various aspects of the developing project. Specific components of the Desktop Feasibility Study include:

- a. Gathering Existing Background Information
- b. Review Existing Conceptual Engineering Studies/Designs
- c. Preliminary Stakeholder Input
- d. Initial Risk and Fatal Flaws Assessment
- e. Conceptual Cost Estimates



HDR intends to incorporate any work already completed and avoid duplication.

Task 5 – Phase 2: Scope, Schedule, and Budget: Upon a “Go” decision at the Phase 1 stage gate, HDR will develop a scope, schedule, and budget for the next phase of the project, “Phase 2: Select Alternatives.”

## Owner’s Representative Level of Effort

In many large programs, the Owner’s Representative has a significant level of effort to include dedicated full-time staff, an onsite project office, and separate document control systems. This level of effort is more conducive for projects that have full or partial funding already established. With this project requiring a significant amount of federal dollars, which are not guaranteed and with an unknown timeline, this level of effort is not recommended. Instead, a lighter level of effort is suggested allowing for periods of non-activity which often occur with the USACE. The following provides two potential owner’s representative structures.

### Structure 1 - City of Homer Program Manager

In this structure, the City of Homer, through a designated representative or representative(s), takes on the lead program manager role. This individual would lead the program through the stage gate process identified above with HDR staff ready to support on an as-needed basis. This would be a reactionary role for HDR in which we have pre-identified staff with varying expertise to support the program manager on various tasks. This structure allows the City of Homer to have access to the wide variety of expertise provided by HDR and can mobilize and tailor efforts as needed. The organization chart below provides an outline of how this approach might look. HDR can provide details of staff listed upon request.

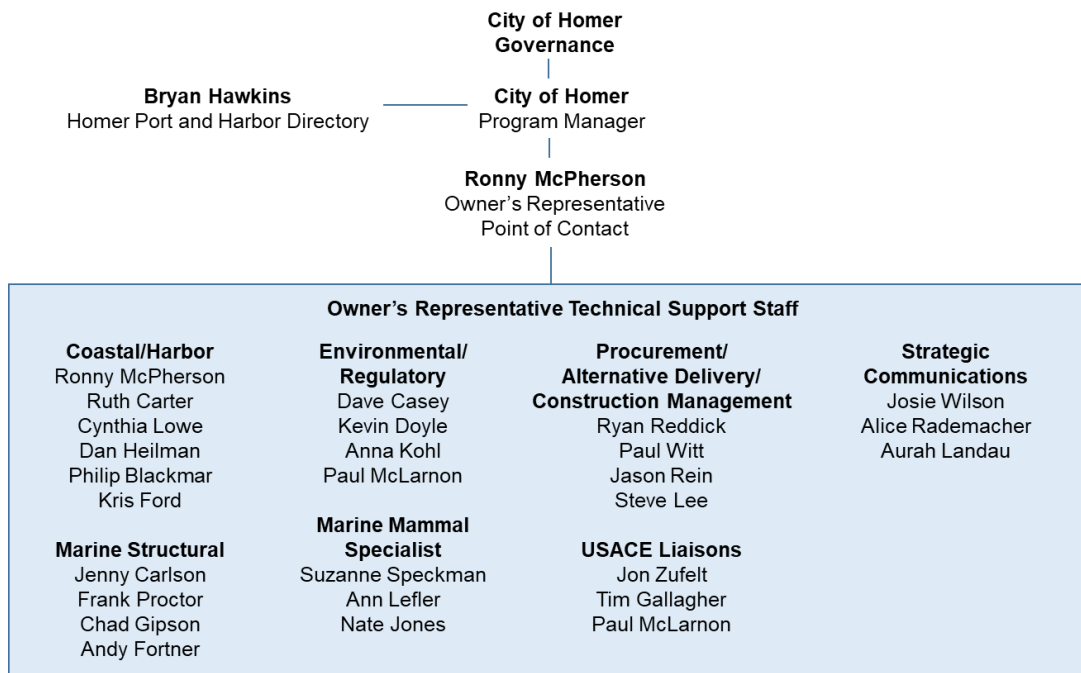


Figure 2. Organizational Chart for City of Homer Program Manager Approach

### Structure 2 – HDR Program Manager

In this structure, HDR would have an assigned Program Manager to lead the City of Homer through the stage gate process identified above. The City of Homer would still be the key decision maker. The HDR Program Manager would manage the various technical resources, coordinate meetings, and guide City of Homer decision makers at key steps with recommendations moving forward. This structure allows the City of Homer to work with HDR through the development of the program relying more heavily on HDRs management and coordination while still having ultimate control on key decisions. The organization chart below provides an outline of how this approach might look. HDR can provide details of staff listed upon request.

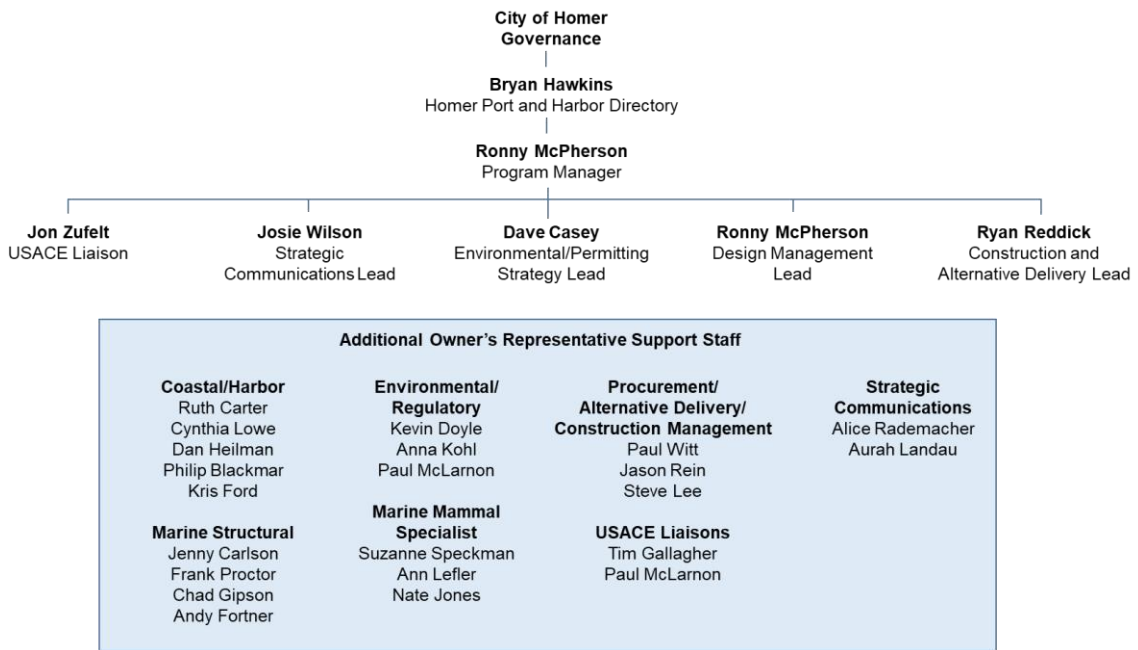


Figure 3. Organizational Chart for HDR Program Manager Approach

### Owner's Representative Costs

Table 2 provides ranges of cost for the two approaches for Owner's Representative for Phase 1, Appraise Opportunities.

Table 2. Cost Ranges for Phase 1: Appraise Opportunities

	Phase 1: Appraise Opportunities
<b>City of Homer Program Manager Approach</b>	\$0 to \$200,000
<b>HDR Program Manager Approach</b>	\$150,000 to \$300,000

The structure of the City of Homer Program Manager approach is essentially an as-needed contract. As such, the City can opt to not utilize HDR which would incur no costs or request HDR's attendance at meetings and/or assign various tasks to support the advancement of the





program. With the large range of potential level of effort desired, we highly recommend the structure of this contract be time and materials to allow the City to pay for only the services requested.

The HDR Program Manager approach assumes a duration of approximately 6 months and can still vary in cost depending on the desired level of effort. The high end value assumes a significant stakeholder outreach (both federal and non-federal) and more in-depth feasibility study while the low end represents a smaller initial stakeholder outreach and a feasibility study relying heavily on pre-existing data. We recommend this contract be setup with a mixture of fixed fee and time materials tasks or have all tasks as time and materials.

## Summary

HDR would be pleased to provide Owner's Representative services to the City of Homer to support the Homer Large Vessel Harbor Expansion Project. We recognize that the City needs to approach this project as strategically as possible especially regarding the uncertainty in federal funding and timeline. A phased stage gate approach is provided as a potential outline for approaching planning and executing of the overall program concurrently with the USACE process. We propose to provide services to execute this plan in either an as-needed capacity or in more direct management role depending on the City's desired role.

If there is interest in either of these approaches, we would like to discuss the City's vision of HDR's role in supporting the Expansion project and developing a detailed proposal for owner's representative services.

Thank you again for this opportunity to work with the City of Homer.

Sincerely,

Ronny McPherson  
HDR Coastal and Maritime Program Lead

### Attachments:

- Information on USACE Civil Works Process for Capital Improvement Projects Memorandum



# Memo

Date: Wednesday, December 11, 2019

To: Katie Koester and Bryan Hawkins (City of Homer)

From: Ronny McPherson (HDR)

Subject: Information on USACE Civil Works Process for Capital Improvement Projects

The U.S. Army Corps of Engineers (USACE) Civil Works projects include water resource development activities such as flood risk management, navigation, recreation, and infrastructure and environmental stewardship.

There are four phases in the development and execution of a Civil Works project. These include:

1. Planning/Feasibility
2. Preconstruction, Engineering and Design Phase (including development of plans and specs)
3. Construction
4. Operation and Maintenance (O&M)

## **Phase 1: Planning/Feasibility** (Cost sharing for this phase is 50% federal/50% local.)

- **Planning: Identify the Problem**

A local community and/or local government, or a non-profit organization, experiences water and related land resource problems, such as flooding, shore erosion, ecosystem restoration, or navigation restrictions. These problems are beyond the local community's/government's or organization's capabilities to alleviate or solve due to jurisdictional boundaries, financial resources, technical expertise, or other issues.

Local officials engage the USACE to find the appropriate federal program for their project.

- **Feasibility**

This stage includes a feasibility cost-sharing agreement, Feasibility Study, and Feasibility Report.

The first phase of work is a Feasibility Study, which determines if the preliminary project benefits will exceed projected project costs.

A project manager (PM) is appointed at the beginning of this phase to coordinate the project through planning, design, and construction. The PM serves as the point of contact with the local sponsor and other concerned parties.

During the Feasibility Phase, the local sponsor must execute a feasibility cost-sharing agreement (FCSA), in which they agree to share 50% of the total cost of all feasibility work,



including the Feasibility Report. Once the FCSA is signed, federal funds will be allocated, and the Feasibility Study is conducted.

After the study is complete, a Feasibility Report is prepared; it develops prospective project alternatives and conducts a detailed analysis of all relevant physical, biological, and socioeconomic impacts attributable to the alternatives. During this phase, any project-related environmental impacts must be assessed and, depending on their significance, preparation of an Environmental Assessment (EA) or Environmental Impact Statement (EIS) may be required. Most projects require an EIS.

A Real Estate Report is also prepared during this phase to determine what real property might be required to complete the project. It describes what facilities and/or private properties might need to be relocated, and includes a schedule and baseline cost estimate.

The draft Feasibility Study and draft environmental document (EIS or EA) are submitted for public review; all public comments are addressed in the final Feasibility Study. The Final Project Feasibility Report and Environmental Impact Statement (if required) are submitted to USACE in Washington, DC. The EIS is filed with the Environmental Protection Agency and made public. The Feasibility Report is endorsed in a summary document called the Chief's Report. Both documents are sent to relevant federal agencies for comment. After comments are addressed, the Chief's Report goes to Congress through the Assistant Secretary of the Army (Civil Works) and the Office of Management and Budget, both of which can comment on the report.

Congress then can issue a Project Authorization within the next Water Resources Development Act.

**Phase 2: Pre-Construction Engineering and Design** (Cost sharing for this phase is 75% federal/25% local.)

The purpose of the Pre-Construction Engineering and Design (PED) phase is to complete any additional planning studies and all of the detailed, technical studies and design needed to begin construction of the project. This phase usually overlaps with the end of the Feasibility Phase, and begins after a Design Agreement is signed; technical studies and design can begin while the Feasibility Report is being reviewed. This phase ends with the completion of the first set of detailed construction drawings and Plans & Specifications, or when Construction General funds are appropriated by Congress.

During the PED phase, the Design Documentation Report, if required, and the Plans & Specifications are prepared. The Project Cooperation Agreement (PCA) is prepared and negotiated, but is not signed until the Project Authorization is issued. The PCA is a key project document because it sets forth responsibilities and commitments regarding what will be built, cost sharing, real estate acquisitions and relocations, and other factors.

If changes to the project occur after Project Authorization, they may require additional analysis and re-evaluation.



**Phase 3: Construction** (Cost sharing for this phase is typically 65% federal/35% local.)

As a note, under the Section 107 Small Navigation Projects (less than \$10M), breakwaters, entrance channels, maneuvering areas less than 20 feet deep the cost sharing is 90% federal/10% local. For these same features for depths between 20 feet and 45 feet the cost sharing may be 75% federal/25% local.

Phase 3 begins after Construction General funds are appropriated and the PCA is negotiated and signed by the project sponsor and the Assistant Secretary of the Army for Civil Works. Once funds are available, the PCA is signed, real estate is acquired, and a Construction Contract is advertised and awarded, construction begins. If any additional design work is needed during Phase 3, it is called Engineering and Design (E&D), rather than PED.

Construction may take up to years for completion, depending on the extent of the project. During this phase, a Project Operation and Maintenance Manual is prepared, which contains instructions for the sponsor to follow after construction is completed.

Construction is considered to be complete when the project has been inspected and accepted from the contractor, and it is turned over to the sponsor for operation and maintenance.

**Phase 4: Operation and Maintenance Monitoring** (Typically O&M and Monitoring are locally funded. Navigation projects such as dredging are 100% federally funded.)

Unlike most USACE projects, Civil Works navigation projects such as this one are usually maintained by the USACE.

During Phase 4, the project is generally turned over to the sponsor for ongoing operation and maintenance, which includes repair, rehabilitation, and replacement, as required. All activities needed to make the project work are conducted; these include day-to-day work (e.g., trash removal) as well as long-term activities (e.g., dock repair, pump replacement, or even complete rehabilitation or replacement of the entire project). Final certification of all real estate necessary for operation and maintenance also takes place during this phase.

**Project Development Phases**

	<b>Feasibility</b>	<b>Preconstruction Engineering &amp; Design</b>	<b>Construction</b>	<b>Operation and Maintenance</b>
<i>Duration</i>	2-3 years	Approx. 2 years	Varies by project	As long as project remains authorized
<i>Activities</i>	Feasibility Study	<ul style="list-style-type: none"> <li>• Project authorization <sup>a</sup></li> <li>• Design documentation <sup>b</sup></li> <li>• Plans &amp; specs for first construction contract</li> </ul>	<ul style="list-style-type: none"> <li>• Engineering &amp; design <sup>b</sup></li> <li>• Plans &amp; specs <sup>b</sup></li> <li>• Construction</li> <li>• Real estate acquisitions/relocations</li> </ul>	<ul style="list-style-type: none"> <li>• Operation</li> <li>• Maintenance</li> <li>• Repair</li> <li>• Replacement</li> <li>• Rehabilitation</li> </ul>
<i>Funding</i>	50% federal 50% local	75% federal 25% local	65% federal 35% local	100% local -Or- 100% federal <i>Navigation features</i>
<i>Agreements and Contracts</i>	Feasibility Cost Sharing Agreement	<ul style="list-style-type: none"> <li>• Draft Project Cooperation Agreement</li> <li>• Design Agreement</li> </ul>	<ul style="list-style-type: none"> <li>• Final Project Cooperation Agreement</li> <li>• Construction Contract</li> </ul>	
<i>Documents and Reports</i>	<ul style="list-style-type: none"> <li>• Chief's Report</li> <li>• Feasibility Report</li> <li>• EA or EIS</li> <li>• Project Management Plan</li> <li>• Real Estate Plan</li> </ul>	<ul style="list-style-type: none"> <li>• Design Documentation Report <sup>b</sup></li> <li>• Real Estate Plan (update)</li> </ul>	<ul style="list-style-type: none"> <li>• Project Operation and Maintenance Manual</li> </ul>	

<sup>a</sup> Project authorization occurs during this phase.

<sup>b</sup> If needed.

**City of Homer  
General Fund  
Reconciliation  
Thru 3/31/20**

**Fund 100 - General Fund  
Reconciliation**

Updated 6/16/20

	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>3/31/2020 Actual</b>
<b>Beginning Balance</b>	<b>7,207,029</b>	<b>7,155,081</b>	<b>8,850,722</b>
<b>Revenue</b>			
Property Taxes	3,493,713	3,664,820	73,469
Sales and Use Taxes	6,412,983	5,949,524	1,059,824
Permits and Licenses	46,814	41,152	6,731
Intergovernmental	941,257	622,184	110,017
Charges for Services	1,971,793	2,198,067	1,657,334
Investment Income	64,372	188,592	69,023
Fines and Forfeitures	15,980	28,798	1,705
<b>Total Revenues</b>	<b>12,946,912</b>	<b>12,693,136</b>	<b>2,978,103</b>
<b>Expenditures</b>			
Current:			
General Government	3,013,262	3,038,205	609,254
Public Safety	4,148,352	4,182,027	1,055,010
Public Works	2,425,687	2,494,337	519,489
Library	852,197	853,759	193,955
Airport	189,505	193,324	73,063
Community Services	94,000	94,000	-
<b>Total Expenditures</b>	<b>10,723,003</b>	<b>10,855,652</b>	<b>2,450,771</b>
<b>Excess of Revenues Over (Under) Expenditures</b>	<b>2,223,909</b>	<b>1,837,484</b>	<b>527,332</b>
<b>Other Financing Sources (Uses)</b>			
Transfers In	14,576	721,093	746,494
Transfers Out	(2,290,433)	(922,329)	(499,211)
<b>Net Change in Fund Balance</b>	<b>(51,948)</b>	<b>1,636,248</b>	<b>774,615</b>
<b>Ending Balance</b>	<b>7,155,081</b>	<b>8,791,329</b>	<b>9,625,336</b>

**City of Homer**  
**HAWSP Reconciliation**  
**Thru 3/31/20**

**Fund 205 - HAWSP**  
**Reconciliation**  
Updated 6/16/20

	2018 Actual	2019 Actual	3/31/2020 Actual
<b>Beginning Balance</b>	<b>(3,356,086)</b>	<b>(2,748,991)</b>	<b>2,281,802</b>
<b>Revenue</b>			
Sales Tax	1,244,495	1,462,014	260,367
Reimbursements	-	-	-
Assessment Revenue	485,043	607,034	-
Interest Income	-	-	-
Penalties/Interest	-	-	-
Assessment Interest	58,557	46,309	-
Other Grants	-	-	-
Other Revenue	-	100,011	-
Transfer In	-	4,063,561	-
Operating Transfer	-	-	-
<b>Total Revenue</b>	<b>1,788,095</b>	<b>6,278,929</b>	<b>260,367</b>
<b>Expenditures</b>			
Professional Services	-	-	-
Engr/Arch/Design	-	-	-
GF Admin Fees	137,309	143,856	148,287
Construction	-	-	-
Debt Payment - Principal	892,157	881,066	67,413
Debt Payment - Interest	151,533	148,700	16,241
Deferred Loss Expense	-	-	-
Bond Issue Fees	-	-	-
Transfers to	-	74,514	-
Proceeds from LT Debt	-	-	-
De-obligation Revenues	-	-	-
<b>Total Expenditures</b>	<b>1,180,999</b>	<b>1,248,136</b>	<b>231,941</b>
<b>Change in Net Assets</b>	<b>607,095</b>	<b>5,030,793</b>	<b>28,426</b>
<b>Ending Balance</b>	<b>(2,748,991)</b>	<b>2,281,802</b>	<b>2,310,227</b>

**"Transfer In" Detail**

Project Closeout (Ord 19-57(S-2))			
215-0834: Kachemak Dr Water Main Phase III		158	
215-0836: Old Cast Iron Water Main Rep De		5,693	
215-0835: Water System Distr/Storage		21,078	
215-0859: East End W/S Expansion		507,994	
215-0865: Design Water Plant		427,557	
Reclass FB - W/S Operations to HAWSP (Ord 19-58)		3,101,082	
<b>Total Transfer In</b>	<b>-</b>	<b>4,063,561</b>	

**"Transfer To" Detail**

Project Closeout (Ord 19-57(S-2))			
215-0815: Bartlett/Hohe Reconstruction		53,786	
215-0829: East End Road PVC Pipe Replacement		15,276	
215-0837: Shellfish Ave/South Slope Water Main		5,200	
Reclass Unreimbursed Expenditure		252	
<b>Total Transfer To</b>	<b>-</b>	<b>74,514</b>	

**City of Homer**  
**HART - Roads Reconciliation**  
**Thru 3/31/20**

**Fund 160 - HART - Roads**  
 Reconciliation

<b>Department</b>	<b>Dept #</b>	<b>2018</b>	<b>2019</b>	<b>3/31/2020</b>
General - Sales Tax Income	375	-	1,315,812.59	234,329.92
General - Interest Income	375	64,323.38	180,136.62	45,594.80
General - G/F Fees	375		(115,084.93)	(118,629.41)
Other Transfer	375		(799,222.70)	
Misc Expenses	375			
Sub Total (375)		64,323.38	581,641.58	161,295.31
Waddell Way	766		23,197.48	
Soundview/woodard creek	771			
Crittenden/Webber	774			
Greatland	775	(640,714.04)	(4,698.61)	
Hornaday Improvements	778		(15,427.77)	
Eric Lane	790		(839,406.48)	
Heath Street Storm	930		(65,000.00)	
Net Assets		(576,390.66)	(319,693.80)	161,295.31
Beginning Fund Balance		6,616,062.61	6,039,671.95	5,719,978.15
Adj to Fund Balance	<a href="#">Transfer from</a>			
<b>Ending Fund Balance</b>		<b>6,039,671.95</b>	<b>5,719,978.15</b>	<b>5,881,273.46</b>



**City of Homer  
HART - Trails Reconciliation  
Thru 3/31/20**

**Fund 165 - HART Trails  
Reconciliation**

<b>Department</b>	<b>Dept #</b>	<b>2018</b>	<b>2019</b>	<b>3/31/2020</b>
General - Sales Tax Income	375 4201		146,201.40	26,036.64
General - Interest Income	375 4801	5,903.79	17,859.31	4,958.50
General - Plans & Specs	375 4610			
General - Professional Svcs	375 5210		(5,102.30)	
General - G/F Fees	375 5241		(28,771.23)	(29,657.35)
Other Transfer	375	(1,560.00)	(38,004.63)	
Misc Expenses	375			
Net Assets		4,343.79	92,182.55	1,337.79
Beginning Fund Balance		564,008.23	568,352.02	660,534.57
<b>Ending Fund Balance</b>		<b>568,352.02</b>	<b>660,534.57</b>	<b>661,872.36</b>



# City of Homer

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

Finance Department

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

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(f) 907-235-3140

## Memorandum

TO: Mayor Castner and Homer City Council  
THROUGH: Rick Abboud, Acting City Manager  
FROM: Elizabeth Walton, Finance Director  
DATE: June 17, 2020  
SUBJECT: Fund Balance Update

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This memo will provide additional information in relation to the fund balance presentation for the following City funds: General Fund, Water/Sewer Fund, HART-Roads, HART-Trails, HAWSP, and Police Station Debt Service Fund.

### Modeling Criteria:

Data was extracted directly out of our accounting software. The data was verified to match the issued 2018 audited financial statements. The formulas used to generate the 2018 data was extended to fiscal year 2019 and the first quarter of 2020.

Therefore, it is important to note that this information is preliminary in nature and that there is a possibility that the data will be modified during the 2019 audit process. Finance will keep documentation that explains the variances in data presented here and the final statements issued later this year.

### Update from June 8<sup>th</sup> Worksession:

A formula error was identified in the allocation of sales tax amongst city funds for FY19 to present. The sales tax rate was increased in 2019 (voter approved increase to fund the bond payment and ongoing maintenance for the police station). This increase was not correctly incorporated into our allocation formula and, therefore, sales tax was distributed lower to the police station debt service fund and higher to the General Fund, HAWSP and HART funds.

The necessary corrections have been made and the formula has been updated going forward. Here is the updated breakdown of total sales tax received in 2019 (unaudited) for each fund:

- General Fund: \$5,949,524; HAWSP: \$1,462,014; HART-Roads: \$1,315,813; HART-Trails: \$146,201; Police Station Debt Service Fund: \$584,806

Updated FB reports for these funds are accompanying this memo, and an updated 4Q report for the General Fund will be provided in the supplemental packet.

City of Homer  
2020/21 Budget Modeling

FUND 100 GENERAL FUND COMBINED STATEMENT	Projected			Projected		
	Adopted	Lower Bound	Upper Bound	Adopted	Lower Bound	Upper Bound
	12/31/20 Budget	12/31/20 Budget	12/31/20 Budget	12/31/21 Budget	12/31/21 Budget	12/31/21 Budget
<b>REVENUE:</b>						
Property Taxes	3,475,775	3,128,197	2,780,620	3,535,212	3,181,690	2,828,169
Sales & Use Taxes	5,508,638	4,682,342	3,305,183	5,616,808	4,774,287	3,370,085
Permits & Licenses	41,526	41,526	41,526	45,342	45,342	45,342
Fines & Forfeitures	20,762	20,762	20,762	22,643	22,643	22,643
Use of Money & Property	43,662	43,662	43,662	74,720	74,720	74,720
Revenues from Other Agencies	562,800	562,800	562,800	562,800	562,800	562,800
<i>PERS and Shared Revenue</i>	-	-	-	-	-	-
Charges for Services	594,610	594,610	594,610	580,537	580,537	580,537
Other Revenue	-	-	-	-	-	-
Airport	163,455	76,168	76,168	191,240	74,858	74,858
<b>Total General Fund Revenue</b>	<b>10,411,226</b>	<b>9,150,066</b>	<b>7,425,330</b>	<b>10,629,301</b>	<b>9,316,877</b>	<b>7,559,154</b>
<b>Total Transfer from other Funds</b>	<b>2,048,282</b>	<b>2,048,282</b>	<b>2,048,282</b>	<b>2,245,049</b>	<b>2,245,049</b>	<b>2,245,049</b>
<b>Total Revenues &amp; Transfers (W/O PERS Relief)</b>	<b>12,459,508</b>	<b>11,198,348</b>	<b>9,473,611</b>	<b>12,874,350</b>	<b>11,561,926</b>	<b>9,804,202</b>
<b>EXPENDITURES:</b>						
Personnel (W/O PERS Relief)	8,217,958	8,217,958	8,217,958	8,647,865	8,647,865	8,647,865
Operations & Maintenance	3,636,760	3,636,760	3,636,760	3,642,028	3,642,028	3,642,028
Debt Service	-	-	-	-	-	-
<b>Total Operating Expenditures</b>	<b>11,854,719</b>	<b>11,854,719</b>	<b>11,854,719</b>	<b>12,289,893</b>	<b>12,289,893</b>	<b>12,289,893</b>
<b>Operating Surplus/Deficit before Transfers</b>	<b>604,789</b>	<b>(656,371)</b>	<b>(2,381,107)</b>	<b>584,457</b>	<b>(727,968)</b>	<b>(2,485,691)</b>
<b>Operating Transfers To:</b>						
<b>CARMA Funding:</b>						
Police Fleet Reserve				23,456	23,456	23,456
PW Fleet Reserve	196,500	196,500	196,500	94,500	94,500	94,500
Fire Fleet Reserve				110,000	110,000	110,000
Parks & Recreation Reserve				27,857	27,857	27,857
Fire Reserve	87,257	87,257	87,257	40,000	40,000	40,000
Airport Reserve	83,397	83,397	83,397			
<b>Total CARMA Funding:</b>	<b>367,154</b>	<b>367,154</b>	<b>367,154</b>	<b>295,813</b>	<b>295,813</b>	<b>295,813</b>
<b>Mandatory:</b>						
Seawall Maintenance Reserve	10,000	10,000	10,000	10,000	10,000	10,000
Other Transfers - Balancing Health Insurance	574	574	574	2,018	2,018	2,018
Transfer to Water Hydrants	99,629	99,629	99,629	108,433	108,433	108,433
Revolving Energy Fund Repayment	22,788	22,788	22,788	21,718	21,718	21,718
Leave Cash Out Bank	104,643	104,643	104,643	146,474	146,474	146,474
<b>Total Mandatory:</b>	<b>237,635</b>	<b>237,635</b>	<b>237,635</b>	<b>288,644</b>	<b>288,644</b>	<b>288,644</b>
<b>Total Operating Transfers:</b>	<b>604,789</b>	<b>604,789</b>	<b>604,789</b>	<b>584,457</b>	<b>584,457</b>	<b>584,457</b>
<b>Total Expenditures &amp; Operating Transfers</b>	<b>12,459,508</b>	<b>12,459,508</b>	<b>12,459,508</b>	<b>12,874,350</b>	<b>12,874,350</b>	<b>12,874,350</b>
<b>Total Deficit</b>	<b>0</b>	<b>(1,261,159)</b>	<b>(2,985,896)</b>	<b>0</b>	<b>(1,312,424)</b>	<b>(3,070,147)</b>

Lower Bound Model Parameters:

- Property Tax reduced by 10%
- Sales Tax reduced by 15%

Upper Bound Model Parameters:

- Property Tax reduced by 20%
- Sales Tax reduced by 40%

Airport revenues were reduced in FY20/21 by the amount of potential lost lease revenue by RAVN's departure.

**City of Homer  
Police Station Debt Service Fund  
Reconciliation  
Thru 3/31/20**

**Fund 154 - Police Station DSF  
Reconciliation**

Updated 6/15/20

	2018 Actual	2019 Actual	3/31/2020 Actual
<b>Beginning Balance</b>	-	-	536,988
<b>Revenue</b>			
Sales Tax	-	584,806	104,147
Interest Income	-	54,113	14,718
<b>Total Revenue</b>	-	<b>638,918</b>	<b>118,865</b>
<b>Expenditures</b>			
Debt Payment - Principal	-	-	-
Debt Payment - Interest	-	101,931	-
<b>Total Expenditures</b>	-	<b>101,931</b>	-
<b>Change in Net Assets</b>	-	<b>536,988</b>	<b>118,865</b>
<b>Ending Balance</b>	-	<b>536,988</b>	<b>655,853</b>

**From:** Rick Abboud <RAbboud@ci.homer.ak.us>  
**Sent:** Wednesday, June 10, 2020 4:03 PM  
**To:** kachemak@xyz.net  
**Cc:** Rachel Friedlander <rfriedlander@ci.homer.ak.us>  
**Subject:** RE: Questions about the possibility of city water for the Kachemak Community Center

Erica,

Greetings, I'm Rick Abboud the Acting City Manager as of yesterday. At this time we do not have a clear path in code for your request and we do not have any estimates on costs. I do recall several proposals that were considered to make provisions for expanding a water distribution system into Kachemak City and none of them came to fruition. Any path to this provision is likely to lead to considerable debate and may just end up back to the position that was offered and not acted upon.

Yours Truly,

Rick

.....

**From:** Kachemak City <[kachemak@xyz.net](mailto:kachemak@xyz.net)>  
**Sent:** Thursday, June 4, 2020 1:33 PM  
**To:** Mayor Email <[Mayor\\_Email@ci.homer.ak.us](mailto:Mayor_Email@ci.homer.ak.us)>; Department City Manager <[City\\_Manager@ci.homer.ak.us](mailto:City_Manager@ci.homer.ak.us)>  
**Subject:** Questions about the possibility of city water for the Kachemak Community Center

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Mayor Castner and City Manager Yoder,  
I'm writing to request information about the possibility of city water for the Kachemak Community Center. As you know, this building houses the clerk's office and the fire truck; it is used for council meetings and elections. It is also used for community gatherings (including the Kachemak Bay Quilters, Farmers Market meetings, Homer Soil and Water District Meetings, Black Friday Holiday Fair, Idea Homeschool meetings, and two church groups). The building has a roof-water catchment system that provides water for sinks and toilets, but it's not potable. Recently, Mayor Overway discovered a hole in the water tank and has temporarily patched it. Hence, the Kachemak City Council has been discussing options regarding water, and asked me to contact you with a couple questions. What is the process for applying for city water for this building? If allowed to hook up to city water, what would the cost be?  
Thank you very much,  
Erica Fitzpatrick  
Kachemak City Clerk



## 3 WAYS TO BE COUNTED ON THE PENINSULA



- 1 Online at [2020census.gov](https://2020census.gov)
- 2 Call 1-844-330-2020
- 3 Fill out the form sent to you

*Please do it today!*



“**Kenai Peninsula, we need you to be counted.  
Please complete the 2020 Census today!”**

— **TIM DILLON**, *Volunteer Chair*  
*Complete Count Committee*  
907-283-3335

271

**2020census.gov**

**Council Initiated/Involved Projects**

**Updated 6/18/20**

Date Initiated	Project	Primary Impacted Departments/Divisions	Status	Category	% Complete	Next Steps/Notes	Sponsor/Champion
Feb 2017 (Reso 16-128 SA)	New Police Station	HPD, Public Works, IT	Generator disconnected from service at old police station on 6/18. Staff can provide tour of building before or after August 1 depending on Councilmembers' availability. See status update provided in June 8 Manager's Report.	Large	96	Estimated move in date is by August 1, 2020.	Mayor/Council
March 2019 (Reso 19-018)	Green Infrastructure Study	Administration, Public Works	There are four 4x6 interpretive signs that explain green infrastructure to be installed at police station (will be installed next week), Library, and City Hall. Budget for this project closes at the end of this month.	Medium	95	Final report to be completed week of June 22nd. Staff figuring out how to handle public education component under protocols of COVID-19.	Lord
Feb 2011 (Ord 11-02 SA)	Energy Conservation at City Buildings (lighting)	Public Works	The light conversion project is complete except for 7 interior lights at the harbormaster office. That could be complete in a week, except for all the interruptions and extra challenges due to the COVID issues.	Medium	90	Installation will be completed once additional PW staff come online in fall/winter if not sooner.	Stroozas
Nov 2019 (Ord 19-49 SA)	Medical Zoning District	Planning	Held a public hearing last night, results will be provided most likely in next Planning Commission report.	Medium	85	Planning Commission to make recommendation to Council.	Smith
Oct 2019 (Reso 19-073 S)	Right of Way Clearing Policy	Administration, Public Works	Ord 20-26 introduced, awaiting decision at June 22 meeting. Ord creates an Annual Road Maintenance Plan.	Medium	85	Awaiting Council decision.	Lord/Aderhold
May 2019 (Ord 19-17)	Ice Plant Feasibility Study	Port and Harbor	Received engineer/consultant recommendations but project put on hold. Will be addressed at P&HAC meeting in July.	Small	75	Staff currently are implementing no cost solutions to increase efficiency using feedback from the report. Main goal will be to insitute the low cost items that promise returns/savings first and set the bigger items on a longer timeline (after pandemic). Staff most likely wont implement larger recommendations until 2021 unless time and funds allow.	Stroozas
Reso 20-012 (A), Memo 20-015	Reopening HAWSP	Administration, Finance	Council discussed PC recommendations and fiscal health of fund on March 9, 2020.	Medium	65	Revise/update HAWSP Policy Manual.	Castner/Lord
Dec 2019 (Ord. 19-54 S2 A2)	Wayfinding Plan/Committee	Administration	Project on hold. Staff developing RFP for internal review.	Medium	60	Assess staff capacity to usher project through posting, selection of contractor and development of plan which requires staff availability and public engagement.	Venuti/Smith
Sept 2019 (Ord 19-38 A S)	HERC Demolition	Public Works	City Engineer to provide estimates to Council at June 22 meeting.	Medium	35		Mayor/Council
Sept 2019 (Memo 19-153)	Traffic Calming Policy	Administration, HPD, Public Works	Project on hold.	Medium	35	Research collated. Admin staff currently working on draft policy in preparation for PW, HPD review.	Lord
Aug 2019 (Ord 19-35 S)	Fund Balance Policy, City-wide	Administration, Finance	Needs Council direction.	Medium	25		Mayor



**Council Initiated/Involved Projects**

**Updated 6/18/20**

Date Initiated	Project	Primary Impacted Departments/Divisions	Status	Category	% Complete	Next Steps/Notes	Sponsor/Champion
Memo 20-015	Climate Action Plan Progress Report	Administration, Public Works	City has been accepted for membership to ICLEI. Awaiting invitation to use software to input energy data.	Medium	20	Input City energy data. Draft analysis of CO2 usage at City buildings.	Aderhold
Jan 2018 (Ord 18-03)	Large Vessel Harbor General Investigation Study	Administration, Port and Harbor (and ADOT, Army Corps, KPB/EDA)	Further detail provided in June 8 Manager's Report.	Large	5	Confirm with KPB EDA funding application status. Develop MOU to reinstate relationship with SOA on project. Work with Council on hiring of lobbyist.	Lord/Smith
Dec 2019 (Ord 19-51 A)	Spit ADA Parking Improvements	Port and Harbor, Public Works	Project could be set in motion within a couple of weeks - asphalt factory is up and running so there is adequate supply. CIP information concerning this project will be presented to Council at June 22 meeting.	Medium	0	Funded through ADA CARMA budget amendment.	Aderhold
Dec 2019 (Ord 19-51 A)	Spit Parking Study	Port and Harbor, Public Works	Project on hold until 2021 as detailed in May 11, 2020 City Manager's Report	Medium	0	Reevaluate Jan. 2021.	Lord

*Please note:*

*\*It is of great benefit for Admin Initiated projects to have the sponsorship of a Councilmember(s).*

*\*Color-coding indicates how close to completion a capital project is; Red (0-24%), Yellow (25-74%), Green (75-100%)*

*\*The proposed categories (small, medium, and large) are intended to gauge workload for city staff and the attorney to develop or implement and do not reflect level of priority.*

**From:** Homer Foundation <info@homerfoundation.org>  
**Sent:** Wednesday, June 17, 2020 11:28 AM  
**To:** Department City Manager  
**Subject:** Summer 2020 Newsletter from Homer Foundation

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## A Summer to Remember

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### Update from the Executive Director

There are certain times and seasons which stand out in our individual and collective memories. For better or worse, the summer of 2020 will be remembered for a long time; COVID-19 daily counts, social unrest sparked by a senseless and avoidable death, depressed economy, financial market difficulties. All of these are true, and we wish none of them had happened.

As justifiably upsetting as these things are, we want to focus on what else has happened during this pandemic. The Homer area raised over \$130,000 to help our neighbors (\$66,752

from the Church on the Rock, I Love Homer fund and \$63,476 Homer Foundation, COVID-19 Response Fund). This figure doesn't include the thousands of dollars given directly to non-profits helping those in need. Given the population of our area, that was an amazing out pouring of generosity.

While this season is far from being over, our community response was and is exemplary. Homer is a special community. Despite all the angst and worry, we set aside our differences; we step up and help our neighbor when the need arises.

Thank you for being caring and generous.

Thank you for being great neighbors.

Thank you for giving close to home.

Sincerely,

Mike

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## Our COVID-19 Response



On March 25, 2020 the Board of Trustees created a new fund for the Homer Foundation in response to the COVID-19 pandemic. This fund is being used to support our local non-profits and the vital services they provide. Some of these organizations are already seeing huge impacts upon their programs, and these non-profits have already received at least one round of funding from us, including:

- Anchor Point Senior Center, \$4,200
- Homer Senior Center, \$4,750
- Anchor Point Community Food Pantry, \$7,000
- South Peninsula Haven House, \$2,500
- Homer Farmers Market, \$2,500
- Cook Inlet Council on Alcohol and Drug Abuse, \$2,500
- Homer Community Food Pantry, \$2,850
- Voznesenka Community Council, \$2,500
- Hospice of Homer, \$799
- Kachemak Bay Family Planning Clinic, \$2,500
- Ninilchik Senior Center, \$1,500

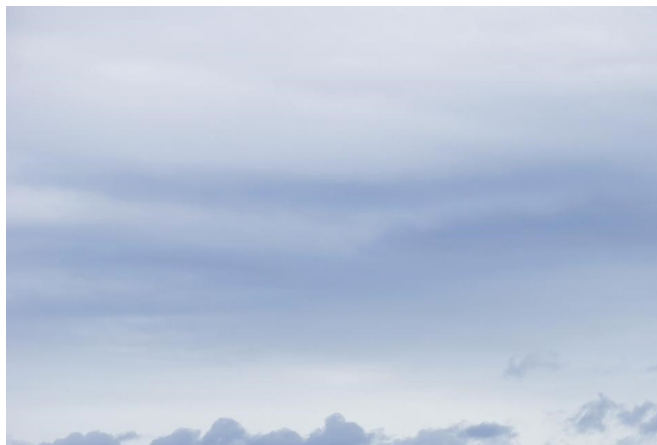
To date, we have funded all eligible requests.

As the economic slowdown continues, as enhanced unemployment benefits and debt forgiveness run out, we know there will be more requests due to the impacts from this pandemic. This fund allows for flexibility for the agencies to apply as needed and for the Foundation to meet changing community needs. Right now, the focus for non-profits applying should be addressing basic needs including human services and emergency assistance or serving vulnerable populations.

If you would like more information about the COVID-19 fund, you can go to our [webpage here.](#)

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## New Fund Options



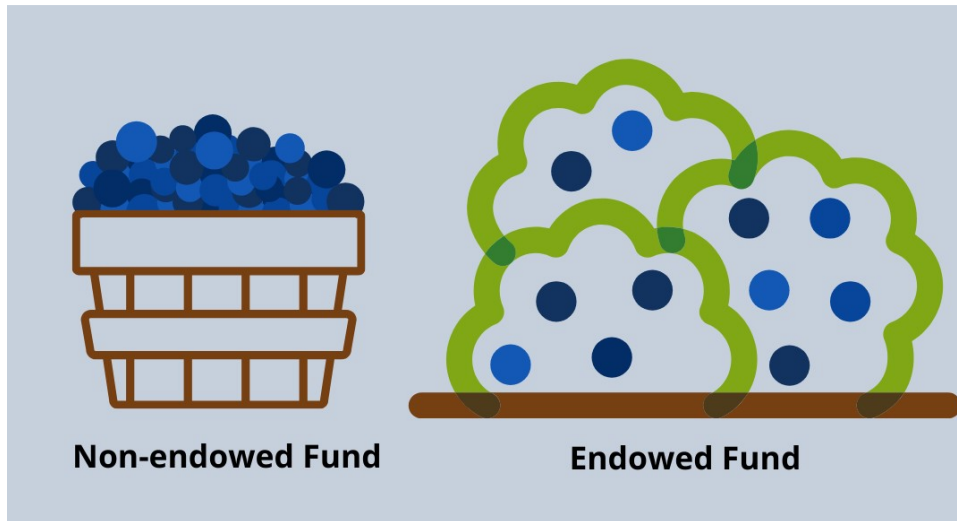
Big news from the Homer Foundation: the Board of Trustees has approved a new option for those who want to give back in the community with a timeline or project in mind. We now offer non-endowed fund options. This applies to all types of funds including donor advised, field of interest (including scholarship), and agency funds. This will allow donors and agencies a new and more flexible way to meet their philanthropic goals.

### What is the difference between an endowed and non-endowed fund?

In an endowed fund the donation is invested and never spent. The Foundation makes the income available to grant yearly awards to the charity or cause in line with or donor's intent. Because the capital is never touched, an endowment can continue making an impact indefinitely.

A non-endowed fund may use the initial donation as well as any interest and earnings, to support a charitable purpose that the donor has chosen. A non endowed fund can have a greater impact sooner, with a specific timeline or project in mind, but it is finite. When all of the capital and earnings have been disbursed through grants or scholarships, the fund ceases to exist.

### Endowed or Non-endowed: Which is right for me?



Either fund can produce an abundance of good in the community. The primary difference between an endowed fund and a non-endowed fund is the permanency. If that is one of your giving goals, then an endowed fund is the best choice. If you are more interested in a finite period of giving, or not sure if you're ready to create a permanent fund, then a non-endowed fund may be the right choice. Many non-endowed funds are later converted to endowed. Here are some thoughts on fund type:

- **Choosing an endowed fund**
  - Creating an endowment is like planting a tree that will provide fruit for every season for years to come. An endowed fund offers a way for donors to fund a cause or organization they believe in, forever. Permanent gifts provide peace of mind knowing that the community issues and organizations you care deeply about will be funded on a regular and sustainable basis, both now and long after the donor is gone.
  - Donors recognize that endowments are particularly important when lean economic times hit, as they provide a base of funding that may allow the Homer Foundation to support community issues, even when annual donations are scarce. This is a way to support an organization's work indefinitely.
- **Choosing a non-endowed fund**
  - Many donors are motivated to give during their lifetime but are not seeking perpetuity. These donors may want to see the results of their gift. A non-endowed fund enables you to be responsive to immediate community needs with the full value of the fund.

Want to know more about non-endowed funds or the Homer Foundation? Drop me an email at [mikemiller@homerfoundation.org](mailto:mikemiller@homerfoundation.org), call 907-235-0541 or just swing by the office at 3733 Ben Walters Lane in Homer.

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## 2020 Summer Picnic- COVID Style

The Homer Foundation has come to the hard decision to cancel our traditional summer picnic. Our picnic is usually held in July and is an informal event held by the board to thank our donors and fund advisors. Due to the uncertainty and health risks associated with group gatherings, and following the recommendations from the CDC and DHSS, we have decided

to change the format of our gratitude. The board is still working on the details but we will be sure to let all of our donors know our appreciation in a COVID-safe manner.

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## Zero Interest Loan Option

**Bridge Loan doubled from \$5,000 to \$10,000. More flexibility allowed.** The Foundation has always had a 0% loan program for non-profit organizations with a \$5,000 cap. This program is for non-profits experiencing a short-term cash flow issue. Due to general inflation since this was first enacted years ago, the Board of Trustees felt like a change in amount was necessary for our community and also gave itself leeway to both extend the traditional 60-day payback time frame and/or make some of or the entire loan forgivable if the situation warrants extraordinary action. Contact the staff if you have any questions about this program.

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## Quick Response Community Grants So Far This Year...

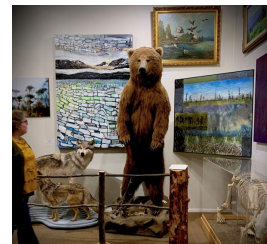
We have had a few organizations come to us with requests for help to change their programming in these COVID-19 times. Here are three examples of ways we are supporting our community with these transitions:



Friends of the Homer Public Library requested support for their Summer Reading Program



Center For Alaskan Coastal Studies has received \$3,000 to help change their youth programs.



Pratt Museum has created a new position to help transition their summer programs into a digital format.

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## Other Grant Programs: Scholarships and YAC 2020

# Kenai Peninsula unemployment benefit claims in April

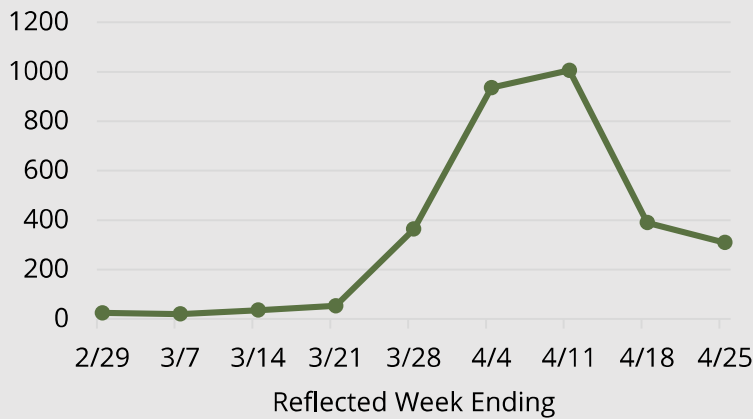
## Claims by Industry

Food Services	504
Health Care & Social Assistance	496
Construction	471
Retail & Wholesale Trade	439
Mining (oil & gas)	359
Transportation	279
Accommodation	274
Public Administration	138
Education	104
Administrative Services	93

## Kenai at a glance

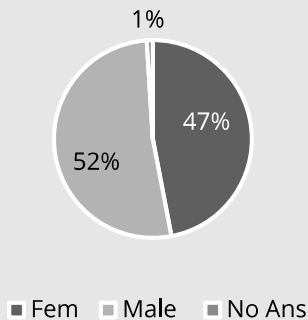
Share of state population	8.0%
Share of state claims, April	8.0%
Total April claims	3,835
Increase from April 2019	510%
Average wage replacement	80%
Average weekly payment	\$842
First-time claimants	47%
Share with Dependents	27%

## When Kenai claimants received their first payment

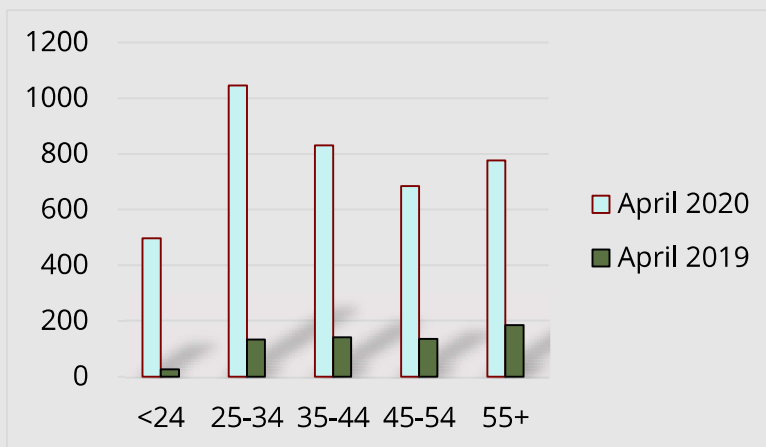


79% of Kenai claimants received their first payment on or after 3/28

## Female-male split



## Kenai claimants by age group



Source: Alaska Department of Labor and Workforce Development, Research and Analysis Section



# City of Homer

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

Public Works

3575 Heath Street  
Homer, AK 99603

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

(p) 907- 235-3170

(f) 907-235-3145

## Memorandum

TO: Rick Abboud, Acting City Manager  
FROM: Carey Meyer, City Engineer  
DATE: June 18, 2020  
SUBJECT: **Report – HERC I and II – Demolition Costs**

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The City Council passed Ordinance 19-38(A)(S) which authorized the completion of a HERC Demolition Study. Budget was \$35,000; actual costs to complete the study will be \$13,000. Public Works has completed the following tasks to better understand the cost of demolishing the HERC buildings:

Complete a hazardous material survey – samples were taken by Environmental Management, Inc. (EMI) of building materials to identify location and quantities of hazardous materials (asbestos, lead based paint, and other regulated materials) for laboratory testing. Asbestos and lead based paint was identified.

Hazardous material removal/disposal costs determination – EMI completed cost estimates for this work, based on State/Federal regulatory, environmental health, and KPB landfill requirements. Assumption: all asbestos containing materials can be disposed of at the KPB Soldotna landfill.

Building demolition costs – Based on the experience of Public Works personnel and discussion with several building demolition contractors, per square foot costs for demolishing, removing demolition debris, and disposal in the Homer KPB landfill were determined. Assumption: all building demolition debris can be disposed of at the Homer KPB landfill\*.

- A representative sample of the building debris stream is being collected and a TCLP test to determine landfill acceptance will confirm assumption. Expect test to acknowledge landfill suitability. Hazmat survey report finalized upon receipt of test results.

Inspection/administration costs – the costs of preparing bid documents, bidding, awarding, inspecting and administering a demolition contract were determined. Assumption: all work completed by the Public Works Department.



## Demolition Cost Summary

	Units	Quantity	Unit Price	Cost
Mobilization/Demobilization	LS	1	\$36,500	\$36,500
Removal/Disposal of RACM*	LS	1	\$77,000	\$77,000
Removal Disposal of Non-RACM	LS	1	\$46,500	\$46,500
Building Demolition/Disposal	SF	25774	\$12	\$309,288
Foundation/Build Slab Removal	LS	1	\$59,000	\$59,000
Other Site Improvements Removal**	LS	1	\$24,500	\$24,500
Utility Disconnect/Abandonment	LS	1	\$19,000	\$19,000
Bonding/Insurance/Superintendent/etc.	LS	1	\$24,500	\$24,500
<b>TOTAL DEMOLITION COST</b>				<b>\$596,288</b>
Bid Document Preparation				\$17,889
Contract Administration/Inspection				\$23,852
Contingency (5%)				\$29,814
<b>TOTAL PROJECT COST</b>				<b>\$667,843</b>
* RACM = Regulated Asbestos Containing Material (friable)				
** parking areas, sidewalks, lighting, skatebord park, seeding etc.				
			HERC I Cost =	\$475,476
			HERC II Cost =	\$192,367

During bid document preparation, decisions regarding the following issues could marginally increase or decrease the cost of demolition, including:

- Salvaging of reusable materials – concrete can be processed on-site and sold for fill.
- Gluelam beams can be salvaged and sold.
- Gymnasium flooring can be salvaged and sold.
- Contracting hazardous material removal with demolition could reduce overall costs.
- Purchasing property near the site that needs fill to make it developable could reduce debris disposal costs.



# 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 20-092

TO: MAYOR CASTNER AND HOMER CITY COUNCIL  
FROM: RENEE KRAUSE, MMC, DEPUTY CITY CLERK  
DATE: JUNE 17, 2020  
SUBJECT: RECOMMENDATION TO RESCIND MOTION TO ADOPT RESOLUTION 20-056

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At the June 8, 2020 regular meeting Resolution 20-056 which requested action on the following items:

- City Council initiate an expanded Seawall Improvement Special Assessment District (SISAD)
- Approval of the Application for a Alaska Department of Environmental Conservation /Environmental Protection Agency (ADEC/EPA) Revolving Loan
- Initiating the project by presenting an ordinance for to authorize the design/permitting

The vote on Resolution 20-056, as stated in Homer City Code 17.04.040 (a)(1) required  $\frac{3}{4}$  the membership to approve the SISAD, did not meet that requirement.

The problem the failure of this resolution creates is the approval of the application for the ADEC/EPA Loan and bringing forth the ordinance to fund the permitting and design of the project.

Since the City Council's June 8<sup>th</sup> meeting a property owner has submitted an application with the required fee to initiate the SISAD.

Recommendation: Move to rescind the motion to adopt Resolution 20-056

A 2/3 vote is required to approve this action.

This will annul the action taken by Council and leave the Resolution still pending on the table.

It is further recommended to amend the Resolution by taking the following action:

- to strike Lines 80-82, and Lines 103-105 that indicate that City Council will initiate the SISAD; or
- Amend Lines 80-82 and 103-105 to indicate if a SISAD is not formed by a property owner in XXX (specify a time period) then City Council deems it in the best interest to initiate a SAD
- Amend Lines 107-110 to reflect that the Clerk shall follow City Code as it pertains to the initiation of a SAD whether by property owner or City Council as appropriate.