



Agenda

City Council Regular Meeting

Monday, August 26, 2024 at 6:00 PM

City Hall Cowles Council Chambers In-Person & Via Zoom Webinar

Homer City Hall
491 E. Pioneer Avenue
Homer, Alaska 99603
www.cityofhomer-ak.gov

Zoom Webinar ID: 205 093 973 Password: 610853
<https://cityofhomer.zoom.us>
Dial: 346-248-7799 or 669-900-6833;
(Toll Free) 888-788-0099 or 877-853-5247

CALL TO ORDER, PLEDGE OF ALLEGIANCE

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

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 August 12, 2024 and August 19, 2024. City Clerk. Recommend approval.
- b. Memorandum CC-24-168 from City Clerk re: Liquor License Renewals for Captain Patties Fish House. Recommend approval.
- c. Ordinance 24-39, An Ordinance of the City Council of Homer, Alaska, Amending the FY25 Capital Budget by Appropriating \$18,000 from the Port Reserves Fund for the Acquisition of an Ammonia Storage Tank for the City Ice Plant. City Manager/Port Director. Introduction August 26, 2024 Public Hearing and Second Reading September 9, 2024.

Memorandum CC-24-169 from Port Director as backup.

- d. Ordinance 24-40, An Ordinance of the City Council of Homer, Alaska, Amending the FY25 Capital Budget by Re-Appropriating \$6,152 from the Homer Accelerated Roads and Trails (HART) Trails Fund for Library Trail - West Storybook Trail Improvements. City Manager/Public Works Director. Introduction August 26, 2024 Public Hearing and Second Reading September 9, 2024.

Memorandum CC-24-170 from Public Works Director as backup

- e. Ordinance 24-41, An Ordinance of the City Council of Homer, Alaska, Amending the FY25 Capital Budget by Appropriating \$6,000 from the Homer Accelerated Roads and Trails (HART) Trails Fund for Lucky Shot Trail Improvements. City Manager/Public Works Director. Introduction August 26, 2024 Public Hearing and Second Reading September 9, 2024.

Memorandum CC-24-171 from Public Works Director as backup

- f. Ordinance 24-42, An Ordinance of the City Council of Homer, Alaska, Amending the FY25 Capital Budget by Appropriating an Additional \$50,000 from the Homer Accelerated Roads and Trails (HART) Road Fund to the Bayview Park Renovation Project. City Manager/City Engineer. Introduction August 26, 2024 Public Hearing and Second Reading September 9, 2024.

Memorandum CC-24-172 from City Engineer as backup

- g. Resolution 24-090, A Resolution of the City Council of Homer, Alaska, Authorizing Issuance of a Task Order to Kinney Engineering, LLC in the Not to Exceed Amount of \$25,000 for Preliminary Design of the Diamond Creek Trail Highway Underpass Project and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/City Engineer.

Memorandum CC-24-173 from City Engineer as backup

- h. Resolution 24-091, A Resolution of the City Council of Homer, Alaska, Authorizing the Purchase and Installation of a Natural Gas Burner in the Homer Education and Recreation Complex (HERC) Boiler in the Amount of \$14,000 and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Public Works Director.

Memorandum CC-24-174 from Public Works Director as backup

- i. Resolution 24-092, A Resolution of the City Council of Homer, Alaska Awarding a Contract for City Hall Elevator Recertification Project to the Firm of TK Elevator Corporation in the Amount of \$129,838.97 and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Public Works Director.

Memorandum CC-24-175 from Public Works Director as backup

- j. Resolution 24-093, A Resolution of the City Council of Homer, Alaska Amending the Economic Development Advisory Commission Bylaws, Section V City Staff Roles and Section VI, Meetings. City Clerk.

Memorandum CC-24-176 from Economic Development Advisory Commission as backup

- k. Resolution 24-094, A Resolution of the City Council of Homer, Alaska, Awarding a Contract for Replacing the Fire Alarm System in the Elevator as City Hall to the Firm of Accel Fire Systems, Inc., in the Amount of \$20,508 and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Public Works Director.

Memorandum CC-24-177 from Public Works Director as backup

- [l.](#) Resolution 24-095, A Resolution of the City Council of Homer, Alaska Accepting the Donation of Playground Equipment from the Rotary Club for Bayview Park. City Manager/City Engineer.

Memorandum CC-24-178 from City Engineer as backup

VISITORS

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

- a. Worksession Report
- b. Committee of the Whole Report
- c. Mayor's Report
- d. AML Summer Conference Report
 - [i.](#) AML Summer Conference in Kodiak, Alaska by Councilmember Aderhold
- e. Economic Development Advisory Commission
- f. Parks Art Recreation and Culture Advisory Commission
- g. Library Advisory Board
- h. Comprehensive Plan Steering Committee Report
- i. Champions Report
 - i. Finance
 - ii. Harbor
 - iii. Recreation

PUBLIC HEARING(S)

- [a.](#) Ordinance 24-35, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Chapter 3.16 Procurements. City Manager. Introduction August 12, 2024 Public Hearing and Second Reading August 26, 2024.

Memorandum CC-24-157 from City Manager as backup

- [b.](#) Ordinance 24-36, An Ordinance of the City Council of Homer, Alaska, Amending the FY25 Capital Budget by Appropriating \$208,000 from the Sewer Capital Asset Repair and Maintenance Allowance (CARMA) Fund for Construction Work Associated with the Rehabilitation of the Beluga Slough Lift Station. City Manager/Public Works Director. Introduction August 12, 2024 Public Hearing and Second Reading August 26, 2024.

Memorandum CC-24-158 from Public Works Director as backup

- [c.](#) Ordinance 24-37, An Ordinance of the City Council of Homer, Alaska, Amending the FY25 Capital Budget by Accepting and Appropriating the Amended Alaska Fish and Game Cooperative Agreement #23-177 Construction Grant in the Amount of \$505,875 and Appropriating \$87,012 from the Port and Harbor Reserve Fund to Complete the 25% Match for the Fish Grinding Building Replacement Project. City Manager/Port Director. Introduction August 12, 2024 Public Hearing and Second Reading August 26, 2024.

Memorandum CC-24-159 from Port Director as backup

- [d.](#) Ordinance 24-38, An Ordinance of the City Council of Homer, Alaska, Amending the FY25 Capital Budget to Fund Maintenance to the Seawall by Establishing Authority in the Fiscal Year 2025 Budget for Routine Maintenance to the Seawall. City Manager/Public Works Director. Introduction August 12, 2024 Public Hearing and Second Reading August 26, 2024.

Memorandum CC-24-160 from Public Works Director as backup

ORDINANCE(S)

CITY MANAGER'S REPORT

- [a.](#) City Manager's Report
- [b.](#) FY25 Monthly YTD Financial Report

PENDING BUSINESS

- [a.](#) Resolution 24-083, A Resolution of the City Council of Homer, Alaska, Adopting the Revised City of Homer Procurement Policy Manual. City Manager.

Memorandum CC-24-157 from City Manager as backup

NEW BUSINESS

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, September 9, 2024 at 6:00 p.m., Committee of the Whole at 5:00 p.m. A Worksession is scheduled at 4:00 p.m. All meetings are scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.



MEMORANDUM

Liquor License Renewal Applications for Captain Patties Fish House, Inc.

Item Type: Action Memorandum
Prepared For: Mayor Castner and Homer City Council
Date: August 26, 2024
From: Renee Krause, MMC, City Clerk

The City Clerk's Office has been notified by the Alcohol and Marijuana Control Office of a Liquor License Renewal within the City of Homer for the following:

License Type: Restaurant Eating Place
License #: 2673
DBA Name: Captain Patties Fish House, Inc.
Service Location: 4241 Homer Spit Road, Homer, AK 99603
Licensee: Captain Patties Fish House, Inc.
Contact Person: Patty Hensley

Recommendation:

Voice non-objection and approval for the Liquor License Renewal.

Attachments:

AMCO Applications
City of Homer Police Non-Objections



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community,
and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

August 12, 2024

From: Alcohol.licensing@alaska.gov ; amco.localgovernmentonly@alaska.gov

Licensee: Captain Patties Fish House, Inc.

DBA: Captain Patties Fish House

VIA email: johnmichels@live.com

Local Government 1: Kenai Peninsula Borough

Local Government 2: Homer

Via Email: micheleturner@kpb.us; jasper@kpb.us; sessert@kpb.us; mjenkins@kpb.us; nscalett@kpb.us; mjenkins@kpb.us; mboehmler@kpb.us; rmae@kpb.us; slopez@kpb.us; bcarter@kpb.us; [mjacobson@ci.homer.ak.us](mailto:mjacobsen@ci.homer.ak.us); rkause@ci.homer.ak.us; clerk@cityofhomer-ak.gov

Community Council: N/A

Via Email: N/A

RE: Restaurant Eating Place License #2673 Combined Renewal Notice

License Number:	2673
License Type:	Restaurant Eating Place
Licensee:	Captain Patties Fish House, Inc.
Doing Business As:	Captain Patties Fish House
Physical Address:	4241 Homer Spit Road #1
Licensee Contact Tel	907-235-8318

☒ License Renewal Application

☐ Endorsement Renewal Application

Dear Licensee:

Our staff has reviewed your application after receiving your application and required fees. Your renewal documents appear to be in order, and I have determined that your application is complete for purposes of AS 04.11.510, and AS 04.11.520.

Your application is now considered complete and will be sent electronically to the local governing body(ies), your community council if your proposed premises is in Anchorage or certain locations in the Matanuska-Susitna Borough, and to any non-profit agencies who have requested notification of applications. The local governing body(ies) will have 60 days to protest the renewal of your license.

Your application will be scheduled for the **September 10, 2024**, board meeting for Alcoholic Beverage Control Board consideration. The address and call-in number for the meeting will be posted on our home page. The board will not grant or deny your application at the meeting unless your local government waives its right to protest per AS 04.11.480(a).

Please feel free to contact us through the Alcohol.licensing@alaska.gov email address if you have any questions.

Dear Local Government:

We have received completed renewal applications for the above listed licenses within your jurisdiction. This is the notice required under AS 04.11.480. A local governing body may protest the issuance, renewal, relocation, or transfer to another person of a license with one or more endorsement, or issuance of an endorsement by sending the director and the applicant a protest and the reasons for the protest in a clear and concise statement within 60 days of the date of the notice of filing of the application. A protest received after the 60-day period may not be accepted by the board, and no event may a protest cause the board to reconsider an approved renewal, relocation, or transfer.

To protest any application(s) referenced above, please submit your written protest for each within 60 days to AMCO and provide proof of service upon the applicant and proof that the applicant has had reasonable opportunity to defend the application before the meeting of the local governing body. If you have any questions, please email amco.localgovernmentonly@alaska.gov.

Dear Community Council (Municipality of Anchorage and Mat-Su Borough only)

We have received a completed renewal application for the above listed license (see attached application documents) within your jurisdiction. This letter serves to provide written notice to the above referenced entities regarding the above application, as required under AS 04.11.310(b) and AS 04.11.525.

Please contact the local governing body with jurisdiction over the proposed premises for information regarding review of this application. Comments or objections you may have about the application should first be presented to the local governing body.

If you have any questions, please email Alcohol.licensing@alaska.gov

Sincerely,

A handwritten signature in blue ink that reads "Joan M. Wilson". The signature is fluid and cursive, with the first name "Joan" being the most prominent.

Joan M. Wilson, Director
907-269-0350

License Renewal

Is this application being made by you for the benefit of someone else? If “YES,” indicate below or attach explanation.

No

Has the applicant, applicant’s spouse, partner, officer, director or stockholders, of the licensed entity become disqualified by law or by facts and conditions from holding a license or permit under the Alcohol and Cannabis Control Information System Alcoholic Beverage Code ? If “YES,” indicate below or attach explanation.

No

Have there been changes since your original application that have not been reported on this or previous applications ? If “YES,” indicate below or attach explanation.

No

How many hours did you operate in 2022 as set forth in AS 04.11.330?

Operated to meet the minimum 240 hrs.

How many hours did you operate in 2023 as set forth in AS 04.11.330?

Operated to meet the minimum 240 hrs.

Are you a seasonal license and has your operation times/dates/seasons changed?

Yes

Explanation

Operation time longer than 6 months

Has any person or entity in this application been convicted of a violation of Title 04, 3AAC 304 or a local ordinance adopted under AS 04.21.010 in 2022 or 2023.?

No

Have any Notices of Violation been issued for this license in 2022 or 2023?

No

#

License Number:
2673

#

License Expiration Date:
12/31/2023

#

License Trade Name:
Captain Patties Fish House

#

Mailing Address:
po box 210
anchor point , AK
99556



Document reference ID : 2450

Licensing Application Summary

Application ID: 2450

Applicant Name: Captain Patties Fish House, Inc.

License Type applied for: Restaurant Eating Place License (REPL) (AS 04.09.210)

Application Status: In Review

Application Submitted On: 02/19/2024

Entity Information

Business Structure: Corporation

Alaska Entity Number (CBPL): 73978D

Entity Contact Information

Entity Address: PO Box 210, Anchor Point, AK, 99556, USA

Ownership / Principal Party Details

Principal Parent Entity	Principal Party	Role	%Ownership
Captain Patties Fish House, Inc.	Patty Hensley	President	100
Captain Patties Fish House, Inc.	John Michels	Secretary, Treasurer	

Premises Address

Nearest municipality, city, and/or borough:

Ho

10

Country, State, Zip:

AK, United States,

Basic Business information

Business/Trade Name:

Captain Patties Fish House

Local Government and Community Council Details

City/Municipality

Homer

Borough

Kenai Peninsula Borough

Seasonal Information

Are you conducting seasonal business?

Yes

Please Provide your six-month operating period

04/15-10/15

Operation Period Details

Migration

Restaurant Detail

Dining after standard closing hours: AS 04.16.010(c)

Yes

Dining by persons 16 – 20 years of age: AS 04.16.049(a)(2)

Yes

Dining by persons under the age of 16 years, accompanied by a person over the age of 21: AS 04.16.049(a)(3)

Yes

Employment for any persons under 21 years of age: AS 04.16.049(c)

Yes

Food Service Permit

Entertainment & Service

Public Notice Posting Attestation and Publishers Affidavit

Attestations

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

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.

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 305.700.

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

I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.

I certify that all proposed licensees have been listed with Division of Corporation, Business, and Professional Licensing.

I certify that I and any individual identified in the business entity ownership section of this application, has or will read AS 04 and its implementing regulations.

Signature

Electronic Signature not collected; application submitted based on paper form.

Payment Info

Payment Type : CC

Payment Id: 101e1910-9e9a-4d14-8604-5da1265d97

Receipt Number: 100775732

Payment Date: 2/19/2024 11:21:53 AM



Wednesday, August 14, 2024

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

Renee Krause, City Clerk
City of Homer

RE: Non-Objection of Application

Licensee/Applicant	:	Captain Patties Fish House, Inc.
Business Name	:	Captain Patties Fish House
License Type	:	Restaurant/Eating Places - Seasonal
License Location	:	4241 Homer Spit Road #1, Homer, AK 99603, City of Homer
License No.	:	2673
Application Type	:	License Renewal

Dear Ms. Krause,

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,

Michele Turner, CMC
Borough Clerk

cc: pattyhensley1@hotmail.com;

<mailto:amco.localgovernmentonly@alaska.gov>



City of Homer

www.cityofhomer-ak.gov

Police Department

625 Grubstake Avenue
Homer, Alaska 99603

police@cityofhomer-ak.gov

(p) 907-235-3150

(f) 907-235-3151/ 907-226-3009

Memorandum

TO: RENEE KRAUSE, MMC, CITY CLERK

CC: LISA LINEGAR, COMMUNICATIONS SUPERVISOR

FROM: MARK ROBL, POLICE CHIEF

DATE: AUGUST 19, 2024

SUBJECT: LIQUOR LICENSE RENEWAL FOR CAPTAIN PATTIES FISH HOUSE, INC. – NO
OBJECTION

The Homer Police Department has no objection to the Liquor License Renewal Application within the City of Homer for the following business:

License Type: Restaurant Eating Place

License #: 2673

DBA Name: Captain Patties Fish House

Service Location: 4241 Homer Spit Rd #1, Homer, AK 99603

Licensee: Captain Patties Fish House, Inc.

Contact Person: Patty Hensley



MEMORANDUM

Ordinance 24-39, An Ordinance of the City Council of Homer, Alaska, Amending the FY25 Capital Budget by Appropriating \$18,000 from the Port Reserves Fund for the Acquisition of an Ammonia Storage Tank for the City Ice Plant.

Item Type: Backup Memorandum
Prepared For: Homer City Council & Mayor Castner
Date: August 14 2024
From: Bryan Hawkins, Port Director
Through: Melissa Jacobsen, City Manager

Summary:

The Ice Plant requires a secure location to store the ammonia (NH₃) for the coolant system when staff conducts maintenance on the plant.

Background:

For instance, the need to replace valves during this year's shutdown is necessary, but impossible to do with the ammonia still in the system. An empty, properly rated, tank for the storage of ammonia during times when the coolant system needs maintenance is an important tool and ensures that our current ammonia supply remains uncontaminated and can be reused after any system repair. Additionally, having our own storage tank that can be moved off-site, or used to syphon ammonia away from the system and building, provides an additional layer of safety in the case of emergency.

There are no storage tanks that are rated for safe ammonia storage currently available in Alaska. The purchase price for a 1000 gallon NH₃ tank from the Lower 48 is \$7499. The shipping to deliver that tank to Homer is \$10,254. The total price for the project would be \$17,753.40. Purchasing an ammonia storage tank once is more economical compared to renting one each time one is needed for a maintenance project since most of the cost comes from the high costs of shipping.

Owning our own tank is not only a practical solution, but ensures that we have it readily available when needed.

Recommendation:

Council approve Ordinance 24-39 and authorize the City Manager to execute and appropriate documents.

Fiscal note: \$18,00 from Port Reserves 456-0380

**CITY OF HOMER
HOMER, ALASKA**

City Manager/
Port Director

ORDINANCE 24-39

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
AMENDING THE FY25 CAPITAL BUDGET BY APPROPRIATING
\$18,000 FROM THE PORT RESERVES FUND FOR THE ACQUISITION
OF AN AMMONIA STORAGE TANK FOR THE CITY ICE PLANT.

WHEREAS, The Ice Plant requires a secure tank to store the coolant system ammonia safely and free of contamination when staff conduct maintenance; and

WHEREAS, Additionally the tank provides an extra layer of chemical storage safety in case of emergency; and

WHEREAS, There are no available distributors in Alaska that sell or rent large tanks rated for safe ammonia storage. The nearest available retailer is in the continental United States ("Lower 48"); and

WHEREAS, The cost for the 1000 gallon ammonia storage tank is \$7,499 and the shipping to have the tank delivered to Homer is \$10,254; and

WHEREAS, Purchasing an ammonia tank once is more cost-effective compared to renting a tank each time one is needed for maintenance repairs, due to the substantial expenses associated with shipping; and

WHEREAS, Having a dedicated ammonia tank on-site provides a secure and reliable storage solution, which is essential for both routine maintenance and emergency situations.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The Homer City Council hereby amends the FY25 Capital Budget by appropriating \$18,000 as follows:

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
456-0380	Ammonia Tank	\$18,000

Section 2. The City Manager is authorized to execute the appropriate documents

Section 3. This Ordinance is a budget ordinance only, is not permanent in nature, and shall not be codified.

ENACTED BY THE HOMER CITY COUNCIL this _____ day of September, 2024.

CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

RENEE KRAUSE, MMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

First Reading:

Public Hearing:

Second Reading:

Effective Date:

CITY OF HOMER
FINANCIAL SUPPLEMENT

PROJECT NAME	Ammonia Storage Tank	DATE	08/21/2024
DEPARTMENT	Port and Harbor	SPONSOR	City Manager/Port Director
REQUESTED AMOUNT	\$ 18,000		

DESCRIPTION	The Ice Plant requires a secure tank to store the coolant system ammonia safely and free of contamination when staff conduct maintenance. Additionally, the tank provides an extra layer of chemical storage safety in case of emergency. There are no available distributors in Alaska that sell or rent large tanks rated for safe ammonia storage. The nearest available retailer is the continental United States ("lower 48"). The cost for the 1000 gallon ammonia storage tank is \$7,499 and the shipping to have the tank delivered to Homer is \$10,254. Purchasing an ammonia tank once is more cost-effective compared to renting a tank each time one is needed for maintenance repairs, due to the substantial expenses associated with shipping. Having a dedicated ammonia tank on-site provides a secure and reliable storage solution which is essential for both routine maintenance and emergency situations.
-------------	---

FUNDING SOURCE(S)	OPERATING	GF CARMA	GF FLEET CARMA	PORT RESERVES	WATER CARMA
	0%	0%	0%	100%	0%
	HAWSP	HART-ROADS	HART-TRAILS	PORT FLEET RESERVES	SEWER CARMA
	0%	0%	0%	0%	0%

FUNDING SOURCE 1: PORT RESERVES		FUNDING SOURCE 2:		FUNDING SOURCE 3:	
Current Balance	\$ 1,633,828	Current Balance	_____	Current Balance	_____
Encumbered	\$ 656,723	Encumbered	_____	Encumbered	_____
Requested Amount	\$ 18,000	Requested Amount	_____	Requested Amount	_____
Other Items on Current Agenda	\$ 0	Other Items on Current Agenda	_____	Other Items on Current Agenda	_____
Remaining Balance	\$ 959,105	Remaining Balance	_____	Remaining Balance	_____
FUNDING SOURCE 4:		FUNDING SOURCE 5:		FUNDING SOURCE 6:	
Current Balance	_____	Current Balance	_____	Current Balance	_____
Encumbered	_____	Encumbered	_____	Encumbered	_____
Requested Amount	_____	Requested Amount	_____	Requested Amount	_____
Remaining Balance	_____	Remaining Balance	_____	Remaining Balance	_____



MEMORANDUM

Ordinance 24-40, An Ordinance of the City Council of Homer, Alaska, Amending the FY25 Capital Budget by Re-Appropriating \$6152 from the Homer Accelerated Roads and Trails (HART) Trails Fund for Library Trail – West Storybook Trail Improvements.

Item Type: Backup Memorandum
Prepared For: City Council
Date: August 19, 2024
From: Daniel Kort, Public Works Director
Through: Melissa Jacobsen, City Manager

Issue: The purpose of this Memorandum is to recommend appropriating \$6,152 from the Beauregard Court Trail Improvements and re-allocate it to the Library Trail – West Storybook Trail ADA Improvements Project.

Background: The Beauregard Court Trail Improvements efforts are deemed completed leaving \$6,152 remaining in the project budget. The Public Works Department had inadvertently closed the previously existing funding for the Library Trail – West Lot and Storybook – ADA Improvements project. The Public Works Department has estimated the remaining work to complete the Library Trail and has determined that the work can be done utilizing the remaining Beauregard Court Trail Improvements funding.

Recommendation: The Public Works Department recommends that the City Council re-appropriate the remaining \$6,152 from the Beauregard Court Trail Improvement project towards the material purchases to make trail improvements to the Library Trail – West Lot and Storybook ADA Improvements project.

**CITY OF HOMER
HOMER, ALASKA**

City Manager/
Public Works Director

ORDINANCE 24-40

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
AMENDING THE FY25 CAPITAL BUDGET BY RE-APPROPRIATING
\$6,152 FROM THE HOMER ACCELERATED ROADS AND TRAILS
(HART) TRAILS FUND FOR LIBRARY TRAIL – WEST STORYBOOK
TRAIL IMPROVEMENTS.

WHEREAS, Ordinance 23-23 (A-3) appropriated \$10,000 towards the Beauregard Court Trail Improvements project; and

WHEREAS, \$3,848 was spent on Beauregard Court Trail Improvements project; and

WHEREAS, The Beauregard Court Trail Improvements are deemed completed leaving \$6,152 assigned to the project remaining; and

WHEREAS, Ordinance 23-23 (A-3) appropriated \$25,000 towards the Library Trail - West Lot and Storybook – ADA Improvements project; and

WHEREAS, \$12,560 was spent on Library Trail - West Lot and Storybook – ADA Improvements project; and

WHEREAS, The Library Trails – West Lot and Storybook – ADA Improvements project funding was inadvertently closed with work remaining to be completed on the project; and

WHEREAS, The Public Works Department evaluated the remaining work to complete the Library Trails – West Lot and Storybook – ADA Improvements project and assembled a plan to complete the project more efficiently.

NOW, THEREFORE, The City of Homer Ordains:

Section 1. The Homer City Council hereby amends the FY25 Capital Budget by re-appropriating \$6,152 from an existing appropriation for Beauregard Court Trail Improvement project to the Library Trail - West Lot and Storybook – ADA Improvements project as follows:

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
165-xxxx	Library Trail – West Lot and Storybook – ADA Improvements	\$6,152

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

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this ____ day of September, 2024.

CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

RENEE KRAUSE, MMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

First Reading:

Public Hearing:

Second Reading:

Effective Date:



MEMORANDUM

Ordinance 24-41, An Ordinance of the City Council of Homer, Alaska, appropriating funds to make improvements to the Lucky Shot Trail and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents.

Item Type: Backup Memorandum
Prepared For: City Council
Date: August 19, 2024
From: Daniel Kort, Public Works Director
Through: Melissa Jacobsen, City Manager

Issue: The purpose of this Memorandum is to recommend appropriating \$6,000 towards materials to make trail improvements to the Lucky Shot Trail.

Background: The Public Works Department has proposed re-appropriating \$6,152 from the Beauregard Court Trail and re-allocate it towards the efforts to complete the Library Trail – West Lot and Storybook – ADA Improvements project. Completion of the Library Trail will create a minor elevation transition issue where the Library Trail and Lucky Shot Trail meet. The Public Works Department has recognized the opportunity to conduct these two trail improvement projects simultaneously as one larger combined effort and save money by all of the equipment and staff already mobilized and working. This will also allow the Public Works Department the opportunity to improve the lower portion of the Lucky Shot Trail with new surface material and create an improved surface for pedestrians transiting from the Library Trail back to the sidewalk along Hazel Avenue.

Recommendation: The Public Works Department recommends that the City Council appropriate the additional \$6,000 towards the material purchases to make trail improvements to the Lucky Shot Trail.

**CITY OF HOMER
HOMER, ALASKA**

City Manager/
Public Works Director

ORDINANCE 24-41

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
AMENDING THE FY25 CAPITAL BUDGET BY APPROPRIATING
\$6,000 FROM THE HOMER ACCELERATED ROADS AND TRAILS
(HART) TRAILS FUND FOR LUCKY SHOT TRAIL IMPROVEMENTS.

WHEREAS, Ordinance 24-40 re-appropriated \$6,152 towards the completion of the
Library Trail – West Lot and Storybook – ADA Improvements project, and

WHEREAS, This provides an opportunity to improve the Lucky Shot Trail as well as the
intersection of both trails; and

WHEREAS, The Public Works Department recognizes the opportunity for project costs
savings by conducting this work simultaneously.

NOW, THEREFORE, The City of Homer Ordains:

Section 1. The Homer City Council hereby amends the FY25 Capital Budget by
appropriating \$6,000 as follows:

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
165-xxxx	Luck Shot Trail Improvements	\$6,000

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

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this ____ day of September, 2024.

CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

RENEE KRAUSE, MMC, CITY CLERK

43 YES:
44 NO:
45 ABSTAIN:
46 ABSENT:
47
48 First Reading:
49 Public Hearing:
50 Second Reading:
51 Effective Date:

CITY OF HOMER
FINANCIAL SUPPLEMENT

PROJECT NAME	<u>Lucky Shot Trail Improvements</u>	DATE	<u>08/21/2024</u>
DEPARTMENT	<u>Public Works</u>	SPONSOR	<u>City Manager/PW Director</u>
REQUESTED AMOUNT	<u>\$ 6,000</u>		

DESCRIPTION	Ordinance 24-40 re-appropriated \$6,152 towards the completion of the Library Trail – West Lot and Storybook – ADA Improvements project. This provides an opportunity to improve the Lucky Shot Trail as well as the intersection of both trails. The Public Works Department recognizes the opportunity for project costs savings by conducting this work simultaneously.
-------------	--

FUNDING SOURCE(S)	OPERATING	GF CARMA	GF FLEET CARMA	PORT RESERVES	WATER CARMA
	0%	0%	0%	0%	0%
	HAWSP	HART-ROADS	HART-TRAILS	PORT FLEET RESERVES	SEWER CARMA
	0%	0%	100%	0%	0%

FUNDING SOURCE 1: HART - TRAILS		FUNDING SOURCE 2:		FUNDING SOURCE 3:	
Current Balance	<u>\$ 1,089,280</u>	Current Balance	<u> </u>	Current Balance	<u> </u>
Encumbered	<u>\$ 237,591</u>	Encumbered	<u> </u>	Encumbered	<u> </u>
Requested Amount	<u>\$ 6,000</u>	Requested Amount	<u> </u>	Requested Amount	<u> </u>
Other Items on Current Agenda	<u>\$ 0</u>	Other Items on Current Agenda	<u> </u>	Other Items on Current Agenda	<u> </u>
Remaining Balance	<u>\$ 845,689</u>	Remaining Balance	<u> </u>	Remaining Balance	<u> </u>
FUNDING SOURCE 4:		FUNDING SOURCE 5:		FUNDING SOURCE 6:	
Current Balance	<u> </u>	Current Balance	<u> </u>	Current Balance	<u> </u>
Encumbered	<u> </u>	Encumbered	<u> </u>	Encumbered	<u> </u>
Requested Amount	<u> </u>	Requested Amount	<u> </u>	Requested Amount	<u> </u>
Remaining Balance	<u> </u>	Remaining Balance	<u> </u>	Remaining Balance	<u> </u>



MEMORANDUM

Ordinance 24-42, An Ordinance of the City Council of Homer, Alaska, Amending the FY25 Capital Budget by Appropriating an Additional \$40,000 from the HART Roads Fund to the Bayview Park Renovation Project.

Item Type: Backup Memorandum
Prepared For: Mayor Castner and City Council
Date: August 7, 2024
From: Leon Galbraith, P.E., City Engineer
Through: Melissa Jacobsen, City Manager

Summary:

Appropriation of an additional \$40,000 from the HART Roads Fund to the Bayview Park Renovation Project.

Background:

The City of Homer accepted Healthy and Equitable Communities (HEC) Grant funding from the State of Alaska Department of Health, Division of Public Health in the amount of \$74,916 (Ordinance 23-36) for improvements to Bayview Park. HEC funding includes design, public outreach, and playground equipment installation. Grant funds have completed park design and public outreach. The playground equipment cost was \$16,403 and the safety surface material cost was \$23,350, or a total of \$39,753.

In addition to the HEC grant, the project has benefited from a generous donation from Rotary Club equal to \$12,000. Rotary Club purchased the playground equipment, benches, and boulders/driftwood for fun, interactive landscape features and subsequently donated all to the city. To fulfill the City's HEC grant matching contribution, Ordinance 23-23 allocated \$52,314 from the HART Roads Fund for drainage improvements and pavement.

The playground equipment and safety surface materials have been purchased and stored in City facilities until installation by City personnel in coordination with the contracted earthwork, drainage and pavement work. Several vendors were contacted for price quotes as part of the procurement process and the quote from Alaska Education and Recreational Products, LLC provided the preferred equipment and materials at a competitive price.

Corvus Design has helped the City with community engagement, design and estimating the costs of the project. They've currently completed this design work task order for the price of \$15,000. Corvus

completed an engineer's construction cost estimate prior to the project bidding. This value was itemized at approximately \$75,000.

At the completion of the competitive bidding process, the Public Works Department (PWD) received one bid of \$114,401 which exceeded the engineer's estimate of \$75,000. The PWD has considered the unique nature of this project, the grant funding with a tight timeline to expiration, and the inflationary environment we are still functioning in and determined the engineer's estimate likely underestimated the value of the project. This project continues to be a very high priority for the City and will only get more expensive as time goes on if postponed.

Recommendation:

Therefore, the Public Works Department is requesting an additional appropriation of \$40,000 to enable the award and completion of this vital community project. This reflects an initially scoped complete project budget (including HEC Grant, Rotary Donation, and HART Funds) of \$139,230; less \$15,000 paid to Corvus Design; less \$39,753 for City purchase of playground equipment and mulch; addition requirement of \$40,000 to sufficiently cover the submitted bid construction price of \$114,401.

**CITY OF HOMER
HOMER, ALASKA**

City Manager/
City Engineer

ORDINANCE 24-42

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
AMENDING THE FY25 CAPITAL BUDGET BY APPROPRIATING AN
ADDITIONAL \$50,000 FROM THE HOMER ACCELERATED ROADS
AND TRAILS (HART) ROAD FUND TO THE BAYVIEW PARK
RENOVATION PROJECT.

WHEREAS, Ordinance 23-36 accepted and appropriated \$74,916 from a State of Alaska
Grant to improve Bayview Park accessibility and its playground elements; and

WHEREAS, Ordinance 23-23 allocated \$52,314 from the HART Roads and Trails Funds to
improve Bayview Park drainage, earthwork and pavement work; and

WHEREAS, The Rotary Club purchased and donated playground equipment to improve
the Bayview Park playground; and

WHEREAS, The project is a high priority for the community and has quickly expiring
grant funding in place; and

WHEREAS, The project community engagement and design documents have been
completed by a consultant at the price of \$15,000; and

WHEREAS, The playground equipment and mulch has been ordered and will be
purchased by the City at the price of \$39,753; and

WHEREAS, The Bayview Park Renovation Project has been put out to competitive bid
and Public Works received a single construction bid in the amount of \$114,401; and

WHEREAS, An additional \$50,000 is necessary to award and complete this vital project.

NOW, THEREFORE, The City of Homer Ordains:

Section 1. The Homer City Council hereby amends the FY25 Capital Budget by
appropriating an additional \$50,000 as follows:

Transfer from:

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
160	HART Roads	\$50,000

Transfer to:

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
151-7031	Bayview Park Renovation	\$50,000

Section 3. The total project cost budget is \$177,230, as follows:

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
151-7031	State of Alaska Grant	\$74,916
160	HART Roads – Existing Appropriation	\$32,000
165	HART Trails – Existing Appropriation	\$20,314
160	HART Roads – New Appropriation	\$50,000

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

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this ____ day of September, 2024.

CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

RENEE KRAUSE, MMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

First Reading:

Public Hearing:

Second Reading:

Effective Date:



MEMORANDUM

Resolution 24-090, A Resolution of the City Council of Homer, Alaska Authorizing Issuance of a Task Order to Kinney Engineering, LLC., in the Not-To-Exceed Amount of \$25,000 for Preliminary Design of the Diamond Creek Trails/Highway Underpass Project and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents.

Item Type: Backup Memorandum
Prepared For: City Council
Date: August 21, 2024
From: Leon Galbraith, P.E., City Engineer
Through: Melissa Jacobsen, City Manager

Summary:

The purpose of this Memorandum is to update the City Council and recommend that Public Works award a Task Order to Kinney Engineering, LLC under the City term contract to provide a preliminary design study for the Diamond Creek Recreation Area (DCRA) Trails and Sterling Highway Pedestrian Underpass.

Background:

Through Ordinance 24-06(A), the FY24/25 Capital Budget already includes \$25,000 from the HART Trails Fund to complete this design study.

The study would explore and develop options for a trail extension linking the city-owned DCRA property and the DCRA trail to the west side of the Sterling Highway leading to the Diamond Creek Recreation Site (DCRS). A pedestrian underpass used to cross the Sterling Highway would also be part of the trail extension. **The study is intended to demonstrate the feasibility of the construction of a pedestrian trail in the DCRA and connecting the new trail to the DCRS, including right of way analysis. This is intended to be a preliminary study, not a final design. Assessing costs and feasibility of proposed routes is an important first step as well as identifying if private and public property owners are willing to participate by granting trail easements to support the proposed project.**

As an outcome of this initial design study the potential trail location alternatives can be further analyzed and refined as well as used to support the drafting of MOU's between the City of Homer and other entities involved with the project. The Alaska Department of Transportation and Public Facilities (ADOT&PF) is supportive of this design study and has been in conversations with City staff from the conception of this project. They would like to see the project initiated by the City on some level before they move further into incorporating any MOU's or design alternatives into the ongoing Sterling Highway project between Anchor Point and Baycrest Hill.

Recommendation:

City Council review and approve the Resolution 24-090 to award a Task Order to Kinney Engineering, LLC in the Not to Exceed amount of \$25,000 for engineering design services for the Diamond Creek Recreation Area (DCRA) Trails and Sterling Highway Pedestrian Underpass.

Attachments:

Ordinance 24-06(A) and backup

**CITY OF HOMER
HOMER, ALASKA**

Davis

ORDINANCE 24-06(A)

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
AMENDING THE FY24 CAPITAL BUDGET BY APPROPRIATING
\$25,000 FROM THE HOMER ACCELERATED ROADS AND TRAILS
(HART) TRAILS FUND TO CONTRACT ENGINEERING SERVICES FOR
PRELIMINARY DESIGN OF NON-MOTORIZED TRAILS AND
TRAILHEAD CONNECTING CITY OF HOMER DIAMOND CREEK
PROPERTY TO THE PROPOSED HIGHWAY UNDERPASS.

WHEREAS, The City Council approved the Diamond Creek Recreation Area (DCRA)
Management Plan in May 2013; and

WHEREAS, Development of DCRA is included in the City of Homer's 2024-2029 Capital
Improvement Plan; and

WHEREAS, This appropriation is to provide \$20,000 as well as a small contingency for a
total of \$25,000 to pay for the development of a Trails Engineering Design Study in the DCRA;
and

WHEREAS, A Trails Engineering Design Study will provide design and engineering
specifics for the feasibility and route of a trail from City owned property at the Diamond Creek
Recreation Area to the proposed highway underpass and to a point to be determined beyond;
and

WHEREAS, State of Alaska Department of Transportation and Public Facilities
(AKDOT/PF) is preparing to launch a large Sterling Highway rehabilitation project in the west
Homer area and has expressed willingness to construct a pedestrian underpass crossing the
Sterling Highway if the City of Homer demonstrates commitment to developing trails and
facilities in the DCRA connecting to this underpass area; and

WHEREAS, The AKDOT/PF is interest in fostering a relationship with the City of Homer
and the Kenai Peninsula Borough so that rights of way and trail easement issues can be
resolved in the Sterling Highway underpass area; and

WHEREAS, HART Trails Fund has sufficient capital to fund this contract; and

WHEREAS, The data produced by such a study will be useful in future development of
the DCRA.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The Homer City Council hereby amends the FY24 Capital Budget by appropriating \$25,000 to develop a DCRA Trails Engineering Design Study as follows:

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
165-XXXX	HART Trails	\$25,000

Section 2. A DCRA Trails Engineering Design adopted by Resolution. The DCRA Trails Engineering Design Study shall include an analysis of right of way and other aspects of trail connectivity in the project area **including the need for MOU's between the city of homer and other entities involved with the project.**

Section 3. This is a budget amendment ordinance, is temporary in nature and shall not be codified.

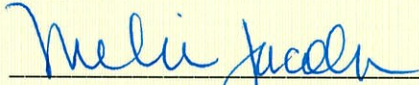
ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA this 22nd day of January, 2024.

CITY OF HOMER



KEN CASTNER, MAYOR

ATTEST:



MELISSA JACOBSEN, MMC, CITY CLERK

YES: 6

NO: 0

ABSTAIN: 0

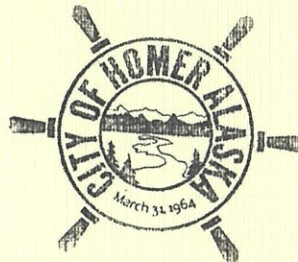
ABSENT: 0

First Reading: Jan 8, 2024

Public Hearing: Jan 22, 2024

Second Reading: Jan 22, 2024

Effective Date: Jan 23, 2024





AGENDA ITEM REPORT

Ordinance 24-06, An Ordinance of the City Council of Homer, Alaska, Amending the FY24 Capital Budget by Appropriating \$25,000 from the Homer Accelerated Roads and Trails (HART) Trails Fund to Contract Engineering Services for Preliminary Design of Non-motorized Trails and Trailhead Connecting City of Homer Diamond Creek Property to the Proposed Highway Underpass. Davis.

Item Type: Backup Memorandum
Prepared For: Mayor Castner and Homer City Council
Date: 08 January 2024
From: Melissa Jacobsen, MMC, City Clerk

With the introduction of Ordinance 24-06 Council requested a copy of the Diamond Creek Recreation Area Multi-Resource Management Plan be provided for the next meeting.

The plan is available on the City's webpage through the Parks and Recreation link under Departments, and I've included a link to access the document.

<https://www.cityofhomer-ak.gov/publicworks/diamond-creek-recreation-area>

Planning Technician Steffy provided the pages related to Recreation Objectives and map that are attached.

Strategies

Monitor forest health, in partnership with the Kenai Peninsula Borough and the DNR, Division of Forestry. Include the DCRA within any local wildfire risk assessments.

Where appropriate, route non-motorized public access through forested areas so as to promote strategic firebreaks (motorized vehicles are restricted except for maintenance and grooming unless approved by the City).

Conservation Objective 2:

Preserve and protect wetlands and riparian zones within the DCRA.

Strategies:

Plan new routes for public access through the DCRA in a manner and location that minimizes impact(s) to wetlands.

Seek funding for bridge upgrades and maintenance at trail-stream crossings, and for proper trail-hardening through wet areas.

Regulate and minimize non-winter motorized travel through the DCRA except for city-approved management activities.

Conservation Objective 3:

Preserve the natural scenic qualities of the DCRA.

Strategies:

Design and install signage so as not to detract from local scenery with sign height, color, material, or placement.

Provide maps of the area near trailheads, so they are not necessary along public-access routes. Use as few trail markers as necessary.

Encourage users to pack out trash.

Prohibit overnight camping.

Identify and maintain functional landscape and ecological linkages between the DCRA, the HDF, and surrounding lands that have been protected through conservation easements or other mechanisms.

Ensure that the DCRA remains a viable wildlife corridor by protecting important habitat features and avoiding obstructions to wildlife movement.

Recreation

Recreational development within the DCRA should be focused primarily on summer use at this time, since winter access is already well-established. However, certain recreational objectives detailed here will benefit users on a year-round basis. Care should be exercised during all phases of recreational development to protect the environmental attributes of the DCRA, as well as the interests of surrounding landowners.

Recreational Objective 1:

Improve controlled, non-motorized recreational access to the DCRA.

Strategies:

Support efforts to enlarge the parking area at the Rogers Loop trailhead.

Work with the Kenai Peninsula Borough's Land Management Division to formalize year-round access from the DOT trailhead to the DCRA.

Provide a parking area and trailhead facilities at the western border of the DCRA.

Develop a preliminary plan with the AK-DOT, and seek funding, for a non-motorized route across the Sterling Highway near MP 168, in order to extend the recreational corridor to the Diamond Creek State Recreation Site on the south side of the Sterling Highway. (A pedestrian underpass at this location associated with an improved road-stream crossing should be investigated.)

Recreational Objective 2:

Construct summer-use trails within the DCRA.

Strategies:

Develop a summer trail system through and connecting upland areas (“forest islands”) within the DCRA, including a route paralleling Diamond Creek (Map 1). Extend DCRA trails to the Sterling Highway and current HDF trails as shown on Map 1.

Develop summer access from the Sterling Highway-DOT trailhead to the DCRA, with trail-hardening through wet areas.

Plan and develop multi-use “loops” or trails, to include bicycling and equestrian users, where soils and slopes are suitable.

Education

Educational Objective 1:

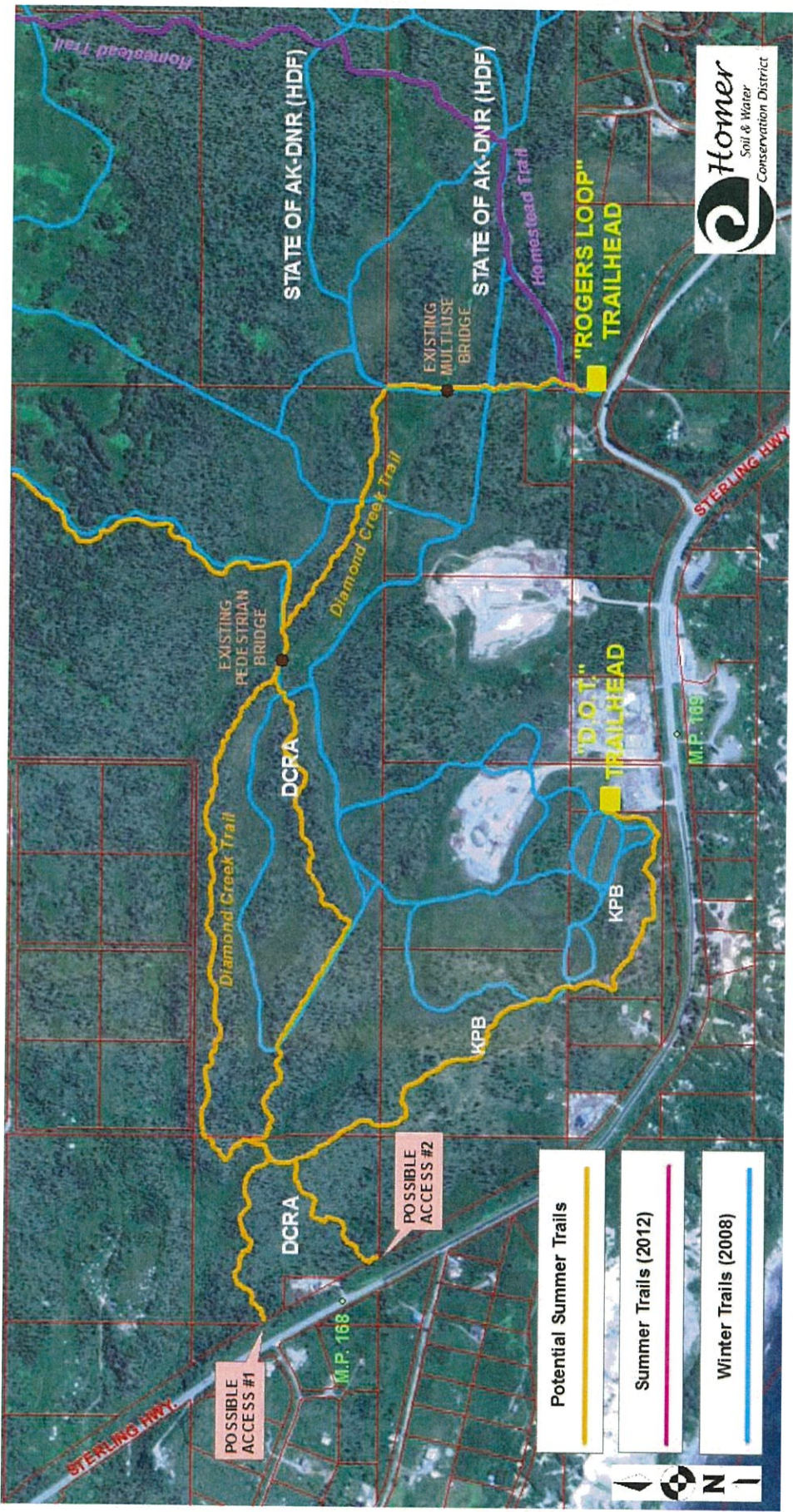
Encourage area schools, local organizations, and area visitors to use the DCRA in sustainable ways that promote education.

Strategies:

Identify areas for observing scenery and wildlife and provide minimal-disturbance facilities (such as widened trail segments, lookouts, benches, or informational signage) to enhance visitor experiences.

Help to organize and promote educational events on significant dates, or during appropriate community events, to enhance public knowledge of forest and wetland ecology.

Map 1 - Diamond Creek Recreation Area Access and Development





AGENDA ITEM REPORT

Ordinance 24-06, An Ordinance of the City Council of Homer, Alaska, Amending the FY24 Capital Budget by Appropriating \$25,000 from the Homer Accelerated Roads and Trails (HART) Trails Fund to Contract Engineering Services for Preliminary Design of Non-motorized Trails and Trailhead Connecting City of Homer Diamond Creek Property to the Proposed Highway Underpass. Davis.

Item Type: Backup Memorandum
Prepared For: Mayor Castner and Homer City Council
Date: 08 January 2024
From: Council Member Davis

Summary Statement:

The State of Alaska Department of Transportation and Public Facilities (DOT-PF) is preparing to begin construction this spring (2024) on a major rehabilitation of the Sterling Highway from Anchor Point to Baycrest (MP 157-169).

The highway rehabilitation will include “new roadway pavement, additional shoulder width and the addition of passing/climbing lanes, **replacement of bridges and culverts and stabilization of stream banks.**”

In a series of meetings with the Homer Trails Alliance (HTA) and Homer city staff, DOT-PF personnel have expressed willingness to consider including as part of the project a pedestrian underpass at the Diamond Creek culvert that would provide a connection between existing trail systems: the city’s Diamond Creek Recreation Area and Rogers Loop Trailhead on the east side of the Sterling Highway, and the Diamond Creek State Recreation Site trail system (“Diamond Gulch”) on the west side of the highway.

However, DOT-PF regulations preclude the department from expending funds on a trail underpass absent a commitment by municipal or other authorities to extend existing trails up to the proposed underpass.

In meetings with DOT-PF, city staff have indicated general support by the city for eventually connecting existing trails to a future pedestrian underpass, but they have been unable to point to any specific plans or funding for such work.

The Homer Trails Alliance has up to 60 volunteers, many highly experienced, who are willing to do much of the trail-building work that would be required – but before beginning any work (in coordination with city staff, of course) a detailed, professional design is required.

This ordinance aims to address DOT-PF concerns about the city's lack of a formal commitment to providing the connecting infrastructure for an underpass. By appropriating this relatively modest amount now for engineering services for a Preliminary Design, the city will be demonstrating in a tangible way its commitment to proceed with the work.

If this tangible commitment does secure agreement from DOT-PF to proceed with the underpass, the funds can then be expended on the design -- and once the design is completed and approved, HTA volunteers, in close coordination with City Staff, will be able to begin work on connecting trails.

Because DOT-PF will begin work on this project in a matter of months, time is of the essence.

Recommendation:

Introduce the ordinance today, so that a public hearing can be held in two weeks. Request that PARCAC review expeditiously, ideally at its next meeting in January, prior to expenditure of funds, to confirm whether HART Funds are available for the full amount, given other needs in the areas of trail construction and maintenance.

Attachments:

1. West Homer HTA Map
2. Area Map with Trail Distances

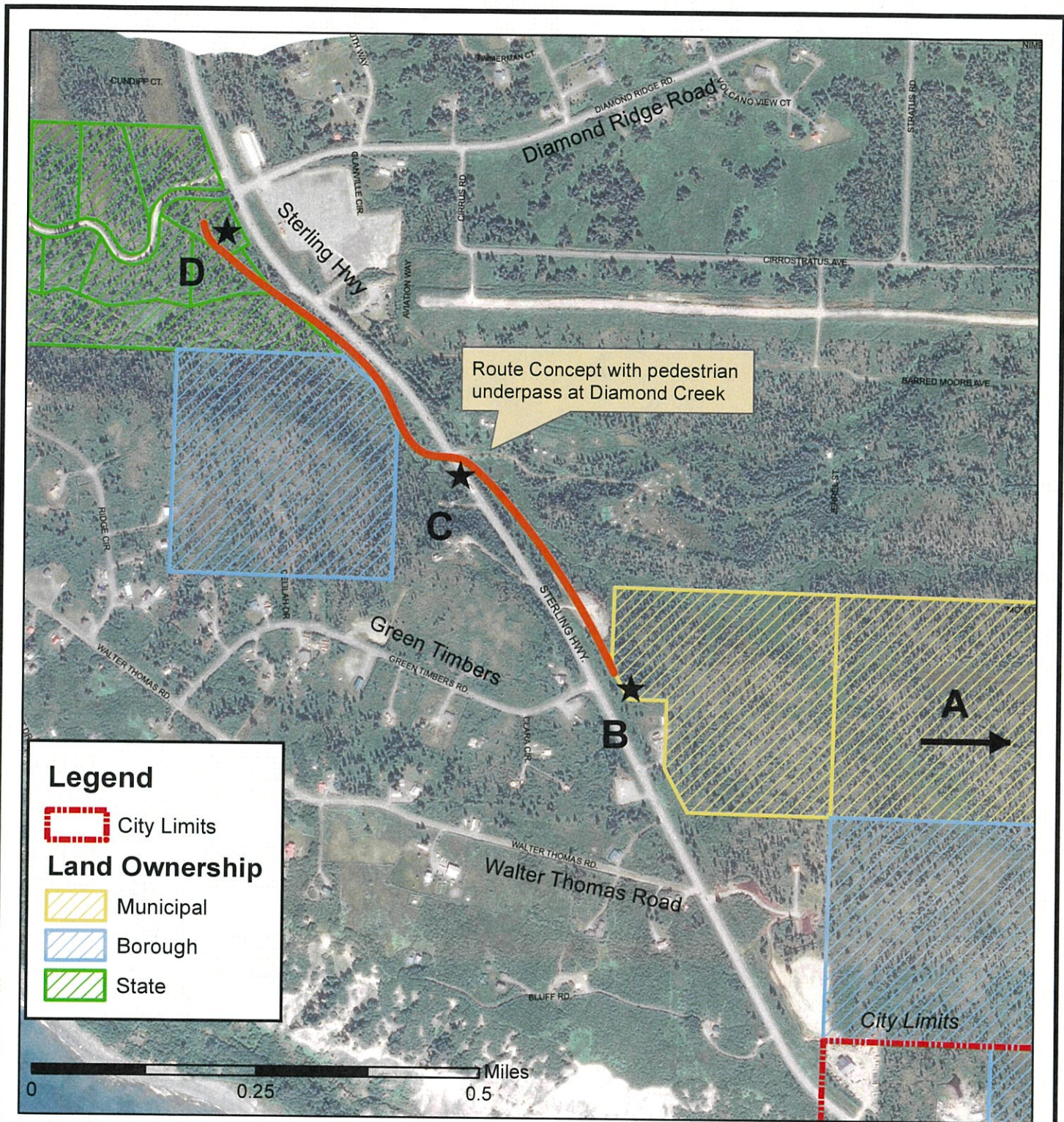
CITY OF HOMER FINANCIAL SUPPLEMENT

PROJECT NAME	<u>Trails Engineering Design Study - DCRA</u>	DATE	<u>01/03/2024</u>
DEPARTMENT	<u>Council</u>	SPONSOR	<u>Davis</u>
REQUESTED AMOUNT	<u>\$ 25,000</u>		

DESCRIPTION	<p>The City Council approved the Diamond Creek Recreation Area (DCRA) Management Plan in May 2013. Development of DCRA is included in the City of Homer's 2024-2029 Capital Improvement Plan. This appropriation is to provide \$20,000 as well as a small contingency for a total of \$25,000 to pay for the development of a Trails Engineering Design Study in the DCRA.</p> <p>The HART Policy Manual identifies a process for nomination and selecting trails for funding by the HART Trails Fund. A Trails Engineering Design Study will provide design and engineering specifics regarding trails and facilities in the DCRA and assist the City of Homer in evaluating the best use of a large land parcel in west Homer. The City of Homer has the capacity with existing staff and community volunteers to develop public recreation multi use trails in the DCRA.</p> <p>State of Alaska Department of Transportation and Public Facilities (AKDOT/PF) is preparing to launch a large Sterling Highway rehabilitation project in the west Homer area and has expressed willingness to construct a pedestrian underpass crossing the Sterling Highway if the City of Homer demonstrates commitment to developing trails and facilities in the DCRA connecting to this underpass area.</p>
-------------	---

FUNDING SOURCE(S)	OPERATING	GF CARMA	GF FLEET CARMA	PORT RESERVES	WATER CARMA
	0%	0%	0%	0%	0%
	HAWSP	HART-ROADS	HART-TRAILS	PORT FLEET RESERVES	SEWER CARMA
	0%	0%	100%	0%	0%

FUNDING SOURCE 1: HART Trails (165)		FUNDING SOURCE 2:		FUNDING SOURCE 3:	
Current Balance	\$ 1,090,060	Current Balance	_____	Current Balance	_____
Encumbered	\$ 386,671	Encumbered	_____	Encumbered	_____
Requested Amount	\$ 25,000	Requested Amount	_____	Requested Amount	_____
Other Items on Current Agenda	\$ 0	Other Items on Current Agenda	_____	Other Items on Current Agenda	_____
Remaining Balance	\$ 678,389	Remaining Balance	_____	Remaining Balance	_____
FUNDING SOURCE 4:		FUNDING SOURCE 5:		FUNDING SOURCE 6:	
Current Balance	_____	Current Balance	_____	Current Balance	_____
Encumbered	_____	Encumbered	_____	Encumbered	_____
Requested Amount	_____	Requested Amount	_____	Requested Amount	_____
Remaining Balance	_____	Remaining Balance	_____	Remaining Balance	_____



City of Homer
Planning and Zoning Department
January 3, 2024

Area Map

Estimated New Trail Distances

A-B: 3,100	City Owned Land
B-C: 1,600	Private Lands + DOT ROW
C-D: 2,500	Private, Borough, State Lands and DOT ROW

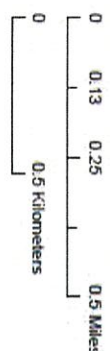
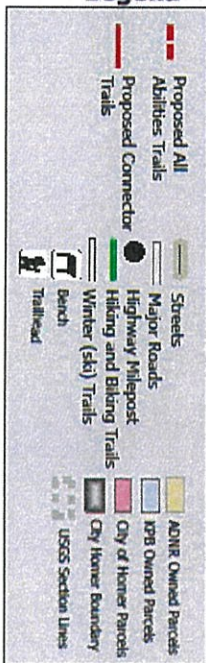


Disclaimer:
It is expressly understood the City of Homer, its council, board, departments, employees and agents are not responsible for any errors or omissions contained herein, or deductions, interpretations or conclusions drawn therefrom.

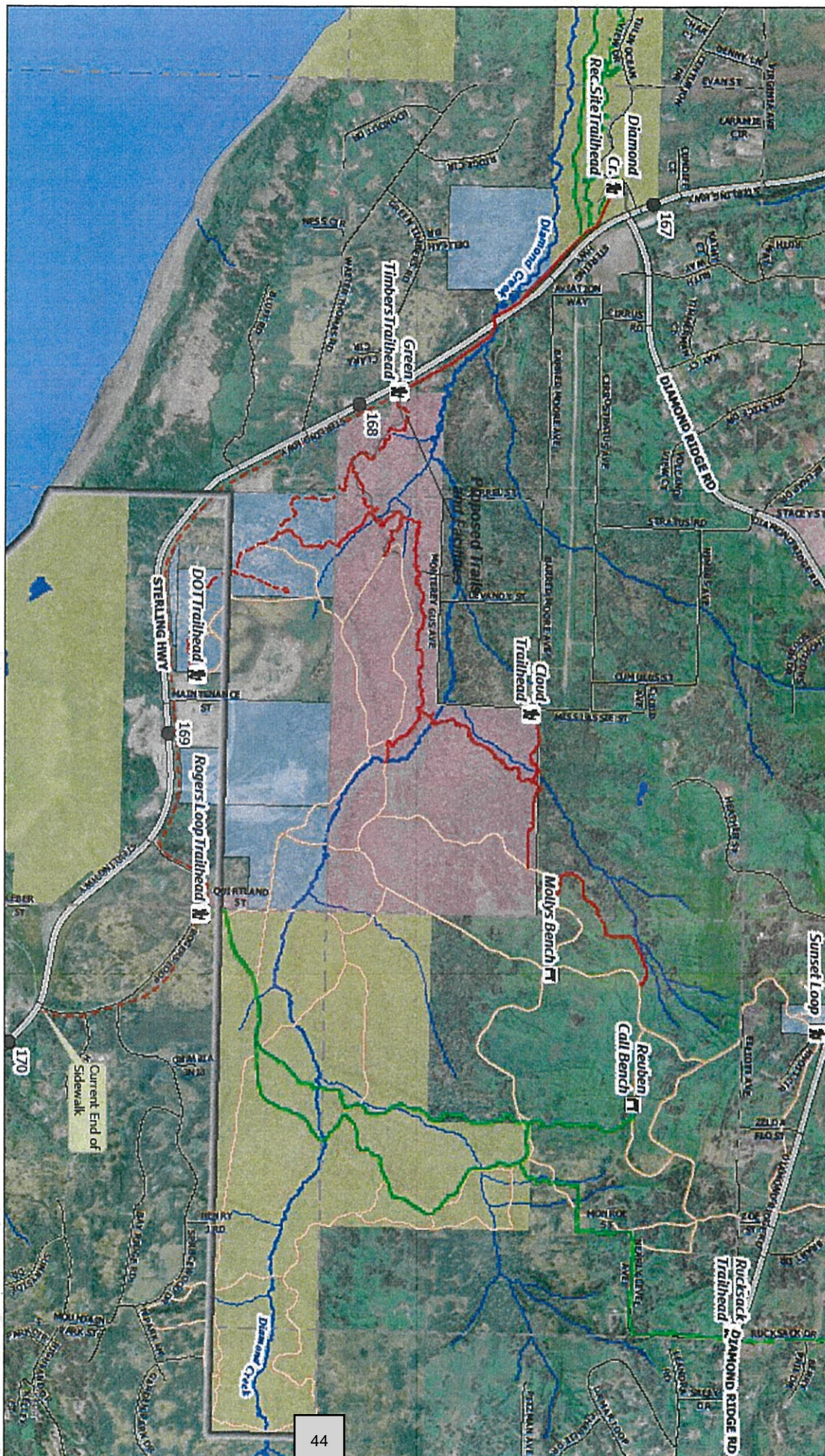
Map prepared by HHTA, Inc. for the City of West Homer, Alaska, 1/2004. 2004. All rights reserved. No part of this publication may be reproduced without the prior written permission of HHTA, Inc. HHTA, Inc. is a registered provider of the International Association of Public Health (IAPHS) and the International Association of Health Planning and Administration (IAHPA). HHTA, Inc. is also a member of the American Planning Association (APA) and the American Public Health Association (APHA).



Legend



WEST HOMER RECREATION PLANNING



**CITY OF HOMER
HOMER, ALASKA**

Davis

ORDINANCE 24-06

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
AMENDING THE FY24 CAPITAL BUDGET BY APPROPRIATING
\$25,000 FROM THE HOMER ACCELERATED ROADS AND TRAILS
(HART) TRAILS FUND TO CONTRACT ENGINEERING SERVICES FOR
PRELIMINARY DESIGN OF NON-MOTORIZED TRAILS AND
TRAILHEAD CONNECTING CITY OF HOMER DIAMOND CREEK
PROPERTY TO THE PROPOSED HIGHWAY UNDERPASS.

WHEREAS, The City Council approved the Diamond Creek Recreation Area (DCRA)
Management Plan in May 2013; and

WHEREAS, Development of DCRA is included in the City of Homer's 2024-2029 Capital
Improvement Plan; and

WHEREAS, This appropriation is to provide \$20,000 as well as a small contingency for a
total of \$25,000 to pay for the development of a Trails Engineering Design Study in the DCRA;
and

WHEREAS, A Trails Engineering Design Study will provide design and engineering
specifics for the feasibility and route of a trail from City owned property at the Diamond Creek
Recreation Area to the proposed highway underpass and to a point to be determined beyond;
and

WHEREAS, State of Alaska Department of Transportation and Public Facilities
(AKDOT/PF) is preparing to launch a large Sterling Highway rehabilitation project in the west
Homer area and has expressed willingness to construct a pedestrian underpass crossing the
Sterling Highway if the City of Homer demonstrates commitment to developing trails and
facilities in the DCRA connecting to this underpass area; and

WHEREAS, The AKDOT/PF is interest in fostering a relationship with the City of Homer
and the Kenai Peninsula Borough so that rights of way and trail easement issues can be
resolved in the Sterling Highway underpass area; and

WHEREAS, HART Trails Fund has sufficient capital to fund this contract; and

WHEREAS, The data produced by such a study will be useful in future development of
the DCRA.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The Homer City Council hereby amends the FY24 Capital Budget by appropriating \$25,000 to develop a DCRA Trails Engineering Design Study as follows:

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
165-XXXX	HART Trails	\$25,000

Section 2. A DCRA Trails Engineering Design adopted by Resolution. The DCRA Trails Engineering Design Study shall include an analysis of right of way and other aspects of trail connectivity in the project area.

Section 3. This is a budget amendment ordinance, is temporary in nature and shall not be codified.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA this ____ day of _____, 2024.

CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

First Reading:

Public Hearing:

Second Reading:

Effective Date:

Submission information

Form: [Submit Written Testimony to City Council](#) [1]

Submitted by Visitor (not verified)

Mon, 01/22/2024 - 11:48am

104.254.228.185

First Name Sandra

Last Name Cronland

Email homertrailsalliance@gmail.com

Phone Number 9073997278

Are You A City or Non-City Resident? Non-City Resident

Which City Council Meeting do you want to participate in? Regular Meeting

Date of Meeting you want to participate in? Mon, 01/22

What type of comments will you be giving?

Public Hearing Comments - Citizens may comment on items scheduled for public hearing.

Public Hearing Agenda Item: Ordinance 24-06

Written Testimony

I am writing on behalf of Homer Trails Alliance in support of Ordinance 24-06. After a considerable amount of work by Homer Soil and Water Conservation District and dedicated volunteers in the preparation of DCRA Multi Resource Management Plan, it was adopted by the City in May of 2013. A key element of the plan recommends working with DOT to construct a pedestrian underpass near the Diamond Creek crossing of the Sterling Highway (page 8 of the plan) that would provide connectivity between the DCRA and the Alaska State Parks Diamond Creek State Recreation Area (formally referred to as Diamond Gulch). The plan set the stage for negotiations with DOT to begin 10 years ago so that it would be in place when the time came for the highway realignment construction to begin. That time has arrived. Though late in the game, it is encouraging that the effort to implement the plan will finally have begun with the passing of this ordinance. As recent letters of response from DOT Commissioner Ryan Anderson indicate, the project is still on the table but time is of the essence. We strongly urge council to adopt this ordinance which will initiate the beginning stages of the management plan. It should be noted that the data generated from this engineering study will be useful in the future development of the DCRA. With the highway project construction slated to get underway in 2024 and the current

development of the property bordering the west boundary of the DCRA, it is high time that we move forward with the implementation the management plan.

Electronic Signature

Sandra Cronland

I understand that checking this box constitutes a legal signature confirming that I acknowledge and agree that I am the person identified above and that I acknowledge and agree to the above Terms of Acceptance.

Source URL:<https://www.cityofhomer-ak.gov/node/60081/submission/51607>

Links

[1] <https://www.cityofhomer-ak.gov/cityclerk/submit-written-testimony-city-council>



City of Homer

www.cityofhomer-ak.gov

Office of the Mayor

491 East Pioneer Avenue
Homer, Alaska 99603

mayor@ci.homer.ak.us

(p) 907-235-3130

(f) 907-235-3143

January 19, 2024

Alaska Department of Transportation and Public Facilities

Commissioner Ryan Anderson, P.E.

PO Box 112500 Juneau, AK 99811-2500

By email: dot.commissioner@alaska.gov

Dear Commissioner Anderson,

On behalf of the City of Homer I would like to thank you for the attention you have paid to community input on the highway rehabilitation outlined in STIP project 2670, Sterling Highway Milepost 157-169 (Anchor Point to Baycrest Hill).

Your responsiveness has been greatly appreciated by the many residents of Homer who have reached out to provide input because they recognize the far-reaching effects this project will have on our area in the decades ahead.

As you know, much of the public comment has centered on support for a pedestrian underpass connecting existing public recreation areas on the two sides of the Sterling Highway at the Diamond Creek crossing.

This proposed underpass has been a priority for many of our residents because of the positive benefits it would offer, including safe, uninterrupted access to the rich and varied natural environments and habitats in the State- and City-managed recreation areas the underpass would connect. These include riparian wetlands, spruce forests, upland fireweed and bluegrass meadows, alder and willow shrublands, peatlands, coastal bluffs and beaches, and more.

I am writing today to alert you and your staff to City of Homer Ordinance 24-06 (copy attached), adopted just this week.

With this ordinance, which appropriates \$25,000 for preliminary design work on a trail to connect the City's Diamond Creek Recreation Area to the proposed underpass, the City of Homer is demonstrating in a tangible way its strong commitment to the proposed underpass.

We would be grateful if you would encourage your staff to do their utmost to ensure that such an underpass is incorporated into DOT-PF's final plan prior to the launch of the project – a project that already includes replacement and enlargement of the existing culvert at Diamond Creek – this summer.

Warm regards,

Ken Caster, Mayor
City of Homer

From: [Devony Lehner](#)
To: [Department Clerk](#)
Cc: [Jason R \(DNR\) Okuly](#); [Derek Reynolds](#); [Dave Brann](#)
Subject: Letter of support for City of Homer Ordinance 24-06
Date: Friday, January 19, 2024 2:26:03 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear City Council members,

First off, thank you so much for serving on the Council. As a former Planning Commissioner, I have a sense of the tremendous time and energy that you guys put into addressing a huge variety of complex issues on our behalf. I know that input from citizens can help, so **I'd like to express wholehearted support for adoption of City of Homer Ordinance 24-06.** That ordinance would appropriate \$25,000 for preliminary design work related to a trail connection from the City's wonderful Diamond Creek Recreation Area (DCRA) to a proposed underpass on the Sterling Highway. The DCRA is such a diamond in the rough, and looking at ways to make it more accessible to more people would benefit the entire community.

(Just FYI, I know how confused people get between the city's DCRA and the State Parks Diamond Creek State Recreation Site, which was named AFTER the DCRA was established. I'm suggesting to lots of folks that the State Parks site be renamed the Diamond Gulch State Recreation Site, which would tie it in beautifully with Clam Gulch and Whiskey Gulch State Parks sites. Those two "gulches" offer similar terrain and beach access to the public from the same side of the Sterling Highway; that drainage near Homer is called Diamond Gulch on USGS topo maps.)

Back to the ordinance, I just want to note that ensuring that the city is able to provide engineering involvement in DOT projects that have profound effects on our community means that citizen concerns and interests can be well represented in DOT's activities.

Thank you so much for adopting this ordinance!

Devony Lehner
2000 Bay Ridge Rd.
Homer



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Transportation and
Public Facilities

Office of the Commissioner

3132 Channel Drive
P.O. Box 112500
Juneau, Alaska 99811-2500
907.465.3900
dot.state.ak.us

January 9, 2024

Homer Trails Alliance
PO Box 2215
Homer, AK 99603-9237

Via email: homertrailsalliance@gmail.com

Dear Members of the Homer Trails Alliance,

On behalf of the Alaska Department of Transportation and Public Facilities, I would like to extend our gratitude for your comprehensive and thoughtful input on the proposed multi-user, non-motorized travel corridor along the Sterling Highway from MP 167 to MP 170. We acknowledge the valuable contributions and support of the Homer-Kachemak Bay Rotary, Homer Chamber of Commerce and Visitor Center, Cook Inletkeeper, Homer Independent Living Center, Homer Soil and Water, Friends of Kachemak Bay State Park, Kachemak Bay Conservation Society, Homer Drawdown, Homer Cycling Club, Kachemak Nordic Ski Club, and Kachemak Bay Equestrian Association in this collaborative effort.

Your proposal to create a safer and more inclusive access route that connects the Alaska State Parks' Diamond Creek State Recreation Site, City of Homer's Diamond Creek Recreation Area, and Alaska Division of Forestry's Homer Demonstration Forest is impressive. We appreciate the vision to connect these areas, not only enhancing the trail systems within but also extending to the existing sidewalk leading into Homer. This initiative promises to significantly improve the recreational and travel experience for a wide range of users, including pedestrians, cyclists, equestrians, and those using mobility aids.

The safety and inclusive accessibility concern you have raised regarding the current use of the Sterling Highway and adjoining trail systems are of utmost importance to us. The proposed Diamond Creek Recreation Area Access & Development TAP grant, as outlined by HTA and its partners, addresses crucial issues impacting non-motorized users in the area. We understand the importance of this project not only for the hundreds of individuals using these areas for travel and recreation but also for the local businesses that serve this vibrant community.

Please be assured that your comments and suggestions will be thoroughly considered as we progress with the Anchor Point Highway Project. We are committed to working closely with all stakeholders, including the Homer Trails Alliance and its supporting organizations, to ensure that the project meets the needs and expectations of the community while also adhering to our standards of safety and accessibility.

"Keep Alaska Moving"

We look forward to continued collaboration and communication as we move forward with this important initiative. Your engagement and advocacy for improved trail and transportation infrastructure in the Homer area are invaluable, and we are excited about the potential impact of this project on the community.

Thank you once again for your dedication and for sharing your insights with us.

Sincerely,

A handwritten signature in black ink, appearing to read "Ryan Anderson". The signature is fluid and cursive, with the first name "Ryan" and last name "Anderson" clearly distinguishable.

Ryan Anderson, P.E.
Commissioner
Department of Transportation and Public Facilities



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Transportation and
Public Facilities

Office of the Commissioner

3132 Channel Drive
P.O. Box 112500
Juneau, Alaska 99811-2500
907.465.3900
dot.state.ak.us

January 9, 2024

Devony Lehner
Homer, Alaska

Dear Mr. Lehner:

Thank you for sharing your extensive experience and insightful comments regarding the trail systems and infrastructure improvements in the Anchor Point – Homer area. Your dedicated involvement with various organizations and trail projects since 1987, including the USDA Natural Resources Conservation Service, the Homer Soil and Water Conservation District, and others, is truly commendable.

We are particularly inspired by your emphasis on the significance of the pedestrian underpass under the Sterling Highway near Diamond Creek. Your detailed explanation highlights the enormous potential it holds for enhancing non-motorized travel safety, connecting diverse natural environments, and elevating the quality of local recreational systems. It's clear that this project could serve as a pivotal link, enriching the community's accessibility to the area's unique ecosystems and scenic beauty.

Furthermore, your work at the Independent Living Center in Homer, offering inclusive recreational experiences, brings an important perspective on how such infrastructure can impact individuals with various abilities. This aspect of accessibility and inclusion is crucial, and we appreciate you bringing it to our attention.

Your passion for and knowledge of the area's trail systems and environmental diversity are palpable and infectious. We are genuinely excited about the possibilities that the Diamond Creek underpass project presents, not only for the community but also for the broader scope of environmental education and appreciation.

Rest assured, we will consider your suggestions and insights as we move forward with the Anchor Point Project. Contributions from experienced and passionate community members like yourself are invaluable in shaping impactful and sustainable developments.

Sincerely,

A handwritten signature in black ink, appearing to read "Ryan Anderson".

Ryan Anderson, P.E.
Commissioner
Department of Transportation and Public Facilities

"Keep Alaska Moving"

Submission information

Form: [Submit Written Testimony to City Council](#) [1]

Submitted by Visitor (not verified)

Mon, 01/22/2024 - 3:20pm

166.198.252.57

First Name Mark

Last Name Schollenberger

Email mschollenberger16@gmail.com

Phone Number 9073992000

Are You A City or Non-City Resident? City Resident

Which City Council Meeting do you want to participate in? Special Meeting (if scheduled)

Date of Meeting you want to participate in? Mon, 01/22

What type of comments will you be giving?

Public Hearing Comments - Citizens may comment on items scheduled for public hearing.

Public Hearing Agenda Item: 24-06

Written Testimony

Hello, I'd like to express my support for the city of Homer to appropriate 25,000 to the Homer Accelerated Roads and Trails Fund. I'm particularly interested in the underpass at Diamond Creek, and bike trails along the highway. The Diamond creek access road to Kachemak Bay State park is unsafe for vehicles and pedestrians. A pedestrian underpass, and parking area, would be much safer than what currently exists. The Homer Bike club, State Parks, and the Homer Trail Alliance are all making improvements to the area , and attracting more visitors to the area each year. I urge the city of Homer to support the underpass project.

Electronic Signature

Mark Schollenberger

I understand that checking this box constitutes a legal signature confirming that I acknowledge and agree that I am the person identified above and that I acknowledge and agree to the above Terms of Acceptance.

Source URL:<https://www.cityofhomer-ak.gov/node/60081/submission/51608>

Links

[1] <https://www.cityofhomer-ak.gov/cityclerk/submit-written-testimony-city-council>

**CITY OF HOMER
HOMER, ALASKA**

City Manager/
City Engineer

RESOLUTION 24-090

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA
AUTHORIZING ISSUANCE OF A TASK ORDER TO KINNEY
ENGINEERING, LLC IN THE NOT-TO-EXCEED AMOUNT OF \$25,000
FOR PRELIMINARY DESIGN OF THE DIAMOND CREEK
TRAILS/HIGHWAY UNDERPASS PROJECT AND AUTHORIZING THE
CITY MANAGER TO NEGOTIATE AND EXECUTE THE APPROPRIATE
DOCUMENTS.

WHEREAS, City Council appropriated \$25,000 to this project from the HART Trails fund
at the regular meeting on January 22, 2024 via Ordinance 24-06(A); and

WHEREAS, City Council awarded term contracts to multiple engineering companies at
the regular meeting on May 9, 2022 via Resolution 22-038; and

WHEREAS, Homer City Code 3.16.060 b. allows for exceptions to bidding requirements
for amounts up to \$25,000; and

WHEREAS, Homer City Code 3.16.060 d. allows for exceptions to bidding requirements
for procurement of consultant and technical services; and

WHEREAS, The Alaska Department of Transportation and Public Facilities is an
interested partner in this project and open to eventual development of a Memorandum of
Understanding; and

WHEREAS, Staff recommends awarding the design of the Diamond Creek
Trails/Highway Underpass Project to Kinney Engineering, LLC, a local engineering firm with
familiarity of the scope of services for the project.

NOW THEREFORE BE IT RESOLVED that the Homer City Council hereby authorizes
issuance of a Task Order to Kinney Engineering, LLC in the Not-To-Exceed amount of \$25,000.

PASSED AND ADOPTED by the Homer City Council this 21st day of August, 2024.

CITY OF HOMER

KEN CASTNER, MAYOR

45 ATTEST:

46

47 _____

48 RENEE KRAUSE, MMC, CITY CLERK

49

50 Fiscal Note: Ordinance 24-06(A) appropriated \$25,000 from Homer Accelerated Roads and
51 Trails (HART) Trails Fund; \$25,000 remains.



MEMORANDUM

Resolution 24-091, A Resolution of the City Council of Homer, Alaska, Authorizing the Purchase and Installation of a Natural Gas Burner in the Homer Education and Recreation Complex (HERC) Boiler in the Amount of \$14,000 and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents.

Item Type: Backup Memorandum
Prepared For: City Council
Date: August 19, 2024
From: Daniel Kort, Public Works Director
Through: Melissa Jacobsen, City Manager

Issue: The purpose of this Memorandum is to recommend allowing the City to Contract with Combustion Control of Anchorage, Alaska to furnish and installation a natural gas burner unit into the existing fuel oil boiler at the HERC.

Background: The City of Homer approved an ordinance for \$16,000 to extend natural gas service to the HERC and convert the existing fuel oil boiler to natural gas (Ordinance 24-34). The natural gas has been run to the building. The remaining portion of the project is to contract for the purchase and installation of the natural gas burner into the existing boiler.

Recommendation: The Public Works Department recommends that the City Council approves the purchase and installation of the natural gas burner into the existing boiler at the HERC.

**CITY OF HOMER
HOMER, ALASKA**

City Manager
Public Works Director

RESOLUTION 24-091

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA
AUTHORIZING THE PURCHASE AND INSTALLATION OF NATURAL
GAS BURNER IN THE HOMER EDUCATION AND RECREATION
COMPLEX (HERC) BOILER IN THE AMOUNT OF \$14,000 AND
AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE
THE APPROPRIATE DOCUMENTS.

WHEREAS, Ordinance 24-34 approved the conversion of the existing fuel oil boiler at the
HERC; and

WHEREAS, Converting the HERC to natural gas is anticipated to result in a savings in
energy costs for the City; and

WHEREAS, The cost to purchase and install the new burner unit into the existing boiler
is \$13,952.09.

NOW THEREFORE BE IT RESOLVED that the Homer City Council hereby authorizes the
purchase and installation of the natural gas burner for existing boiler for the HERC in the
amount of \$14,000 and authorizes the City Manager to negotiate and execute the appropriate
documents.

PASSED AND ADOPTED by the Homer City Council this 26th day of August, 2024.

CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

RENEE KRAUSE, MMC, CITY CLERK

Fiscal Note: Ordinance 24-34 appropriated \$16,000 from HERC Capital Asset Repair and
Maintenance Allowance (CARMA); \$16,000 remains.



MEMORANDUM

Resolution 24-092, A Resolution of the City Council of Homer, Alaska, Awarding a Contract for Replacing the Fire Alarm System in the Elevator at City Hall to the Firm of TK Elevator Corporation in the Amount of \$129,838.97 and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents

Item Type: Backup Memorandum
Prepared For: Mayor Castner and City Council
Date: August 19, 2024
From: Daniel Kort, Public Works Director
Through: Melissa Jacobsen, City Manager

Summary:

Recommendation of award of the City Hall Elevator Recertification Project to TK Elevator Corporation.

Background:

On a biannual basis, all of the City's elevators are inspected by the TK Elevator Corporation (TKE), the City's elevator maintenance contractor, for compliance with State code. At the last inspection, the inspector made it clear to the City's building maintenance staff that the elevator in City Hall would not pass the next inspection, which will take place in August 2025 because the grace period for making the required improvements has expired. Further, TK Elevator has identified that numerous parts of the existing elevator are no longer available, so in the event of failure, there are no replacements parts that can be installed. The elevator has been maintained by TKE since they won the competitive bid for maintenance. There are only two vendors in Alaska that supply and maintain elevators and TKE maintains all of the elevators in Homer.

TKE submitted a proposal to the City for work needed to recertify the elevator in the amount of \$129,838.97 dated June 21, 2024. The scope of work outlined in the proposal will consist of an almost complete reconstruction of the elevator. Sole Source procurement to TKE is justified in this scenario because TKE is the only firm that the City has used to perform maintenance work on the elevator and is therefore more qualified than the other firm.

A budget was approved for this reconstruction effort via Ordinance 24-28, passed by the Homer City Council on July 2, 2024. The ordinance authorized an allocation of \$146,261.39 from the Community Assistance Program for the reconstruction of the elevator.

Recommendation:

City Council award this project to TK Elevator Corporation in the amount of \$129,838.97.

**CITY OF HOMER
HOMER, ALASKA**

City Manager/
Public Works Director

RESOLUTION 24-092

A RESOLUTION OF THE CITY COUNCIL OF HOMER ALASKA
AWARDING A CONTRACT FOR CITY HALL ELEVATOR
RECERTIFICATION PROJECT TO THE FIRM OF TK ELEVATOR
CORPORATION IN THE AMOUNT OF \$129,838.97 AND
AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE
THE APPROPRIATE DOCUMENTS.

WHEREAS, Ordinance 24-28 authorized funding for the City Hall Elevator Recertification Project; and

WHEREAS, TK Elevator Corporation (TKE) was the original installer of the elevator and has performed all past inspection and repair work for the elevator, meaning that the modernization work is exempt from competitive procurement required by HCC 3.16.030, as the work falls under the exception for sole source procurement in HCC 3.16.060; and

WHEREAS, The City received a proposal for the modernization work from TKE in the amount of \$129,838.97; and

WHEREAS, This award is not final until written notification is received by TKE from the City of Homer.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, awards the contract to TK Elevator Corporation for the Homer City Hall Elevator Recertification Project and Authorizes the City Manager to negotiate and execute the appropriate documents.

PASSED AND ADOPTED by the Homer City Council this 26th day of August, 2024.

CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

RENEE KRAUSE, MMC, CITY CLERK

44 Fiscal Note: Ordinance 24-28 appropriated \$146,261.39 from FY24 Community Assistance
45 Program Funds; \$146,261.39 remains; Ordinance 24-24(A) appropriated \$10,000 from City Hall
46 Capital Asset Repair and Maintenance Allowance (CARMA) Fund; \$10,000 remains.



MEMORANDUM

Resolution 24-093, A Resolution of the City Council of Homer, Alaska, Amending the Economic Development Advisory Commission Bylaws Article V City Staff Roles and Article VI Meetings.

Item Type: Backup Memorandum
Prepared For: Mayor Castner and Homer City Council
Date: August 20, 2024
From: Economic Development Advisory Commission
Through: Melissa Jacobsen, City Manager

Summary:

At the May 14, 2024 Regular meeting the Commission reviewed and amended the bylaws Section V. City Staff Roles to correct the title of the staff liaison from the Economic Development Manager to the Community Development Director and amended Section VI Meetings to correctly reflect that worksessions require a quorum of the Commission in attendance. The Commission adopted the amendments at their regular meeting on August 13, 2024

Excerpt of the minutes are as follows:

May 14, 2024

Approved Minutes

NEW BUSINESS

- A. *Bylaws Review*
Memorandum from Community Development Director as backup

Community Development Director Engebretsen recommended the following minor changes to the EDC Bylaws:

- 1. Article V Staff Roles Section 1, Line 64, changing "Deputy City Planner" to "Community Development Director."*
- 2. Article VI Meetings Section 3, Line 89, the Bylaws currently state a quorum is no needed, but this is out of date. Worksessions do require a quorum, this is a change that has been implemented since the last Bylaw amendment in 2021.*

AREVALO/BROWN MOVED TO ACCEPT THE SUGGESTED CHANGES ON LINES 64 AND 89 OF THE BYLAWS AND MOVE THE DOCUMENT FORWARD TO THE EDC'S JUNE MEETING.

There was no further discussion.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT.

Motion carried.

August 13, 2024
Unapproved Minutes Excerpt

PENDING BUSINESS

- B. EDC Bylaws
Memorandum from Community Development Director as backup

Community Development Director Engebretsen provided a brief summary of the action taken by the Commission and noted that a motion was needed to forward the amended bylaws to Council for approval.

YOUNG/BRENNAN MOVED TO FORWARD THE AMENDED EDC BYLAWS TO CITY COUNCIL FOR APPROVAL.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Recommendation:

City Council approve Resolution 24-093 Amending the Economic Development Advisory Commission Bylaws.

**CITY OF HOMER
HOMER, ALASKA**

City Clerk

RESOLUTION 24-093

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
AMENDING THE ECONOMIC DEVELOPMENT ADVISORY
COMMISSION BYLAWS ARTICLE V. CITY STAFF ROLES AND
ARTICLE VI. MEETINGS.

WHEREAS, Article V – City Staff Roles is amended to reflect the change in the title of the
Staff Liaison to Community Development Director; and

WHEREAS, Article VI – Meetings, Section three is amended to reflect that a quorum is
required for a worksession; and

WHEREAS, The Economic Development Advisory Commission introduced the
amendments at their May 14, 2024 regular meeting and approved the amendments at a second
meeting on August 13, 2024 in accordance with their bylaws.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska amends the
Economic Development Advisory Commission Bylaws Article V. City Staff Roles and Article VI.
Meetings, Section Three.

PASSED AND ADOPTED by the Homer City Council this 26th day of August, 2024.

CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

RENEE KRAUSE, MMC, CITY CLERK

Fiscal note: N/A

1 **CITY OF HOMER ECONOMIC DEVELOPMENT ADVISORY COMMISSION**
2 **BYLAWS**

3
4 **ARTICLE I - NAME AND AUTHORIZATION**
5

6 The Economic Development Advisory Commission was established October 25, 1993 with the adoption
7 of Ordinance 93-15(S)(A). The Commission was inactivated on January 24, 2000 and reactivated
8 February 27, 2006 by Resolution 06-20. The following bylaws were adopted on December 13, 2021
9 August 26, 2024 and shall be in effect and govern the procedures of the Economic Development
10 Advisory Commission.

11
12 **ARTICLE II – PURPOSE**
13

14 The Economic Development Advisory Commission will act in an advisory capacity to the City Manager
15 and the City Council on the overall economic development planning for the City of Homer in accordance
16 with Homer City Code Chapter 2.76.040.

17
18 **ARTICLE III - MEMBERS**
19

20 Section 1. The Commission shall consist of seven members comprised of at least five (5) members that
21 reside inside city limits and shall be registered voters in the Kenai Peninsula Borough or the City of
22 Homer. Members shall be nominated by the Mayor and confirmed by City Council to serve for three-
23 year terms to expire on April 1st of designated years.

24
25 Section 2. Notice of term expirations will be delivered to members by the City Clerk's Office. Members
26 wishing to continue services upon the completion of a three-year term must submit a reappointment
27 application to the City Clerk's Office, which is subject to review by the Mayor and confirmed by City
28 Council. There are no limits on the number of terms a member may serve.

29
30 Section 3. Members may not have alternates. If a position is vacated during a term, it shall be filled for
31 the unexpired term by an appointee selected by the Mayor and confirmed by City Council.

32
33 Section 4. A member's appointment is vacated under the following conditions:

- 34 • A member fails to qualify to take office within 30 days after their appointment;
35 • A member resigns;
36 • A member is physically or mentally unable to perform the duties of the office;
37 • A member is convicted of a felony or of an offense involving a violation of their oath of office; or
38 • A member has three consecutive unexcused absences, or misses half of all meetings within an
39 appointment year, whether excused or unexcused.

40
41 Section 5. The Mayor may appoint, subject to confirmation by the City Council, one City Council
42 member and one Homer area high school Student Representative to serve as consulting, non-voting
43 members. The Mayor, the City Manager, a representative of the Homer Marine Trades Association, and
44 the Director of the Homer Chamber of Commerce shall serve as non-voting, consulting members.

45
46 **ARTICLE IV - OFFICERS**
47

Section 1. A Chairperson and Vice-Chairperson shall be elected from among the appointed commissioners at the regular April meeting of the Commission.

Section 2. Officers shall serve a term of one year from the April meeting at which they are elected, and until their successors are duly elected. Officers may be re-elected in subsequent years.

Section 3. The Chairperson shall preside at all meetings of the Commission, authorize calls for any special meetings, execute all documents authorized by the Commission, serve as ex officio/voting member of all committees, and generally perform all duties associated with that office.

Section 4. In the event of the absence, or disability of the Chairperson, the Vice-Chairperson shall assume and perform the duties of the Chair. If both the Chairperson and Vice-Chairperson are absent, and a quorum of four members are present, the senior member shall assume and perform the duties and functions of the Chair.

ARTICLE V – CITY STAFF ROLES

Section 1. The ~~Deputy City Planner~~ **Community Development Director** shall serve as a staff liaison to the commission. The staff liaison shall assist the Chairperson in setting meetings, preparing agendas, and other documentary material, and coordinating the acquisition of needed materials and training. The staff liaison shall submit reports and recommendations for those agenda items requiring decisions or recommendations by the Commission. Other staff having experience, education, and professional training in the subject matter may provide input into the reports and recommendations, or may provide supplemental information. The information submitted may be oral, written or graphic, or some combination of all.

Section 2. The City Clerk shall designate a recording clerk to take minutes for the Commission and serve as the Commission's parliamentary advisory pursuant to AS 29.20.380(10) and HCC 2.12.010, and assist the Chairperson with the conduct of the meeting.

ARTICLE VI – MEETINGS

Section 1. Regular meetings shall be open to the public and held on the second Tuesday of each month at 6:00 p.m. in the designated location and shall be posted for public information as required by Homer City Code and Alaska State Statutes.

Section 2. Special meetings and Worksessions may be called by the Staff Liaison, Chair, or a majority of the Commission. Notice of such meetings shall be posted in the same manner as that for regular meetings.

Section 3. A quorum for the transaction of business at any meeting shall consist of four members. For purposes of determining the existence of a quorum, consulting members shall not be counted. Worksessions ~~do not~~ require a quorum, however, no action may be taken at a worksession; items on the agenda are for discussion only.

Section 4. Any member who is unable to attend a meeting, whether regular or special, shall contact the Clerk in advance no later than two hours prior to the scheduled meeting time for excusal.

Section 5. Meeting agenda deadline is at 5:00 p.m. the Wednesday preceding the meeting. Allowances will be made for holidays.

Section 6. The order of business for the regular meetings shall include, but not be limited to, the following items, which shall be covered in the sequence shown, as far as circumstances permit. Agenda shall be posted for public information as required by Homer City Code and Alaska State Statutes.

CITY LOGO	NOTICE OF MEETING	DEPT. CONTACT INFO
	REGULAR MEETING AGENDA	(City Clerk's Office)

NAME OF BODY

DAY OF WEEK, DATE, AND TIME OF MEETING

PHYSICAL LOCATION OF MEETING & MEETING ROOM

1. CALL TO ORDER
2. AGENDA APPROVAL
3. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA (3 minute time limit)
4. RECONSIDERATION
5. APPROVAL OF MINUTES
6. VISITORS/PRESENTATIONS (Chair set time limit not to exceed 20 minutes. Public may not comment on the visitor or the visitor's topic until audience comments. No action may be taken at this time.)
7. STAFF & COUNCIL REPORT/COMMITTEE REPORTS
8. PUBLIC HEARING (3 minute time limit)
9. PENDING BUSINESS
10. NEW BUSINESS
11. INFORMATIONAL MATERIALS (No action may be taken on these matters, for discussion only.)
12. COMMENTS OF THE AUDIENCE (3 minute time limit)
13. COMMENTS OF THE CITY STAFF
14. COMMENTS OF THE COUNCILMEMBER (If one is assigned)
15. COMMENTS OF THE COMMISSION (includes Comments of the Chair since they are part of the commission.)
16. ADJOURNMENT Next regular meeting is scheduled for _____. (Note any other worksessions, special meetings, committee meetings etc.) All meetings scheduled to be held in the Homer City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska. (The meeting may be scheduled for the Conference Room or virtually.)

Section 7. Per Resolution of the City Council (Resolution 06-115(A)), Public Testimony shall normally be limited to three minutes per person. Exceptions may be provided for at the Chairperson's discretion or by a majority vote of the members in attendance.

Section 8. Recorded minutes shall be made available by the City Clerk's Office to the Commission prior to the next meeting and a record of all voting will be included in the minutes of each meeting. Minutes shall be available to the public as required by Homer City Code and Alaska State Statutes.

Section 9. Teleconference participation is allowed per the rules and limitations set forth in Homer City Code 2.58.060.

ARTICLE VII – GENERAL OPERATING PROCEDURES

Section 1. The Commission shall abide by the current edition of Robert's Rules of Order insofar as it is consistent with the Commission's bylaws, other provisions of Homer City Code, or standing rules. In all other cases, bylaws, the code, or the standing rule shall prevail. This includes, but is not limited to, HCC 1.18 Conflicts of Interest, Partiality, and Code of Ethics; HCC 2.58 Boards and Commissions; HCC 2.76 Economic Development Advisory Commission; and the Open Meetings Act – AS 44.62.310-312.

Section 2. Each member, including the Chairperson, shall vote, and shall not abstain from voting, unless such member claims a conflict of interest, or has an excused absence, in which event the member shall be excused from voting. The member shall then state for the record the basis for the abstention. Four affirmative votes are required to pass a motion. Voting will be by a roll call vote, the order to be rotated; or by unanimous consent if no objection is expressed. Voting by proxy or absentee is prohibited.

Section 3. Any rule or resolution of the Commission, whether contained in these Bylaws or otherwise, may be suspended temporarily in connection with business at hand; and such suspension to be valid; may be taken only at a meeting at which at least four of the members of the Commission shall be present, and two-thirds of those present shall so approve.

Section 4. Training sessions developed or arranged by the City Clerk and approved by the City Manager shall be mandatory unless a member's absence is excused by the Chairperson. The City Manager and/or City Clerk, in their discretion and in consultation with the City Attorney as needed, may develop model procedures to be used as a guide for the Commission.

ARTICLE VIII - COMMITTEES

Section 1. Committees of one or more members for such specific purposes as the business of the Commission will only become active upon approval of Council. A memorandum and resolution will go before Council outlining the reason, tasks assigned and termination date. Committees shall be considered to be discharged upon completion of the purpose for which it was appointed, and after its final report is made to and approved by the Commission.

Section 2. All committees shall make a progress report to the Commission at each of the Commission's regular meetings.

ARTICLE IX - BYLAW AMENDMENTS

The Bylaws may be amended at any meeting of the Commission by a majority plus one of the members, provided that notice of said proposed amendment is given to each member in writing. The proposed amendment shall be introduced at one meeting and action shall be taken at the next Commission meeting. Amendments to bylaws shall be effective upon approval of the amendments by City Council via resolution.



MEMORANDUM

Resolution 24-094, A Resolution of the City Council of Homer, Alaska, Awarding a Contract for Replacing the Fire Alarm System in the Elevator at City Hall to the Firm of Accel Fire Systems, Inc., in the Amount of \$20,508 and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents

Item Type: Backup Memorandum
Prepared For: Mayor Castner and City Council
Date: August 19, 2024
From: Daniel Kort, Public Works Director
Through: Melissa Jacobsen, City Manager

Summary:

Recommendation of award of the City Hall Elevator Fire Alarm Replacement to Accel Fire Systems, Inc.

Background:

On a biannual basis, all of the City's elevators are inspected by the TK Elevator Corporation (TKE), the City's elevator maintenance contractor, for compliance with State code. At the last inspection, TKE's inspector made it clear to the City's building maintenance staff that the elevator in City Hall would not pass the next certification inspection. This is scheduled to take place in August 2025. The grace period for making the required improvements has expired.

TKE has identified that numerous parts of the existing elevator are no longer available, so in the event of failure, there are no replacement parts that can be installed. TKE submitted a proposal to the City to modernize the elevator in the amount of \$129,838.97 dated June 21, 2024. The scope of work outlined in the proposal will consist of an almost a complete reconstruction of the elevator. A budget was approved for this reconstruction effort via Ordinance 24-28 on July 2, 2024. The ordinance authorized an allocation of \$146,261.39 from the Community Assistance Program for the reconstruction of the elevator. An additional \$10,000 was approved via Ordinance 24-24(A) from the City Hall CARMA fund. This should represent enough funds to complete the project.

One item not included in TKE's scope of work, is the replacement of the fire alarm system. During their last round of routine maintenance, TKE suggested that the fire alarm system be replaced. This is not work that TKE can do and would require the services of a firm specializing in fire alarms. Because the estimated cost of such services was less than \$25,000, the City used the competitive procurement process outlined in HCC 3.16.020 for small procurements between \$10,000 and \$25,000 and solicited

proposals from three qualified firms. Of the firms contacted, only Accel Fire Systems, Inc. was responsive, submitting a proposal for \$20,508.

Recommendation:

Recommend City Council award this project to Accel Fire Systems, Inc. in the amount of \$20,508.

**CITY OF HOMER
HOMER, ALASKA**

City Manager/
Public Works Director

RESOLUTION 24-094

A RESOLUTION OF THE CITY COUNCIL OF HOMER ALASKA
AWARDING A CONTRACT FOR REPLACING THE FIRE ALARM
SYSTEM IN THE ELEVATOR AT CITY HALL TO THE FIRM OF ACCEL
FIRE SYSTEMS, INC. IN THE AMOUNT OF \$20,508 AND
AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE
THE APPROPRIATE DOCUMENTS.

WHEREAS, Building maintenance staff were told at the last inspection of the elevator at
City Hall that it would not pass the next inspection; and

WHEREAS, One of the systems that is out of compliance with code is the fire alarm; and

WHEREAS, In accordance with the competitive procurement procedures outlined in
HCC 3.16.020 for procurements between \$10,000 and \$25,000 in estimated value, proposals
from three vendors were sought; and

WHEREAS, Only Accel Fire Systems, Inc. was responsive, with a proposal for \$20,508;
and

WHEREAS, Replacement of the elevator in City Hall is funded by Ordinance 24-28; and

WHEREAS, This award is not final until written notification is received by Accel from the
City of Homer.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, awards the
contract to Accel Fire Systems, Inc. for replacing the fire alarm system in the City Hall elevator
and authorizes the City Manager to negotiate and execute the appropriate documents.

PASSED AND ADOPTED by the Homer City Council this 26th day of August, 2024.

CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

RENEE KRAUSE, MMC, CITY CLERK

Fiscal Note: Ordinance 24-28 appropriated \$146,261.39 from FY24 Community Assistance Program Funds; \$146,261.39 remains; Ordinance 24-24(A) appropriated \$10,000 from City Hall Capital Asset Repair and Maintenance Allowance (CARMA) Fund; \$10,000 remains.



MEMORANDUM

Resolution 24-095, A Resolution of the City Council of Homer, Alaska, Accepting a Donation of Playground Equipment from the Homer Rotary Club for Bayview Park

Item Type: Backup Memorandum
Prepared For: City Council
Date: August 20, 2024
From: Leon Galbraith, P.E., City Engineer
Through: Melissa Jacobsen, City Manager

Issue: The purpose of this Memorandum is to recommend allowing the City of Homer Public Works Department – Parks Division to accept a donation of playground equipment from the Homer Rotary Club for installation in Bayview Park.

Background: The City of Homer accepted Healthy and Equitable Communities (HEC) Grant funding from the State of Alaska Department of Health, Division of Public Health in the amount of \$74,916 (Ordinance 23-36) for improvements to Bayview Park. HEC funding includes design, public outreach, and playground equipment installation. Grant funds have completed park design and public outreach.

In addition to the HEC grant, the project has benefited from a playground equipment donation from Rotary Club. To fulfill the City's HEC grant matching contribution, Ordinance 23-23 allocated \$52,314 from the HART Roads and Trails Fund for drainage improvements and pavement.

Recommendation: City Council approves the acceptance of the donated playground equipment from the Homer Rotary Club for the Bayview Park.

**CITY OF HOMER
HOMER, ALASKA**

City Manager
City Engineer

RESOLUTION 24-095

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA
ACCEPTING A DONATION FROM THE HOMER ROTARY CLUB OF
PLAYGROUND EQUIPMENT FOR BAYVIEW PARK.

WHEREAS, Ordinance 23-36 approved a Healthy & Equitable Communities (HEC) Grant in the amount of \$74,916 for design, public outreach, and the purchase of and installation of playground equipment for the Bayview Park Improvements Project; and

WHEREAS, Some playground equipment and safety surface material will be covered by HEC Grant funds under Account no. 58-151-xxxx Bayview Park Restoration Project and will provide the some of the playground equipment for installation in Bayview Park to fulfil the HEC grant requirements; and

WHEREAS, Homer Rotary Club has donated playground equipment to be installed with the upcoming construction project.

NOW THEREFORE BE IT RESOLVED that the Homer City Council hereby authorizes the acceptance of playground equipment for Bayview Park and authorizes the City Manager to negotiate and execute the appropriate documents.

PASSED AND ADOPTED by the Homer City Council this 26TH day of August, 2024.

CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

RENEE KRAUSE, MMC, ACTING CITY CLERK

Fiscal Note: N/A



MEMORANDUM

AML Summer Conference August 13-15 Kodiak, Alaska

Item Type: Informational Memorandum
Prepared For: Mayor Castner and City Council
Date: August 26, 2024
From: Donna Aderhold, Councilmember

Thank you for the opportunity to attend the summer Alaska Municipal League (AML) conference in Kodiak on August 13-14. These meetings are a great opportunity to get up to date on municipal issues and network with elected officials and city managers from communities around the state.

Heather Brakes, one of AML's lobbyists, provided an overview of the legislative session. One of the general themes that wove through the conference was how the legislative session ended this year with a rush to add bills into other bills in the hopes of getting more legislation passed. In some cases, the strategy worked and in other cases it did not, but there are several concerns with this process:

- Many of the bills stuffed into other bills had been stuck in committee and had not received much or any public hearing
- All this happened in the final hours of floor session when the public had no opportunity to weigh in
- The 2023-2024 legislative session included more freshmen legislators than is typical and these legislators are now "trained" that this is a legitimate method to get their agendas passed without adequate public process

An example of this strategy is SB179 which preempts municipalities from imposing sales taxes on property transfers (which does not happen in Alaska) which passed at the end of session with added tax related bills, including the expansion of the agricultural land property tax exemption (SB 179) and requirements for property tax assessments and the qualifications of tax assessors (HB347). One proposed amendment to SB179 that did not pass in the final hours was to increase the mandatory senior property tax exemption from \$150,000 to \$450,000.

Nils Andreassen provided an overview of an AML member survey regarding the needs and issues of municipalities working with state agencies. The take home messages of the survey result I heard were that the success of municipalities varied by community and by state agency, high turnover at state agencies has created challenges in consistency and follow through by agencies, and that overall state agencies are understaffed and do not have the capacity

adequately respond to municipal needs. Lack of staff at state and federal agencies create delays in grant decisions and increase costs of capital projects.

The City of King Cove provided a case study of what can happen to small communities dependent on one revenue source that comes primarily from one company. King Cove was hit multiple ways when Peter Pan Seafood closed suddenly. King Cove has been a year-round commercial fishing hub (salmon, Pollock, Pacific cod, and crab) and now the fish dock sits idle. Most of the municipality's revenues were dependent on the fishing industry. Local fishermen (many of them multigenerational King Cove residents) were not paid for the fish and crab they delivered to Peter Pan before the company closed and community members are surviving by selling their fishing permits to fishermen outside of King Cove. Meanwhile, the municipality has multiple capital projects in the works that were funded before Peter Pan closed and they are in limbo on what to do in case the community is no longer viable. Currently, King Cove is existing on disaster funds while they hope for an entity to purchase Peter Pan this fall. Kristen Dobroth, a journalist with Undercurrent News, provided context for the loss of Peter Pan Seafood on other processors in the state: Russia has flooded the market with fish (and can market them as Alaskan), Japan's economic downturn (they are not purchasing as many fish), and changing food habits since the pandemic and the increased price of wild seafood compared to other protein sources. Bright spots in the industry include the Russian embargo because of the war in Ukraine open the market for truly Alaskan sources of fish, the current iteration of the Farm Bill includes discussion of commercially harvested seafood, and the inclusion of canned salmon and other seafood in food aid programs.

John Leach, Sitka, Beth Weldon, for Katie Koester in Juneau, and Felix Rivera, Anchorage, discussed recruitment and retention issues in municipalities. Some of my takeaways include the following:

- Currently 5 generations in the work force and each values salary and benefits differently
- Municipalities may need to implement a "basket" of benefits
 - Younger employees are looking for recognition, training, and opportunities for advancement
 - Child/elder care support and extended parental leave
 - Housing as a part of attracting employees from outside the community
- Alaska municipalities tend to provide more services than many in the Lower 48 where services may be provided by an outside entity or may be shared across jurisdictions
- Wage growth in public and private sectors is an issue

Senator Murkowski addressed the conference during lunch. The commander of the Tustumena presented her with a piece of the hull as a thank you for her support of AMHS. She spoke about several Alaskan issues she's working on in the US Senate, including the AMHS, US Coast Guard and need for an ice breaker, her progress in bringing federal agency leaders to Alaska to experiences the unique issues we face, and the difficulty in raising local/state match for federal capital grants.

Kevin Berry, University of Alaska, and Nolan Klouda, Municipality of Anchorage, presented about outmigration from the state. Outmigration is driven by the inability to attract people to the state and the change in age structure (baby boomers aging out of the workforce). Alaska's economy is currently lagging the Lower 48 so it's difficult for Alaska to compete for employees with US unemployment so low. Alaska's challenges include an aging workforce and competition with other states for younger workers when wages and opportunities are lower in Alaska. Alaska can keep people in the state by investing in wages, childcare, the cost of living, K-12 education, the University of Alaska system, access to amenities, and improved economic stability. Important factors in attracting families to Alaska are childcare and housing.

Carol Triem, AML, and Kamalika Das, Institute on Taxation and Economic Policy, presented on the erosion of the local tax base. Municipal taxing authority is constrained by federal and state constitutions. Nationwide, federal and state transfers to municipalities have been declining since the 1970s, and since the pandemic, many states (not Alaska) have been cutting taxes to their own detriment. Municipalities limit themselves with caps on property and sales taxes. In Alaska, the legislature is also providing tax relief to Alaska residents by mandating tax exemptions at the municipal level. State legislators are not well educated on Title 29, particularly Chapter 45 of Title 29 that addresses municipal taxation. AML is currently working with University of Alaska Community and Economic Development on a study to understand the impacts of exemptions on municipalities.

Nils interviewed Lon Garrison, Association of Alaska School Boards. The discussion reflected discussion we have had at the Homer City Council about the value of public education and the difficulties our education system currently faces. Lon noted that many changes made to improve education factors may not be seen in measurements such as test scores for several years. He used an example of one school district recognizing differences in reading at grade level were related to whether children attended preschool programs. The school district invested in making preschool accessible to low-income families and several years later saw a drastic jump in the number of students reading at grade level when the first cohort of children reached the appropriate grade. Of course, politicians often want instant results they can point to when running for reelection. One thing Lon said that resonated with me was that we need to think of education as an investment instead of spending. What are the positives of investing in education?

Erin Reinders and James Marks of AML presented on planning and capacity for community development and public works. A problem with the CAPSIS system where we upload our capital projects is that only our legislators can see our projects, they are not widely visible. Department of Community and Regional Affairs has a community plans library where our capital improvement plan, comprehensive plan, hazard mitigation plan, etc. can be uploaded and where all legislators and AML will have access to them for planning purposes. Very few communities currently use this resource. AML is adding capacity to provide support for planning, grants, and the ability to implement grants. AML is planning a shared information system platform and is interested in hearing from members on what it should look like.

Alaska has two organizations that provide insurance pools for public entities (municipalities and schools), APEI and AMLJIA. Over the past few years, APEI and AMLJIA have been working

towards a merger. If approved by the members of both pools during a vote in November (Homer is part of AMLJIA), the organizations will complete the merger process by July 1, 2025, with a new name, APRA.

Attendees spent part of Thursday morning moving from table to table discussing and writing down priorities under topics that included public safety, education, land use and resources, transportation, governance, and other topics. Melissa included our identified need to change state statute regarding legal notice for public hearings under the governance topic. AML will take the notes back to Juneau and will work with the AML Board of Directors on crafting resolutions and revised priorities for the upcoming legislative session. Draft priority statements and resolutions will be available early fall, and members will vote on them during the business meeting in December.

AML held a reverse town hall for candidates running for state legislature. Candidates joined over Zoom and Nils and various members presented a summary of AML's positions and issues.

The conference closed out with an opportunity for members to raise topics of particular interest. City Manager, Melissa Jacobsen presented the need to change state statute for public notices and received a round of applause. Clearly this is an issue faced by all municipalities.



MEMORANDUM

Ordinance 24-35, Amending HCC 3.16 and Resolution 24-083, Adopting the Revised Procurement Policy

Item Type: Backup Memorandum
Prepared For: Mayor Castner and Homer City Council
Date: August 12, 2024
From: Melissa Jacobsen, City Manager

The current version of the City's Procurement Policy and Procedures Manual was last revised in 2013. The policies are outdated and require updates to bring them in line with the City's current needs.

In 2023 a Finance Working Group was developed and is made up of staff from all City departments that work with procurement in some way. A survey went out to the working group and department directors seeking feedback on what challenges they have with the current policy, and the key responses were related to spending authority and lack of clarity/ease of use.

Following the staff survey, the City engaged with Carmen Jackson LLC, an accounting firm that holds a term contract with the City, to assist in drafting a revised policy manual that takes into account feedback from the survey, current best practices, and reference to state and federal regulations. I also collaborated with former Fire Chief Robert Purcell for guidance in adding a section for procurements under an emergency declaration. Lastly Council Members Lord and Davis, who are working with staff as finance champions, reviewed the documents with me and Finance Director Fisher before bringing these revisions to Council.

As a result of this work, the revised Procurement Policy and Procedures Manual and an ordinance amending Homer City Code 3.16 Procurements are provided for Council's consideration.

Key changes to the policy include:

- Inclusion of a statement of General Policies
- Increase in spending authority
 - Division Directors/Second in Command from \$3,000 to \$5,000
 - Department Heads from \$4,000 to \$10,000
 - City Manager from \$10,000 to \$50,000
 - City Council approval for procurement over \$50,000
- Revised procurement matrix
- Defined spending levels and approval requirements for small, intermediate, and large purchases
- Clarified purchasing procedures and Invitation to Bid/Request for Proposals process
- Addition of a section for procurement under a local disaster emergency declaration

RECOMMENDATION: Adopt Ordinance 24-35 and Resolution 24-083

Link to current Procurement Policy and Procedures Manual- <https://www.cityofhomer-ak.gov/cityclerk/procurement-policy-and-procedures-manual>

CITY OF HOMER
HOMER, ALASKA

City Manager

ORDINANCE 24-35

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
AMENDING HOMER CITY CODE CHAPTER 3.16 PROCUREMENTS.

WHEREAS, Homer City Code 3.16 Procurements was last amended in 2001; and

WHEREAS, City Staff, with the assistance of a consultant, have undertaken a re-write of the
City's Procurement Policy manual; and

WHEREAS, This code amendment brings code and policy into alignment.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code Chapter 3.16 Procurements, is hereby amended as follows:

Sections:

- | | |
|-----------------|---|
| 3.16.010 | Contract and Purchase procedure |
| 3.16.020 | Limitation on City Manager's authority. |
| 3.16.030 | Small procurement procedures Open market procedures. |
| 3.16.035 | <u>Intermediate procurement procedure.</u> |
| 3.16.040 | Advertising for bids. |
| 3.16.050 | Processing of bids. |
| 3.16.060 | Exceptions to bidding requirements. |
| 3.16.070 | Lowest responsive and responsible bidder. |
| 3.16.080 | Local Bidder Preference |
| 3.16.090 | Requirements mandatory. |
| 3.16.100 | Change orders – Manager authority. |
| 3.16.110 | Competitive sealed proposals - Negotiated procurement. |
| 3.16.120 | Policy and Procedure Manual. |

3.16.010 ~~Contract and~~ **Purchase** procedure.

The City Manager or his designee *may* **authorize any department of the City to** ~~may~~ carry out
any of the following:

- A. Contract for, purchase or issue purchase authorizations for all supplies, materials,
equipment and services for the offices, departments, and agencies of the City;
- B. Contract for the construction, repair, or improvements of City facilities.

3.16.020 Limitation on City Manager's authority.

- A. **The City Manager will have the authority to and will establish administrative procedures and provide for procurement of needed supplies, materials, or services for the City.**
- B. **The City Manager or designee will sign all contracts on behalf of the City. Designee may include the Acting City Manager or a Department Director signing within their budget authority as outlined in the procurement policy.**
- C. The City Manager may not make authorize an acquisition or contract authorized by Section 3.16.010 of this chapter if the value of the property, service or contract exceeds ten thousand dollars **fifty thousand dollars (\$50,000)**, without first obtaining City Council approval of the appropriation or unless the property, service, or contract is listed in the City's annual budget.
- D. ~~If the value of the property, service or contract exceeds ten thousand dollars but does not exceed twenty five thousand dollars, the Manager may authorize the acquisition or contract with the written concurrence of the Finance Director if appropriated funds are available, and upon seeking at least three competitive bids from a minimum of three vendors. The acquisition or contract will be awarded to the lowest responsive and responsible bidder as determined in 3.16.070 and without observing the procedure prescribed for the award of formal sealed bids. Written notice of such an acquisition or contract must be given to the City Council within 24 hours and at the next regular Council meeting.~~
- E. ~~If the value of the property, service or contract exceeds twenty five thousand dollars, and is not listed in the City's annual budget, the acquisition or contract must be approved in advance by the City Council. (Ord. 01-06(a), 2001) (Ord. 84-32 (part) 1984)~~

3.16.030 **Small procurement procedures** Open market procedures.

- A. ~~Purchases or contracts authorized by Section 3.16.010 having an estimated value that does not exceed twenty five thousand dollars may be made in the open market without publishing notice in a newspaper.~~
- B. ~~A purchase or contract authorized by Section 3.16.010 having an estimated value that exceeds ten thousand dollars but does not exceed twenty five thousand dollars will be based on at least three competitive written bids and be awarded to the lowest responsive bidder as determined in 3.16.070 and without observing the procedure prescribed for the award of formal sealed bids.~~
- C. All purchase **Purchases** or contracts less than two thousand dollars **five thousand dollars (\$5,000) are incidental purchases and** will be made on the open market with such competition as is reasonable and practical in the circumstances. **These purchases require authorization by the department director.**
- D. Small procurements ~~greater than two thousand dollars~~ **five thousand dollars (\$5,000)** but not exceeding ten thousand dollars **(\$10,000)** will, whenever practical, be based on at least two written or oral price quotations without observing the procedure prescribed for the award of formal sealed bids. **Small procurements require**

authorization by the department director before purchase is made. (Ord. 01-06(a), 2001) (Ord. 87-29 § 1, 1988)

3.16.035 Intermediate Procurement Procedures

- A. Procurement greater than ten thousand dollars (\$10,000) but less than fifty thousand dollars (\$50,000) will be based on three price quotations.**
- B. If reasonable efforts to obtain three price quotations are unsuccessful, the City Manager may authorize the procurement based on the lowest and best price obtainable.**
- C. The department director, Finance Director, and City Manager must authorize intermediate procurements and notify the City Council at the next regular meeting.**

3.16.040 Advertising for bids.

- A. Purchases or contracts ~~authorized by Section 3.16.010~~ having an estimated value of more than ~~twenty-five thousand dollars~~ **fifty thousand dollars (\$50,000)** may be made only after a notice calling for bids is printed in a newspaper of general circulation within the city **limits** once a week for not less than two consecutive weeks prior to the date for the bid award unless another form of media is authorized by the City Manager. The notice will contain a general description of the property, work, or service; state where the bid forms and/or specifications may be obtained; specify the place for submission of bids and the time by which they must be received.
- B. The bid closing date will be no sooner than five working days after the last date of advertisement.
- C. The purchase or contract will be awarded to the lowest responsive bidder as determined in 3.16.070. (Ord. 01-17, 2001) (Ord. 01-06(a), 2001) (Ord. 84-32 (part), 1984)

3.16.050 Processing of bids.

Notwithstanding other provisions of this chapter relating to the award after competitive bid for purchases and contracts, the City **Manager** may:

- A. Reject defective or nonresponsive bids;
- B. Waive any irregularities in any and all bids;
- C. Reject all bids;
- D. Readvertise for bids with or without making changes in the plans, specifications, or scope of work. (Ord. 84-32 (part), 1984)

3.16.060 Exceptions to bidding requirements.

Unless otherwise authorized by law, all procurement actions will be by competitive bidding. Authorized exceptions include:

- A. Negotiated procurement following unsuccessful efforts to obtain competitive bidding.
- B. Small and intermediate procurements, below ~~twenty-five thousand dollars~~ fifty thousand dollars (\$50,000).**
- C. Emergency procurement.

- D. Procurement of consultant and technical services.
- E. Procurement of real estate.
- F. Procurement of architect-engineer, construction manager, or construction completion services.
- G. Interagency agreements.
- H. Utilization of State or Local government contracts.
- I. Sole source procurement.
- J. Procurement resulting from competitive sealed proposals as defined in Section 3.16.100.
- K. Placement of insurance coverage.
- L. Electronic data processing software and hardware.

Competition will be sought to the maximum extent practicable.

“Sole Source” for the purposes of this section means the procurement of supplies, materials, services, or construction through a sole source in the following situations:

- 1. Based on documented research, the goods or service is only available from one source.**
- 2. When competitive procurement procedures have been followed, but a limited number, or no bids, quotations, or proposals have been received.**
- 3. Products or services that support existing software or data exchange between public or private agencies are required for compatibility with existing equipment.**
- 4. Purchase of patented articles.**
- 5. When the federal awarding agency or pass-through entity expressly authorizes a noncompetitive procurement in response to a written request from the City.**

3.16.070 Lowest responsive and responsible bidder.

In determining the lowest responsive and responsible bidder, the City **Manager** will consider:

- A. The price;
- B. The ability, capacity and skill of the bidder to perform the contract within the time and price specified;
- C. The reputation and experience of the bidder;
- D. The bidder performance and payment under previous contract. (Ord. 01-17, 2001) (Ord. 01-06(a), 2001) (Ord. 84-32 (part), 1984)

3.16.080 Local Bidder Preference

- A. It is the Policy of the City of Homer to give preference to City of Homer residents, workers, businesses, contractors, producers, and dealers to the extent consistent with law **or funding source.**
- B. A contract or purchase will be awarded to a local bidder where the bid by such local bidder is, in all material respects, comparable to the lowest responsible non-local bid if the amount bid by such local bidder does not exceed the lowest non-local bid by more than the following percentages, unless such an award is contrary to state or federal law or regulation or unless the Council, at its discretion, determines prior to giving notice

soliciting bids that the provisions of this section will not apply to the contract or purchases:

Non - local bid is:	Local bid is not more than:
\$0 - \$ 500,000.00	5 percent higher than non-local bid
<u>\$500,000+</u>	5 percent higher than non-local bid on first \$500,000.00 and 2.5 percent higher than non-local bid on amount in excess of \$500,000.00 to \$1,000,000.00. No additional adjustment for bids above \$1,000,000.00

C. "Local bidder," for purposes of this section, means a person or firm who:

1. Holds a current Alaska Business License to provide such goods or services, and such other Alaska regulatory licenses as are required to provide such goods or services; and
2. Submits a bid for goods or services under the name appearing on the person's or firm's current Alaska Business License; and
3. Has maintained and staffed a place of business within the boundaries of the City of Homer for a period of at least six (6) months immediately preceding the date of the bid and intends to permanently maintain such place of business in the future; and
4. Is registered in the Kenai Peninsula Borough to collect sales tax and locally provides the products and services sought; and
5. Is not delinquent in the payment of any taxes, charges, or assessments owing to the City of Homer on account of that business.

D. The City Manager may require such documentation or verification by the person or firm claiming to be a local bidder as is deemed necessary to establish the requirements of this section.

E. Local bidder's preference does not apply to sale or other disposal of personal property in chapter 18.30 of the City Code.

3.16.090 Requirements mandatory.

Except as provided in Section 3.16.100, a purchase, contract, or sale subject to the provisions of this chapter will not be valid, enforceable, or binding upon the City unless the established requirements have been satisfied and the contract or purchase is approved by the City Council. (Ord. 84-32 (part), 1984)

3.16.100 Change orders ~~Manager authority.~~

~~The City Manager or his designee is authorized, without Council approval, to enter into change orders where the amount of additional expenditure occasioned by the change order or orders does not, in the aggregate, exceed any contingency fund previously established with respect to the particular project or change the scope of work. The Manager or his designee will report monthly to the Council the nature and amount of such change orders. Change orders exceeding in the aggregate the foregoing limitation, or which change the scope of work are not binding without prior approval of the Council.~~

A change order to an existing city contract shall require the approval of the city council when the proposed modification or change order increases the contract amount by fifty thousand dollars (\$50,000) or more. No work may proceed under a modification or change order requiring city council approval prior to approval by the city council. The council shall be notified by written report at its next regular meeting of any modification or change order in excess of ten thousand dollars (\$10,000). Such notification shall include:

- A. The dollar amount of the original contract;**
- B. The number of previous modifications or change orders;**
- C. The dollar amount of each previous modification or change order and the total aggregated dollar amount of the previous modifications and change orders;**
- D. The total dollar amount of the contract as modified or changed; and**
- E. A statement explaining the justification or need for the modification or change order.**

Modifications and change orders shall not be arbitrarily divided into smaller amounts to avoid council approval thereof.

The city may make modifications or change orders in any city contract without council approval where in the judgment of the city manager an emergency or disaster exists which requires immediate action to remedy and where there is insufficient time or it is impractical to obtain council approval. Notice of such emergency or disaster modifications or change orders containing the information set forth in Section 3 of the procurement policy.

3.16.110 Competitive sealed proposals - Negotiated procurement.

- A. If The City Manager ~~may~~ determines that **elect to** use a competitive sealed **proposal process when the bidding process** bidding is not practicable. The City may procure supplies, services or construction by competitive sealed ~~proposals~~ under this section.
- B. The City Manager will solicit competitive sealed proposals by issuing a request for proposals. The request for proposals will state, or incorporate by reference, all specifications and contractual terms and conditions to which a proposal must respond and will state the factors to be considered in evaluating proposals and the relative important of those factors. Public notice of a request for proposals will be given in accordance with Section 3.16.040 (a) and (b).
- C. Sealed proposals will be designated as such on an outer envelope and will be submitted by mail or in person at the place no later than the time specified in the request for proposals. Proposals not submitted at the place or within the time so specified will not be opened or considered.
- D. Proposals will be received at the time and place designated in the request for proposals and will be opened so as to avoid disclosing their contents to competing **proposers** ~~proponents~~ during the process of negotiation. Proposals, tabulations, and evaluations thereof will be open to public inspection only after the contract award. The City Manager will issue a notice of recommendation to award to all responding **proposers**

- proponents at least four days prior to approval by the final decision-making authority.
- E. In the manner provided in the request for proposals, the City Manager may negotiate with those **proposers** ~~proponents~~ whose proposals are determined to be responsive to the request for proposals. Negotiations will be used to clarify and assure full understanding of the requirements of the request for proposals after submission and prior to award to obtain best and final offers. **Proposers** ~~proponents~~ deemed eligible for negotiations will be treated equally regarding any opportunity to discuss or revise proposals. In conducting negotiations or requesting revisions, no city officer or employee will disclose any information derived from proposals of competing **proposers** ~~proponents~~.
- F. If fair and reasonable compensation, contract requirements and contract documents can be agreed upon with the most qualified **proposer** ~~proponent~~, the contract will be awarded to that **proposer** ~~proponent~~.
- G. If fair and reasonable compensation, contract requirements and contract documents cannot be agreed upon with the most qualified **proposer** ~~proponent~~, the City Manager will advise the **proposer** ~~proponent~~ of the termination of negotiations. If the proposals were submitted by one or more other **proposers** ~~proponents~~ determined to be qualified, negotiations may be conducted with such other **proposers** ~~proponents~~ in the order of their respective rankings. The contract may be awarded to the **proposer** ~~proponent~~ then determined to be most qualified and advantageous to the City.
- H. Awards will be made by written notice to the **proposer** ~~proponent~~ whose final proposal is determined to be most advantageous to the City if satisfactory compensation, contract requirements and contract documents are agreed upon pursuant to subsection F or G. No criteria other than those set forth in the request for proposals may be used in proposal evaluation. If the City Council, or the City Manager (if the contract is within the Manager's authority to award), determined that it is in the best interest of the City to do so, the City **Manager** may reject all proposals.
- I. When the service is routine and repetitious, the cost of the anticipated service will be considered during evaluation of proposals. This paragraph will not apply to a qualifications-based selection process. (Ord. 01-06(a), 2001) (Ord 92-38 § 1, 1992; (Ord. 84-32 (part), 1984)

3.16.120 Procurement Policy-Procedure Manual.

- A. The City Council herein incorporates by reference procurement policies and procedures specified in the City of Homer Procurement Policy and Procedures Manual.
- B. The Manual may be revised with Council approval.
- C. A copy of the Manual will be available to the public at all times at the Homer City Hall.

Section 2. This Ordinance is of a permanent and general character and will be included in the City Code.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA this ____ day of _____, 2024.

CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

RENEE KRAUSE, MMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

First Reading:

Public Hearing:

Second Reading:

Effective Date:



MEMORANDUM

Ordinance 24-36, An Ordinance of the City Council of Homer, Alaska, Appropriating \$208,000 from the Sewer CARMA Fund for the Construction of the Beluga Lift Station Rehabilitation Project.

Item Type: Backup Memorandum
Prepared For: Mayor Castner and City Council
Date: August 5, 2024
From: Daniel Kort, Public Works Director
Through: Melissa Jacobsen, City Manager

Summary:

Appropriation of \$208,000 from the Sewer CARMA Fund is needed for the construction of the Beluga Lift Station Rehabilitation Project

Background:

The Beluga Sewage Lift Station is a major piece of the City's sewer system, transporting all sewage from the Spit as well as the Lakeshore Drive/Ocean Drive neighborhoods. The mechanical/electrical components as well as the concrete structure comprising this lift station, have seriously corroded and are continuing to do so.¹ Rehabilitation is necessary to extend the useful life of this lift station and protect the neighborhoods it serves. In late 2020, the City commissioned HDL Engineering (HDL) to provide a preliminary design, which was completed in April 2021. RESPEC Engineering was hired to perform the final design, which they completed in May 2024.

The project has some, but not all, of the funding needed for construction. Resolution 24-004 approved Public Works to apply for a loan from the Alaska Department of Environmental Conservation through their State Revolving Fund Program. This loan comes with \$500,000 in principal forgiveness subsidy, which is a portion of the loan that the City won't have to pay back, and, for all practical purposes, functions as a grant. However, the latest estimate for construction of the lift station improvements is \$708,000, which leaves the project \$208,000 short of the needed funds.

¹ All the sewage from the Spit flows through this lift station. In the winter, flows on the Spit are substantially reduced, which means sewage sits in the pipes longer than it does in the summer. This pooling gives the sewage time to generate substantial volumes of hydrogen sulfide. In the presence of water, the hydrogen sulfide gas creates sulfuric acid. Over time, the acid has caused the concrete structure of the lift station to crack, spall and otherwise deteriorate. This is putting the structure at increasing risk of failure. Likewise, the acid adversely affects the valves, pipes, controls and other mechanical/electrical systems, decreasing their useful life.

Recommendation:

That the City Council approves an amendment to the FY25 Capital Budget appropriating \$208,000 from the Sewer CARMA Fund for the construction of the Beluga Lift Station Rehabilitation Project.

**CITY OF HOMER
HOMER, ALASKA**

City Manager/
Public Works Director

ORDINANCE 24-36

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
AMENDING THE FY25 CAPITAL BUDGET BY APPROPRIATING
\$208,000 FROM THE SEWER CAPITAL ASSET REPAIR AND
MAINTENANCE ALLOWANCE (CARMA) FUND FOR CONSTRUCTION
WORK ASSOCIATED WITH THE REHABILITATION OF THE BELUGA
LIFT STATION.

WHEREAS, The Beluga Lift Station is a major piece of the City's sewer system
transporting all sewage from the Spit as well as the Lakeshore Drive/Ocean Drive
neighborhoods; and

WHEREAS, For a variety of reasons, the hydrogen sulfide gas in this wastewater produce
sulfuric acid, which is an acid that eats metal and concrete, causing the structure of the lift
station as well as the mechanical/electrical components to corrode; and

WHEREAS, Rehabilitation is necessary to extend the useful life of this lift station and
protect the neighborhoods it serves; and

WHEREAS, Final design work was completed for the rehabilitation of the lift station by
RESPEC Engineering, LLC on 8/7/2024; and

WHEREAS, The revised estimated cost for construction is \$708,000; and

WHEREAS, Public Works has secured \$500,000 of principal forgiveness subsidy through
a loan from the Alaska Department of Environmental Conservation;

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The Homer City Council hereby amends the FY25 Capital Budget by
appropriating \$208,000 as follows:

Transfer from:

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
256-0379	Sewer CARMA	\$208,000

43 Transfer to:
44 Fund Description Amount
45 215-xxx Beluga Lift Station Rehabilitation \$208,000
46
47

48 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this ____ day of _____, 2024.
49

50 CITY OF HOMER
51

52 _____
53 KEN CASTNER, MAYOR

54 ATTEST:
55

56 _____
57 RENEE KRAUSE, MMC, CITY CLERK
58
59

60 YES:

61 NO:

62 ABSTAIN:

63 ABSENT:
64
65

66 Introduction:

67 Public Hearing:

68 Second Reading:

69 Effective Date:
70
71

CITY OF HOMER FINANCIAL SUPPLEMENT

PROJECT NAME	Rehabilitation of Beluga Lift Station	DATE	08/08/2024
DEPARTMENT	Public Works	SPONSOR	City Manager/PW Director
REQUESTED AMOUNT	\$ 208,000		

DESCRIPTION	<p>The Beluga Lift Station is a major piece of the City's sewer system transporting all sewage from the Spit as well as the Lakeshore Drive/Ocean Drive neighborhoods. For a variety of reasons, the hydrogen sulfide gas in this wastewater produce sulfuric acid, which is an acid that eats metal and concrete, is causing the structure of the lift station as well as the mechanical/electrical components to corrode. Rehabilitation is necessary to extend the useful life of this lift station and protect the neighborhoods it serves. Final design work was completed for the rehabilitation of the lift station by RESPEC Engineering, LLC on 8/7/2024.</p> <p>The revised estimated cost for construction is \$708,000. Public Works has secured \$500,000 of principal forgiveness subsidy through a loan from the Alaska Department of Environmental Conservation.</p>
-------------	--

FUNDING SOURCE(S)	OPERATING	GF CARMA	GF FLEET CARMA	PORT RESERVES	WATER CARMA
	0%	0%	0%	0%	0%
	HAWSP	HART-ROADS	HART-TRAILS	PORT FLEET RESERVES	SEWER CARMA
	0%	0%	0%	0%	100%

FUNDING SOURCE 1: SEWER CARMA (256-0379)		FUNDING SOURCE 2:		FUNDING SOURCE 3:	
Current Balance	\$ 1,225,224	Current Balance	_____	Current Balance	_____
Encumbered	\$ 433,202	Encumbered	_____	Encumbered	_____
Requested Amount	\$ 208,000	Requested Amount	_____	Requested Amount	_____
Other Items on Current Agenda	\$ 0	Other Items on Current Agenda	_____	Other Items on Current Agenda	_____
Remaining Balance	\$ 584,024	Remaining Balance	_____	Remaining Balance	_____
FUNDING SOURCE 4:		FUNDING SOURCE 5:		FUNDING SOURCE 6:	
Current Balance	_____	Current Balance	_____	Current Balance	_____
Encumbered	_____	Encumbered	_____	Encumbered	_____
Requested Amount	_____	Requested Amount	_____	Requested Amount	_____
Remaining Balance	_____	Remaining Balance	_____	Remaining Balance	_____



MEMORANDUM

Ordinance 24-37, Amending the FY25 Capital Budget by Accepting and Appropriating the Amended Alaska Department of Fish and Game Cooperative Agreement #23-177 construction grant in the amount of \$505,875 and Appropriating \$87,012 from the Port and Harbor Reserve Fund to complete the 25% match for the Fish Grinding Building Replacement Project.

Item Type: Backup Memorandum
Prepared For: Homer City Council & Mayor Castner
Date: August 5, 2024
From: Bryan Hawkins, Port Director
Through: Melissa Jacobsen, City Manager

The City's Fish Grinding Building processes fish waste generated by commercial sport fishing activity for environmentally sound disposal. With the assistance of grant funds from the Alaska Department of Fish and Game (ADF&G), the City is in the process of replacing the 22-year old, metal clad Fish Grinding Building because it is rusting out in several areas, compromising its structural integrity and severely degrading electrical fixtures. The replacement building will be more resilient concrete block construction and the project will also include site drainage improvements to meet Department of Environmental Conservation permitting requirements.

Under an ADF&G Cooperative Agreement (COOP) #23-177 (approved via Ordinance 24-16), funding for the replacement project is proceeding in two phases. The COOP initially provided State and Federal grant funds in the amount of \$41,950 toward Phase I, design and permitting. The City also expended \$28,039.50 to complete Phase I. The City's design cost was covered by the \$115,000 that was originally appropriated for the project in the FY22 Capital Budget (and renewed in the FY24 Capital Budget). Once the design was complete, the project went out to competitive bid and came in at a total construction cost of \$674,500 from a local contractor.

Phase II is construction. Under COOP #23-177, ADF&G will provide 75% of the construction cost (\$505,875). The City of Homer provides a 25% local match of \$168,625. The remaining balance of funds appropriated for the project is \$81,613. It is necessary to appropriate an additional \$87,012 from the Port Reserve to fully fund the local match.

ADF&G has submitted an amended application for Federal Assistance to request the additional funds needed for construction, and is amending the COOP to include the Phase II funding. The timing of the Phase II grant funding is good, as fall and winter (when the cleaning tables are closed) is the only available construction window.

RECOMMENDATION:

Approve Ordinance 24-37 accepting the amended COOP #23-177 and appropriating additional Dingell-Johnson Sport Fish Restoration Act grant funds in the amount of \$505,875 for Phase II construction of the Fish Grinder Building project; and amending the FY25 Capital Budget by appropriating additional funds from the Port and Harbor Reserve fund in the amount of \$87,012 for the local match requirement.

**CITY OF HOMER
HOMER, ALASKA**

City Manager/
Port Director

ORDINANCE 24-37

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA AMENDING THE FY25 CAPITAL BUDGET BY ACCEPTING AND APPROPRIATING THE AMENDED ALASKA FISH AND GAME COOPERATIVE AGREEMENT #23-177 CONSTRUCTION GRANT IN THE AMOUNT OF \$505,875 AND APPROPRIATING \$87,012 FROM THE PORT AND HARBOR RESERVE FUND TO COMPLETE THE 25% MATCH FOR THE FISH GRINDING BUILDING REPLACEMENT PROJECT.

WHEREAS, The City's Fish Grinding building annually processes hundreds of thousands of pounds of fish waste generated by commercial sport fishing activity and collected from the City's public fish cleaning tables for environmentally sound disposal; and

WHEREAS, Replacing the twenty-two-year-old, badly-corroded metal clad Fish Grinding Building with corrosion-resistant materials and correcting a site drainage/water quality issue is a project in the City's Capital Improvement Plan; and

WHEREAS, On March 11, 2024 the City Council passed Ordinance 24-16 which approved entering into Cooperative Agreement #23-177 with the Alaska Department of Fish and Game (ADF&G) to accept \$41,950 in Dingell-Johnson Sport Fish Restoration Act grant funds to complete project design and permitting (Phase I) for the Fish Grinding Building Replacement project; and

WHEREAS, The Cooperative Agreement stated that after completion of Phase I and receipt of a final construction budget, ADF&G will submit an amended application for Federal Assistance to request the funds needed for Construction Phase of the project (Phase II); and

WHEREAS, Phase I of the project is complete and the Phase II construction competitive bid process closed on July 2 2024, with a final construction cost of \$674,500; and

WHEREAS, The ADF&G will amend Cooperative Agreement #23-177 to add Phase II construction with a construction budget of \$674,500, of which \$505,875 (75%) is covered by Federal Dingell-Johnson Sport Fish Restoration Act grant funds and \$168,625 (25%) is City match; and

WHEREAS, Council approved \$115,000 in the City's Capital Budget for the replacement of the Fish Grinding Building, of which there is an unexpended balance of \$81,613 available to help meet the City of Homer Phase II grant match requirement; and

WHEREAS, An additional in the amount of \$87,012 from the Port Reserve Fund is required to complete the 25% match.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The Homer City Council hereby amends the FY25 Capital Budget by accepting and appropriating the Amended Alaska Fish and Game Cooperative Agreement #23-177 Construction Grant in the amount of \$505,875 as follows:

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
415-xxx	Fish Grinding Building Replacement Project	\$505,875

Section 2. The Homer City Council hereby amends the FY25 Capital Budget by appropriating a total of \$168,625 from the Port & Harbor Reserves to fulfill the Dingell Johnson Phase II 25% match requirement. This includes the remainder of an existing appropriation of \$81,613 and a new appropriation of \$87,012:

Transfer from:

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
456-0380	Grant Matching Funds – Existing Appropriation	\$81,613
456-0380	Grant Matching Funds – Port & Harbor Reserves	\$87,012

Transfer to:

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
415-xxx	Fish Grinding Building Replacement Project	\$168,625

Section 3. The total project cost budget is \$674,500, with 75% funding from Federal Dingell-Johnson Sport Fish Restoration Act grant and 25% from Port & Harbor Reserves:

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
415-xxx	Dingell-Johnson Sport Fish Restoration Act Grant	\$505,875
456-0380	Grant Matching Funds – Existing Appropriation	\$81,613
456-0380	Grant Matching Funds – Port & Harbor Reserves	\$87,012

Section 4. The City Manager is authorized to execute the appropriate documents

Section 5. This Ordinance is a budget Ordinance only, is not permanent in nature, and shall not be codified.

84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107

ENACTED BY THE HOMER CITY COUNCIL this 26th day of August, 2024.

CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

RENEE KRAUSE, MMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

First Reading:

Public Hearing:

Second Reading:

Effective Date:

CITY OF HOMER FINANCIAL SUPPLEMENT

PROJECT NAME	<u>Additional Funding - Fish Grinding Building Replacment</u>	DATE	<u>08/08/2024</u>
DEPARTMENT	<u>Port and Harbor</u>	SPONSOR	<u>City Manager/Port Director</u>
REQUESTED AMOUNT	<u>\$ 87,012</u>		

DESCRIPTION	<p>Phase I of the project is complete and the Phase II construction competitive bid process closed on July 2 2024, with a final construction cost of \$674,500. The ADF&G will amend Cooperative Agreement #23-177 to add Phase II construction with a construction budget of \$674,500, of which \$505,875 (75%) is covered by Federal Dingell-Johnson Sport Fish Restoration Act grant funds and \$168,625 (25%) is City match.</p> <p>Council approved \$115,000 in the City's Capital Budget for the replacement of the Fish Grinding Building, of which there is an unexpended balance of \$81,613 available to help meet the City of Homer Phase II grant match requirement. An additional \$87,012 from the Port Reserve Fund is needed to complete the 25% match.</p>
-------------	---

FUNDING SOURCE(S)	OPERATING	GF CARMA	GF FLEET CARMA	PORT RESERVES	WATER CARMA
	0%	0%	0%	100%	0%
	HAWSP	HART-ROADS	HART-TRAILS	PORT FLEET RESERVES	SEWER CARMA
	0%	0%	0%	0%	0%

FUNDING SOURCE 1: PORT RESERVES		FUNDING SOURCE 2:		FUNDING SOURCE 3:	
Current Balance	<u>\$ 1,653,600</u>	Current Balance	<u> </u>	Current Balance	<u> </u>
Encumbered	<u>\$ 676,183</u>	Encumbered	<u> </u>	Encumbered	<u> </u>
Requested Amount	<u>\$ 87,012</u>	Requested Amount	<u> </u>	Requested Amount	<u> </u>
Other Items on Current Agenda	<u>\$ 0</u>	Other Items on Current Agenda	<u> </u>	Other Items on Current Agenda	<u> </u>
Remaining Balance	<u>\$ 890,405</u>	Remaining Balance	<u> </u>	Remaining Balance	<u> </u>
FUNDING SOURCE 4:		FUNDING SOURCE 5:		FUNDING SOURCE 6:	
Current Balance	<u> </u>	Current Balance	<u> </u>	Current Balance	<u> </u>
Encumbered	<u> </u>	Encumbered	<u> </u>	Encumbered	<u> </u>
Requested Amount	<u> </u>	Requested Amount	<u> </u>	Requested Amount	<u> </u>
Remaining Balance	<u> </u>	Remaining Balance	<u> </u>	Remaining Balance	<u> </u>



MEMORANDUM

Ordinance 24-38, An Ordinance of the City Council of Homer, Alaska, Amending the FY25 Capital Budget to Fund Anticipated Maintenance to the Seawall by Establishing Authority in the FY25 Budget for Routine Maintenance to the Seawall. City Manager/Public Works Director.

Item Type: Backup Memorandum
Prepared For: Mayor Castner and City Council
Date: August 5, 2024
From: Daniel Kort, Public Works Director
Through: Melissa Jacobsen, City Manager

Background:

The Homer City Council created the Ocean Drive Loop Special Service District to raise tax revenues from benefited property owners to support maintenance and repair of the Seawall they own. The City of Homer is a tax-exempt property owner along the Seawall and, as such, contributes \$10,000 annually through the budget to the Seawall Reserve for the City's portion of repairs.

Now, the City of Homer needs the authority to spend from the Special Service District and reserve to address any routine maintenance or repairs to the Seawall for the fiscal year.

This is an annual ordinance that comes before the City Council to establish authority to spend up to a dollar amount on routine maintenance or repairs. An ordinance will be brought forward if additional funding is needed before the end of the fiscal year. All funds not spent within the fiscal year will be returned back to the Special Service District and Seawall Reserve, as appropriate, for future use.

Recommendation:

Therefore, the Public Works Department is recommending the City Council pass the Ordinance authorizing up to \$5,000 to be spent on routine maintenance or repair needs associated with the Seawall.

**CITY OF HOMER
HOMER, ALASKA**

City Manager/
Public Works Director

ORDINANCE 24-38

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
AMENDING THE FY25 CAPITAL BUDGET TO FUND MAINTENANCE
TO THE SEAWALL BY ESTABLISHING AUTHORITY IN THE FISCAL
YEAR 2025 BUDGET FOR ROUTINE MAINTENANCE TO THE
SEAWALL.

WHEREAS, The Homer City Council created the Ocean Drive Loop Special Service District; and

WHEREAS, The Special Service District was created to raise tax revenues from benefited property owners to support maintenance and repair of the Seawall they own, which is located on their properties; and

WHEREAS, As a tax-exempt property owner along the Seawall, the City contributes \$10,000 annually to the Seawall Reserve for the City's portion of repairs to the Seawall; and

WHEREAS, The FY25 Mid-Biennium appropriated \$900 from the Seawall Maintenance Reserves, but did not appropriate funds from the Ocean Drive Loop Special Service District accounts; and

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The Homer City Council hereby amends the FY25 Capital Budget by appropriating \$4,100 from the Ocean Drive Loop Special Service District accounts for the purpose of maintaining the Seawall as follows:

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
808-0375	Ocean Drive Loop Special Service District (82%)	\$4,100

Section 2. The Homer City Council previously appropriated \$900 through the FY25 Mid-Biennium, which brings the total appropriation for the purpose of maintaining the Seawall to \$5,000 as follows:

43	<u>Fund</u>	<u>Description</u>	<u>Amount</u>
44	808-0375	Ocean Drive Loop	\$4,100
45		Special Service District (82%)	
46			
47	156-0369	Seawall Maintenance Reserve (18%)	\$900

48
49 Section 3. This is an annual appropriation that will lapse at the end of the fiscal year.
50

51 Section 4. This is a budget amendment ordinance, is temporary in nature, and shall
52 not be codified.
53

54 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this ____ day of August, 2024.
55

56 CITY OF HOMER
57

58
59 _____
KEN CASTNER, MAYOR

60 ATTEST:

61
62 _____
63 RENEE KRAUSE, MMC, CITY CLERK
64

65
66 YES:
67 NO:
68 ABSTAIN:
69 ABSENT:
70

71 Introduction:
72 Public Hearing:
73 Second Reading:
74 Effective Date:
75
76



City of Homer

www.cityofhomer-ak.gov

Office of the City Manager

491 East Pioneer Avenue
Homer, Alaska 99603

citymanager@cityofhomer-ak.gov

(p) 907-235-8121 x2222

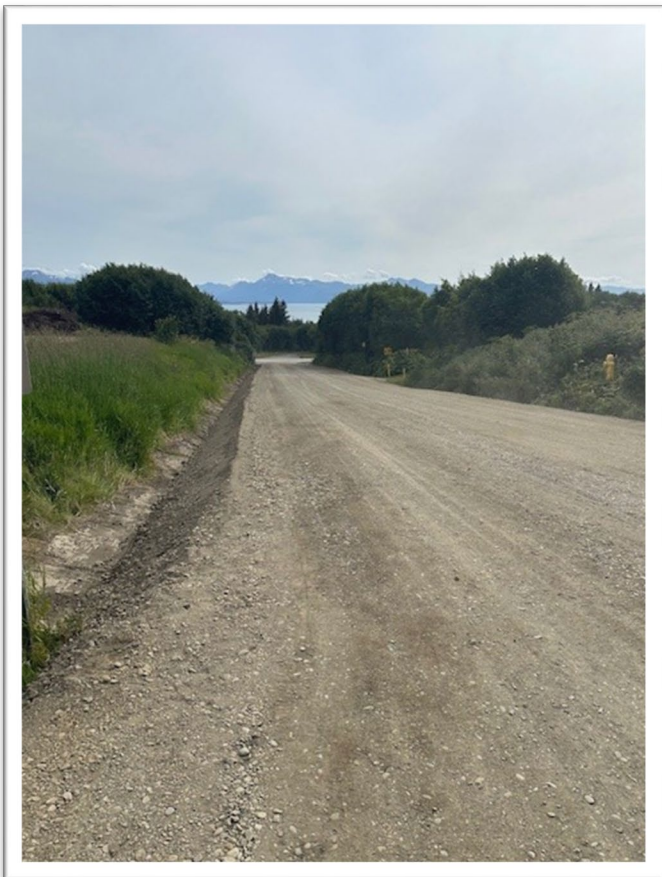
(f) 907-235-3148

Memorandum

TO: Mayor Castner and Homer City Council
FROM: Melissa Jacobsen, City Manager
DATE: August 21, 2024
SUBJECT: City Manager's Report for August 26, 2024 Council Meeting

What's been happening in the parks over the summer?

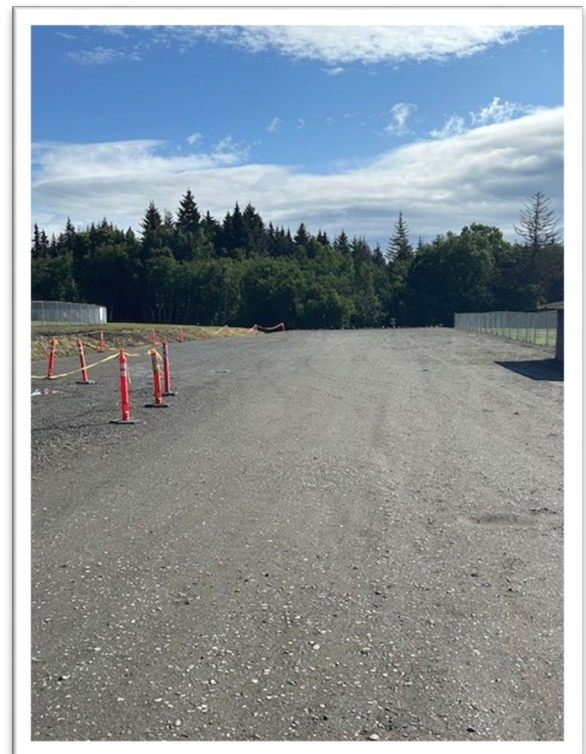
Karen Hornaday Park road was cleaned up and new diggers were installed at the playground.



A new swing set was installed at Ben Walters Park and the area around the Bartlett St. restroom was cleaned up and hydro-seeded.



And, Jack Gist Park had a drainage and parking lot overhaul.



This is just a sampling of what our Public Works and Park crews have been doing to improve parks over the summer. In addition to these highlights, there are always the ongoing responsibilities of equipment maintenance, lawn care, beautification projects, working with partners in coordinating their events, along with a variety of other behind the scenes needs to keep the City going.

Alaska Municipal Managers Association and AML Summer Conferences

I had the great pleasure of travelling to the City of Kodiak to attend the AMMA and AML Summer Legislative Conferences last week. I enjoyed making connections with the Managers from other municipalities, learning about their struggles and successes, and sharing about Homer's. We discussed strategic planning, retention challenges, and had a great presentation by the City and Borough of Sitka's Administrator on a program he's implemented with their employees to improve the culture of their organization. AML staff also presented about current and potential new resources they have available to municipalities.

At the AML conference one of their lobbyists shared an overview of big policy issues at the legislative level including energy issues i.e.: focus on the rail belt and gas lines and shortages in Cook Inlet; also, education funding, PERS, and health care. A team from King Cove presented on the impacts to their community with the Peter Pan fish processing facility closing. Other presentations were about outmigration in Alaska communities, employee retention, public education, and AML resources for community development and public works. The last day we had a breakout session where attendees could gather at various tables to discuss a variety of topics that impact municipalities to provide to AML to consider. I made a stop at the table discussing Title 29 and added public notice to the list of topics related to that title. During discussion of the topics with the entire group as we closed the day, I shared the challenges Homer has encountered with public notice over the last few months and the need to have web-based notice included in the statute. I received a few applause and head nods from others who are struggling with the same limitations.

Attachments:

- Homer Harbor Expansion Monthly Report
- City of Homer Job listings at <https://cityofhomerak.applicantpro.com/jobs/>
- City Council Worksession Schedule



MEMORANDUM

City Managers Report
City Council
August 26, 2024

Homer Harbor Expansion Study Monthly Written Update

Item Type: Informational Memorandum
Prepared For: Mayor and City Council
Date: August 21, 2024
From: Jenny Carroll, Special Projects and Communications Coordinator
Through: Melissa Jacobsen, City Manager and Bryan Hawkins, Port Director

Purpose: This memorandum provides the Homer Harbor Expansion Study monthly written update to Homer City Council per Resolution 23-037.

The U.S. Army Corps of Engineers (USACE) Project Development Team (PDT)

Continuing study activities:

- Transmitted an updated 1002 notification letter to the City identifying the current schedule of feasibility study milestones (attached).
 - a. Release of draft feasibility study for public comment and concurrent review: 29 August 2025.
 - b. USACE submits final feasibility report: 19 October 2026.
 - c. Signed Chief's Report: 22 February 2027.

The milestone dates are pending alignment with the Regional Integration Team and USACE Headquarters, so dates could slightly change. An updated 1002 letter will be transmitted to the City after the study schedule waiver is signed.

- The USACE Environmental team will complete their fieldwork over the next month, with visits scheduled for August 20 and September 20. They have been conducting beach seining and bottom trawls and will be collecting water samples for eDNA analysis. eDNA analysis is a technique used to assess the biodiversity of a habitat by detecting genetic material shed by organisms into water, allowing researchers to identify the presence and types of species.
- The USACE Geotech/Geophysical team is preparing to review geophysical, hydrographic, and topographic survey data collected by subcontractors this month, after which they will discuss a plan for supplemental geotechnical drilling. Drilling data will be used for settlement predictions and other geotechnical information that will inform preliminary design of alternatives.
- Building upon previous community input on Local Service Facility (LSF) needs, the USACE Economics and Hydrology/Hydraulics teams are collecting and analyzing moorage demand data and arranging focus groups with harbor users to help determine the appropriate basin size and local service facilities (LSF) as they pertain to the regional and national economic benefits.

HDR – Owner Representative:

- Subcontractor wrapping up geophysical, hydrographic and topographic survey work-in-kind. The work included using a multi-beam sonar to collect information about the seafloor terrain to (a) detail water depths and map underwater topography, and (b) illustrate the depth, density and shapes of the terrain up to 100' below the seafloor.
- Supporting USACE with an analysis of moorage demand to help inform basin size.
- Coordinated with two periodicals to secure placement of feature articles about Homer Port & Harbor this fall (*Alaska Business Monthly* and *Alaska Contractor*); one written by the publication and one written by the HDR team featuring Harbor users.
- Provides communications support as-needed; keeps [Homer Harbor Expansion website](#) updated. Recently identified and are working to deliver tactics targeted at raising awareness about the importance of the Homer Harbor in general, and additionally the expansion specifically. Social media and additional story placement are a focus of the efforts.
- Attended monthly USACE Project Development Team meeting and weekly meetings with City.

City of Homer staff:

- Attended monthly USACE Project Development Team meeting and weekly meetings with HDR.
- Participated in three discussions with USACE to review and discuss Local Service Facilities (LSF) USACE may include in the designs and cost benefit analysis. USACE works with the minimum LSFs required to meet the objectives of the study.
- Staff interviewed by Alaska Contractor magazine for story about how Port and harbor projects support economic vitality in Alaska.
- Ongoing communications/outreach: Information and updates about the study are being disseminated through the [Homer Harbor Expansion website](#), the City's quarterly newsletter, the [City of Homer Facebook](#) and [Instagram](#) pages and through HHE email subscriber list as needed.

RECOMMENDATION:

Informational Only.



DEPARTMENT OF THE ARMY
ALASKA DISTRICT, U.S. ARMY CORPS OF ENGINEERS
P.O. BOX 6898
JBER, AK 99506-0898

14 August, 2024

Melissa Jacobsen
City Manager, City of Homer
491 E. Pioneer Ave
Homer, AK 99603

Dear Ms. Jacobsen:

Thank you for your sponsorship. I appreciate the support and continuing cooperation that you have given to the Homer Navigation Improvements, AK Study. The U.S. Army Corps of Engineers, Alaska District (USACE) team values the close working relationship that has been established and looks forward to producing a high-quality product through our partnership in this study. In accordance with Section 1002 of WRRDA 2014, I am updating you on the status and proposed schedule of the following milestones for the project.

- a. Release of draft feasibility study for public comment and concurrent review: 29 August 2025.
- b. USACE submits final feasibility report: 19 October 2026.
- c. Signed Chief's Report: 22 February 2027.

The milestone dates are pending alignment with our Regional Integration Team and USACE Headquarters. Once our vertical team has aligned on the proposed dates above, I will send a follow up letter confirming the dates. If I can be further assistance, please do not hesitate to contact me directly. For specific information about the project, please contact the project manager Mr. Curtis Lee at (907) 753-2539 or via email at Curtis.D.Lee@usace.army.mil.

Sincerely,

A handwritten signature in black ink, reading "Jeffrey S. Palazzini".

Jeffrey S. Palazzini
Colonel, U.S. Army
Commanding

[Documents](#) [Job Openings](#) [Helpful Links](#)

Current Job Listings

[Jobs \(/jobs/\)](/jobs/) [Login \(/account/login.php\)](/account/login.php)

Below is a list of the current openings with our company. Click on the job title to learn more about the opening.

Search Jobs

[Hide Filters](#) [Clear All](#)

<input type="text" value="Search Jobs"/>	City <input type="text"/>	State <input type="text"/>
Employment Type <input type="text"/>	Department <input type="text"/>	Sort By <input type="text"/>

Number of Jobs: 3

ACCOUNTING TECHNICIAN – GRANTS COMPLIANCE & PROCUREMENT OFFICER (<https://cityofhomerak.applicantpro.com/jobs/3449310>)

[Apply Now](#) (<https://cityofhomerak.applicantpro.com/jobs/3449310>)

Finance | Homer, AK, USA | Full Time | \$30.05 - \$39.07 per hour
Posted: Aug 02, 2024 Closing Date: Aug 31, 2024

Building Maintenance Tech I or II (<https://cityofhomerak.applicantpro.com/jobs/3470589>)

[Apply Now](#) (<https://cityofhomerak.applicantpro.com/jobs/3470589>)

Building Maintenance | Homer, AK, USA | Full Time | \$22.26 - \$28.63 per hour
Posted: Aug 20, 2024 Closing Date: Sep 17, 2024

Deputy City Clerk I (<https://cityofhomerak.applicantpro.com/jobs/3448505>)

[Apply Now](#) (<https://cityofhomerak.applicantpro.com/jobs/3448505>)

City Clerk | Homer, AK, USA | Full Time | \$22.38 - \$23.94 per hour
Posted: Aug 01, 2024 Closing Date: Aug 23, 2024

Sign Up For Job Alerts!

☐ I agree to the [terms of service \(https://refer.io/blog/terms\)](https://refer.io/blog/terms) and [privacy policy \(https://refer.io/blog/privacy\)](https://refer.io/blog/privacy)

Send Me Jobs

powered by [Refer.io \(https://refer.io/blog\)](https://refer.io/blog)

WORK SESSION

AGENDA CALENDAR 2024

Council Meeting Dates	Work Session Topic
Monday, January 8	<i>Exempt Employee Wage Scale</i>
Monday, January 15 Off-cycle	<i>Joint Session with Parks Art Recreation & Culture Advisory Commission</i>
Monday, January 22	<i>Homer Harbor Expansion Baseline Conditions Report Overview – Ronny McPherson & KC Kent HDR</i>
Monday, February 12	
Monday, February 26	<i>Ord 23-61 Amending HCC Title 5 to add Chapter 5.48 Short Term Rentals</i>
Monday, March 11	
Monday, March 18 Off-cycle	<i>Joint Session with ADA Advisory Board Rescheduled to August</i>
Tuesday, March 26	<i>3:00 start Comp Plan Meeting with Agnew:Beck and Planning Commission (tentative)</i>
Monday, April 8	<i>Longevity Pay/City Manager Transition</i>
Monday, April 15 Off-cycle	<i>Joint Session with Port & Harbor Advisory Commission</i>
Monday, April 22	<i>Water & Sewer Rate Model</i>
Monday, May 13	<i>Health Care Renewal Mid-Biennium Budget Adjustments (if time allows)</i>
Monday, May 20 Off-cycle	<i>Joint session with Library Advisory Board</i>
Tuesday, May 28	<i>Mid Biennium Budget Amendments Water Sewer Rates</i>
Monday, June 10	<i>HCC Chapter 11, vegetation in the ROW</i>
Monday, June 17 Off-cycle	<i>Joint session with Economic Development Advisory Commission Rescheduled to October</i>
Monday, June 24	
Monday, July 22	<i>Tentative e-session @4pm</i>

Council Meeting Dates	Work Session Topic
Monday, August 12	<i>E-session: Cyber Security Risk Assessment Review</i>
Monday, August 19 Off-Cycle	<i>Joint Session with ADA Advisory Board</i>
Monday, August 26	<i>Capital Improvement Plan & Legislative Requests</i>
Monday, September 9	<i>Vessel Haul Out/Camping Land Allocation</i>
Monday, September 16 Off-cycle	<i>Joint Worksession with Economic Development Advisory Commission Rescheduled</i>
Monday, September 23	<i>End of Year Financial Worksession</i>
Monday, October 14	
Monday, October 21	<i>Joint Worksession with Planning Commission</i>
Monday, October 28	
Tuesday, November 12	
Monday, November 18	<i>Joint Worksession with Economic Development Advisory Commission</i>
Monday, November 25	

General Fund
Expenditure Report
Actuals through July 2024
8% Fiscal Year Elapsed

Current Fiscal Analysis

	FY25 ADOPTED BUDGET	FY25 YTD ACTUAL	
		\$	%
<u>Revenues</u>			
Property Taxes	\$ 4,225,672	\$ 419,546	10%
Sales and Use Taxes	9,296,032	819,061	9%
Permits and Licenses	41,723	2,730	7%
Fines and Forfeitures	8,381	492	6%
Use of Money	0	0	
Intergovernmental	746,338	0	0%
Charges for Services	445,762	84,825	19%
Other Revenues	-	-	
Airport	202,406	17,535	9%
Operating Transfers	1,568,082	-	0%
Total Revenues	\$ 16,534,397	\$ 1,344,190	8%
<u>Expenditures & Transfers</u>			
Administration	\$ 2,201,751	\$ 138,713	6%
Clerks/Council	942,104	49,330	5%
Planning	446,281	21,819	5%
Library	1,126,251	94,898	8%
Finance	948,850	57,718	6%
Fire	1,973,062	167,293	8%
Police	4,416,940	529,109	12%
Public Works	3,663,001	193,208	5%
Airport	239,580	18,924	8%
City Hall, HERC	190,449	18,049	9%
Non-Departmental	191,000	154,000	81%
Total Operating Expenditures	\$ 16,339,269	\$ 1,443,061	9%
Transfer to Other Funds			
Leave Cash Out	\$ 178,375	\$ -	0%
Other	6,752	-	0%
Total Transfer to Other Funds	\$ 185,128	\$ -	0%
Transfer to CARMA			
General Fund Fleet CARMA	\$ -	\$ -	0%
General Fund CARMA	-	-	0%
Seawall CARMA	10,000	-	0%
Total Transfer to CARMA Funds	\$ 10,000	\$ -	0%
Total Expenditures & Transfers	\$ 16,534,397	\$ 1,443,061	9%
Net Revenues Over (Under) Expenditures	\$ 0	\$ (98,871)	

Water and Sewer Fund
Expenditure Report
Actuals through July 2024
8% Fiscal Year Elapsed

Current Fiscal Analysis

	FY25		FY25 YTD	
	ADOPTED		ACTUAL	
	BUDGET		\$	%
<u>Revenues</u>				
Water Fund	\$	2,494,551	\$ 524,035	21%
Sewer Fund		2,213,812	426,224	19%
Total Revenues	\$	4,708,362	\$ 950,259	20%
<u>Expenditures & Transfers</u>				
<u>Water</u>				
Administration	\$	350,977	\$ 54,586	16%
Treatment Plant		726,654	28,696	4%
System Testing		36,000	779	2%
Pump Stations		123,793	2,566	2%
Distribution System		393,195	22,632	6%
Reservoir		19,191	691	4%
Meters		288,507	1,991	1%
Hydrants		214,868	9,614	4%
<u>Sewer</u>				
Administration	\$	348,160	\$ 65,075	19%
Plant Operations		938,779	29,876	3%
System Testing		18,000	1,084	6%
Lift Stations		230,206	11,107	5%
Collection System		378,085	15,287	4%
Total Operating Expenditures	\$	4,066,415	\$ 243,983	6%
Transfer to Other Funds				
Leave Cash Out	\$	12,216	\$ -	0%
GF Admin Fees		-	-	0%
Other		15,597	-	0%
Total Transfer to Other Funds	\$	27,813	\$ -	0%
Transfers to CARMA				
Water	\$	325,376	\$ -	0%
Sewer		288,758	-	0%
Total Transfer to CARMA Funds	\$	614,134	\$ -	0%
Total Expenditures & Transfers	\$	4,708,362	\$ 243,983	5%
Net Revenues Over(Under) Expenditures	\$	0	\$ 706,275	

Port and Harbor Fund
Expenditure Report
Actuals through July 2024
8% Fiscal Year Elapsed

Current Fiscal Analysis

	FY25 ADOPTED BUDGET	FY25 YTD ACTUAL	
		\$	%
<u>Revenues</u>			
Administration	\$ 640,736	\$ 70,409	11%
Harbor	4,045,337	359,830	9%
Pioneer Dock	302,106	35,343	12%
Fish Dock	578,477	102,404	18%
Deep Water Dock	188,651	14,217	8%
Outfall Line	4,800	-	0%
Fish Grinder	7,390	0	0%
Load and Launch Ramp	130,000	33,276	26%
Total Revenues	\$ 5,897,497	\$ 615,478	10%
<u>Expenditures & Transfers</u>			
Administration	\$ 1,227,954	\$ 208,437	17%
Harbor	1,658,848	129,810	8%
Pioneer Dock	89,120	6,970	8%
Fish Dock	817,052	29,062	4%
Deep Water Dock	107,656	7,047	7%
Outfall Line	13,500	37	0%
Fish Grinder	45,150	2,519	6%
Harbor Maintenance	558,501	26,182	5%
Main Dock Maintenance	54,546	2,973	5%
Deep Water Dock Maintenance	65,046	3,072	5%
Load and Launch Ramp	141,549	15,034	11%
Total Operating Expenditures	\$ 4,778,920	\$ 431,142	9%
Transfer to Other Funds			
Leave Cash Out	\$ 49,513	\$ -	0%
GF Admin Fees	-	-	0%
Debt Service	0	-	0%
Other	380,573	-	0%
Total Transfer to Other Funds	\$ 430,086	\$ -	0%
Transfers to Reserves			
Harbor	\$ 688,491	\$ -	0%
Load and Launch Ramp	-	-	0%
Total Transfer to Reserves	\$ 688,491	\$ -	0%
Total Expenditures & Transfers	\$ 5,897,496	\$ 431,142	7%
Net Revenues Over(Under) Expenditures	\$ 0	\$ 184,336	



MEMORANDUM

Ordinance 24-35, Amending HCC 3.16 and Resolution 24-083, Adopting the Revised Procurement Policy

Item Type: Backup Memorandum
Prepared For: Mayor Castner and Homer City Council
Date: August 12, 2024
From: Melissa Jacobsen, City Manager

The current version of the City's Procurement Policy and Procedures Manual was last revised in 2013. The policies are outdated and require updates to bring them in line with the City's current needs.

In 2023 a Finance Working Group was developed and is made up of staff from all City departments that work with procurement in some way. A survey went out to the working group and department directors seeking feedback on what challenges they have with the current policy, and the key responses were related to spending authority and lack of clarity/ease of use.

Following the staff survey, the City engaged with Carmen Jackson LLC, an accounting firm that holds a term contract with the City, to assist in drafting a revised policy manual that takes into account feedback from the survey, current best practices, and reference to state and federal regulations. I also collaborated with former Fire Chief Robert Purcell for guidance in adding a section for procurements under an emergency declaration. Lastly Council Members Lord and Davis, who are working with staff as finance champions, reviewed the documents with me and Finance Director Fisher before bringing these revisions to Council.

As a result of this work, the revised Procurement Policy and Procedures Manual and an ordinance amending Homer City Code 3.16 Procurements are provided for Council's consideration.

Key changes to the policy include:

- Inclusion of a statement of General Policies
- Increase in spending authority
 - Division Directors/Second in Command from \$3,000 to \$5,000
 - Department Heads from \$4,000 to \$10,000
 - City Manager from \$10,000 to \$50,000
 - City Council approval for procurement over \$50,000
- Revised procurement matrix
- Defined spending levels and approval requirements for small, intermediate, and large purchases
- Clarified purchasing procedures and Invitation to Bid/Request for Proposals process
- Addition of a section for procurement under a local disaster emergency declaration

RECOMMENDATION: Adopt Ordinance 24-35 and Resolution 24-083

Link to current Procurement Policy and Procedures Manual- <https://www.cityofhomer-ak.gov/cityclerk/procurement-policy-and-procedures-manual>

**CITY OF HOMER
HOMER, ALASKA**

City Manager

RESOLUTION 24-083

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA
ADOPTING THE REVISED CITY OF HOMER PROCURMENT POLICY
MANUAL.

WHEREAS, The City of Homer Procurement Policy was last revised in 2013; and

WHEREAS, A Finance Working Group made up of staff from all City departments was developed in 2023 and one of their tasks was to review and make recommendations for updates to the existing procurement policy; and

WHEREAS, The City worked with Carmen Jackson, LLC, a term contract holder, to consider and implement the Finance Working Group's proposals, update outdated procedures and language, and include necessary verbiage regarding state and federal requirements; and

WHEREAS, The Council Member finance champions spent time with the City Manager and Finance Director in reviewing and further refining the manual.

NOW, THEREFORE, BE IT RESOLVED by the Homer City Council hereby adopts the revised City of Homer Procurement Policy Manual included with this resolution as Attachment A.

PASSED AND ADOPTED by the City Council of Homer, Alaska, this 12th day of August, 2024.

CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

RENEE KRAUSE, MMC, CITY CLERK

Fiscal Note: N/A

Procurement Policy



Adopted by Resolution 24-083:

City Clerk's Office
491 E. Pioneer Avenue
Homer, AK 99603
(907) 235-3130
clerk@cityofhomer-ak.gov
www.cityofhomer-ak.gov/cityclerk

UPDATED 9/25/13; 07/31/2023



Table of Contents

1. General Policies.....	5
1.1 Purpose	5
1.2 Compliance	5
1.3 Changes in Policy/Procedure	5
1.4 Authorization and Approvals	5
1.5 Documentation of Purchase Process	6
1.5.a Clarifications.....	6
1.6 Verification of Funds Available and Budgeted.....	6
2. Procurement Policies	6
2.1 Procurement Matrix.....	6
2.2 Incidental (less than \$5,000).....	7
2.3 Small Purchases (less than \$10,000).....	7
2.4 Intermediate Purchases (\$10,000 - \$50,000)	7
2.5 Large Purchase (\$50,000+).....	7
2.6 Purchasing Procedures.....	7
2.6.a Purchase Order Procedure.....	8
2.6.b Check Request Procedure	8
2.6.c Purchase Quotes	8
2.7 Invitation to Bid and Request for Proposal Process.....	9
2.7.a Bid/Proposal Announcement and Collection Process.....	9
2.7.b Procurement Bid/Proposal Evaluation Policy	11
2.7.c Fair Cost Estimate.....	11
2.7.e Notice of Intent to Award	11
2.7.f Bid/Proposal Award Notification	12
2.7.g Contracts	12
2.7.h Contract Retained Percentage Policy	12
2.7.i Change Orders.....	13
2.7.j Contract Bond Policy	13
2.7.k Exceptions to Competitive Bid/Proposal Process	14
2.7.l Protest.....	15
2.8 Other Procurement Procedures.....	15



2.8.a Professional Services.....	15
2.8.b Capital Equipment Procurement	16
2.8.c Sole Source Procurement.....	16
2.8.d Emergency Procurement	16
2.8.e Legal Review.....	17
2.8.f Creation of Information Memorandum.....	17
3. Procurement under Local Disaster Emergency Declaration	18
3.1 Introduction	18
4. Definitions.....	19
Appendix 1 - Purchase Order	24
Appendix 2 – Check Request.....	26
Appendix 3 – Price Quotes.....	27
Appendix 4 – Procurement Card Request.....	28
Appendix 5 – Appointment of Designee for Spending Authority	29
.....	29





1. General Policies

This manual is provided as guidance to all procurement activity in the City of Homer. It has been developed to ensure compliance with the direction of the City Council, the Homer City Code, and sound business practices. Policies and procedures in this manual assume procurement amounts have been approved by City Council through the budgeting process. All amounts that exceed departmental budgets and that were not a part of the budget process require approval by the City Council. The manual will be developed, maintained, and implemented by the Finance Director. The City Manager will be responsible for ensuring compliance throughout City functions. Updates to the manual will be approved by City Council. The procurement manual shall be reviewed annually by the Finance Department to ensure compliance with state and federal laws and regulations.

1.1 Purpose

The purpose of the contained policies and procedures is to ensure that supplies, materials, services, and construction are procured efficiently, effectively, and at the most favorable prices available without creating unreasonable administrative burdens and restrictions.

The City aims to provide for the fair and equitable treatment of all persons or organizations involved in the provision of goods and services to the city while maximizing the purchasing value of public funds. The City's purchasing actions shall be in compliance with applicable state and federal standards, regulations and laws. This manual is intended to be used alongside Homer City Code.

1.2 Compliance

When a procurement involves the expenditure of state or federal grant, assistance or contract funds, the procurement shall be conducted in accordance with any applicable mandatory local, state, or federal law and regulation. Nothing in this manual shall prevent the City from complying with the terms and conditions of any grant, gift, or bequest which is otherwise consistent with the law.

1.3 Changes in Policy/Procedure

The City Manager and Department directors are authorized by the City Council to take limited procurement actions necessary to implement approved budgets, and they may further delegate this authority, in whole or in part, to such delegates as they may appoint in writing. These actions include signing and making changes to contracts/purchase orders.

1.4 Authorization and Approvals

Levels of authority to commit funds or perform related procurement activities of the City have been established by the City Council. Depending on the situation as outlined in this manual and/or City Code, Procurement actions outside prescribed limits set for department directors and the City Manager shall be submitted to the City Council for approval.

Department directors or the City Manager may grant spending authority to designated staff for amounts up to the director's own maximum authority. A memorandum appointing a designee must be on file with the Finance Department. The memorandum shall include justification for the designation, period of designation, specific approval limitations, and shall be signed by the Department Director, City Manager and Finance Director, as outlined in 2.1 Procurement Matrix.

Purchase Authorization Levels:	Maximum
Departmental Staff	\$1,000
Division Director/Second in Command	\$5,000



Department Director (single signature)	\$10,000
Department Director, Finance Director, & City Manager (combined signatures)	\$50,000
City Council	\$50,000+

1.5 Documentation of Purchase Process

Every undertaking of the City involving the expenditure of City money, no matter the amount, shall be in writing in the form of a purchase order, check request, P-Card, written communication, travel voucher or contract, as may be appropriate. Required documentation is referenced in 2.1 Procurement Matrix.

1.5.a Clarifications

- A. No officer or employee of the City shall have the authority to enter into any oral agreement involving the expenditure of money.
- B. Separate purchase orders shall not be issued for the purpose of circumventing the requirements and limitations of this title.
- C. References in this manual to matters required to be in "writing" or to be "written" may include electronic communication unless procedures are otherwise prescribed.

1.6 Verification of Funds Available and Budgeted

The department director is responsible for ensuring funds are available and allocated within the appropriate departmental budget before purchases are made. The Finance Department will verify availability of funds and encumber procurements as appropriate.

2. Procurement Policies

2.1 Procurement Matrix

Purchase Type & Amount	Procurement Process	Documentation Required	Authorization	Council Notification
Incidental <\$5,000	On open market with reasonable and practical competition	Purchase Order or Check Request as appropriate Receipt, Packing Slip, Invoice	Division Director/Second in Command	none
Small \$5,000 - \$10,000	On open market with such competition (2 quotes) as reasonable and practical. Award to lowest qualified quote.	Purchase Order or Check Request as appropriate All quotes gathered Receipt, Packing Slip, Invoice	Department Director	none



Intermediate \$10,000 - \$50,000	On open market with such competition (3 quotes) as reasonable and practical. Award to lowest qualified quote.	Purchase Order or Check Request as appropriate All quotes gathered Receipt, Packing Slip, Invoice	City Manager Finance Director Department Director	At next scheduled meeting
Large >\$50,000	Competitive bids or proposals	Bid or proposal Documented selection process/decision making Contract	City Manager Finance Director Department Director	Council notification of bid/proposal process. Council Approval Required BEFORE purchase

2.2 Incidental (less than \$5,000)

Incidental purchases are those purchases less than \$5,000 for one item or in aggregate. These purchases may require a purchase order (PO) and/or check request. Items may also be purchased using a Procurement Card (P-Card) as indicated in the respective section of this manual. Division Director/Second in Command must approve purchases over \$1,000 and up to \$5,000.

2.3 Small Purchases (less than \$10,000)

Small purchases are those between \$5,000 and \$10,000 for one item or in aggregate. Small purchases require at least two quotes with the purchase being made from the vendor with the lowest qualified quote. See 2.1 Procurement Matrix for examples. Small purchases must be approved by the department director before purchasing.

2.4 Intermediate Purchases (\$10,000 - \$50,000)

Purchases between \$10,000 and \$50,000 that are allocated for in the current operating and capital budget shall be approved by the department director, Finance Director, and City Manager. Procurement procedures should include the collection of at least three quotes as is reasonable and practical. The purchase will be made from the vendor with the lowest qualified quote. Refer to HCC 3.16.060 for exceptions to bidding requirements and [HCC 3.16.080](#) for local bidder preference guidelines. Purchases not budgeted for in the current fiscal year operating and capital budget require an ordinance for appropriation by council.

However, to create a more competitive environment to ensure the best possible value for the City, the department director or City Manager may determine that a sealed bid process is to be used instead.

2.5 Large Purchase (\$50,000+)

Purchases over \$50,000 require the City Manager to request competitive bids or proposals with notification to the City Council.

The City Manager may determine that a proposal process is the preferred method of procurement when the City would benefit from contractor/supplier to propose unique or innovative approaches to meet the procurement requirement and where a negotiated agreement is in the best interest of the City.

2.6 Purchasing Procedures



2.6.a Purchase Order Procedure

A purchase order will be used to purchase material, equipment, and supplies at the discretion of the department or at the request of the vendor. A purchase order may be used in conjunction with project contracts to obligate necessary funds.

A contract must be provided for all leases (e.g., machinery and equipment) rents and maintenance agreements on an annual basis to encumber the necessary funds for the entire accounting period.

Department directors or designees are expected to promptly:

- A. notify the Finance Department, in writing, of any irregularities in the receipt of goods or services.
- B. advise the Finance Department of any alterations to a purchase order such as availability, price, quantity, or substitutions.
- C. verify items received match the purchase order by price, quantity, and assuring quality.
- D. submit all required documentation to the Finance Department in a timely manner.

Upon receipt of all required documentation for a purchase made through a purchase order, the Finance Department will ensure all information is documented and coded correctly. Once confirmed, the Finance Department will await vendor invoicing to process payment.

2.6.b Check Request Procedure

Check requests may be used for the following reasons:

- A. urgent or impromptu purchases
- B. an installment type of disbursement in connection with an annual PO (e.g., allowances, service contracts, rents)
- C. a request for payment to other agencies (interagency transfer, e.g., federal revenue sharing disbursement)
- D. any type of refunds for utilities, service connects, overcharges to utility customers
- E. reimbursement requests should be documented with appropriate receipts
- F. disbursement requests for dues, fees
- G. petty cash reimbursements.

The appropriate department director and Finance Director must approve the request before the Finance Department processes for payment as outlined in 2.1 Procurement Matrix. **See Appendix 2 – Check Request.**

2.6.c Purchase Quotes

Purchase quotes should be obtained through the open market and documented with the following information:

- A. vendor name and contact information
- B. date quote obtained
- C. item description
- D. price per unit, including shipping



- E. transportation mode
- F. evaluation of performance of vendor
- G. quote sheet (**See Appendix 3 – Quote Sheet**)

2.7 Invitation to Bid and Request for Proposal Process

2.7.a Bid/Proposal Announcement and Collection Process

When the determination has been made to collect competitive bids or proposals, the following steps will be taken by the department director, or designee:

1. Develop Invitation to Bid (ITB) or Request for Proposal (RFP)–

The ITB/RFP *shall state or reference all specifications and contractual terms and conditions that must be responded to and the factors that will be considered in evaluation.* Also included will be requirements for two part submissions (Part A/B), for any announcements or addendums, submission requirements, submission date, and expected date of announcement of lowest bidder/winning proposal.

Bids are required to be submitted in two parts; Part A shall consist of bid price information and bid bond/checks, whereas Part B shall consist of the remainder of the submittals required by the Invitation to Bid.

Bidders/Proposers will be required to submit a plan holder's registration form to the City Clerk to be added to the City's Plan Holders List.

2. Advertising ITB/RFP - The minimum requirement for advertising for bids/proposals shall be a notice calling for bids/proposals printed in a newspaper of general circulation within the City once a week for not less than two consecutive weeks prior to the date for the bid award unless another form of media is authorized by the City Manager. The ITB/RFP shall be on file at the City for public inspection. The ITB/RFP shall also be listed on the City's website.

In addition to the minimum requirement for advertising, the ITB/RFP may be sent directly to perspective bidders/proposers and relevant established trade association by the City Manager, or designee, as appropriate.

3. Plan Holders List - The City Clerk's Office shall maintain an official plan holders list of all bidders/proposers.

- a. This list shall contain the bidder/proposer's name, contact person, mailing and physical address, phone number, fax number and E-mail address.

- b. The list shall contain the date the bidder/proposer was mailed, faxed, or received the ITB/RFP documents, any addenda and etcetera.

- c. The official list shall note the date payment was received for ITB/RFP documents, if the plan holder owns the City Standard Construction Specs and bidding status, i.e., general contractor, sub-contractor, etc. - whenever pertinent.

- d. A general bidder/proposer not listed on the Official Plan Holders List shall be deemed non- responsive.

4. Bid/Proposal Closing

- a. The closing date shall be no sooner than five working days after the last date of



advertisement.

- b. Submissions shall be turned in at the City Clerk's office to be time stamped and retained until the date of opening.

5. Sealed Bid Opening Procedure

- a. The applicable Department Director and Finance Director or their designees shall conduct the bid opening.

- b. The bid opening shall generally be conducted in the following manner:

- Introduction of staff.
- Announce dates of bid period.
- Announce the expiration of the period.

- c. Determine responsiveness of bids by:

- Opening bidders Part B portion of the bid in the order received.
- Read aloud/announce: Name of bidder, address of bidder and date and time received.
- Determine if Bidder provided all submittals in the form specified by the Invitation to Bid (e.g., Business License Number, Addendum Acknowledgment, EEO Form, etc.).
- Bids which do not include the submittals in the form specified by the Invitation to Bid shall be determined to be non-responsive and shall be set aside along with the unopened Part A of the bid.

- d. Part A (Price) of the bids which are determined to be responsive to the Invitation to Bid, will be opened at which time the Bid Price will be read aloud.

- e. Record bid information on Bid Register.

- f. Read aloud Fair Cost Estimate, if appropriate.

- g. Announce the Close of Bid Opening and that an award would be made after concluding the technical evaluation of the bids and determining the respective responsibility of the apparent low bid.

6. Sealed Proposal Opening Procedure

- a. The applicable department director and Director of Finance or their designees shall conduct the proposal opening.

- b. The proposal opening shall generally be conducted in the following manner:

- Introduction of staff.
- Announce dates of proposal period.
- Announce the expiration of the period.

- c. Determine responsiveness of proposals by:

- Opening proposals in the order received.
- Read aloud/announce: Name of proposer, address of proposer and date and



time received.

- Determine if proposer provided all submittals in the form specified by the Request for Proposal (e.g., Business License Number, Addendum Acknowledgment, EEO Form, etc.).
- Proposals which do not include the submittals in the form specified by the Request for Proposal shall be determined to be non-responsive and shall be set aside.

d. Record proposer information on Proposal Register.

e. Announce the Close of Proposal Opening and that an award will be made after concluding the technical evaluation of the proposals.

2.7.b Procurement Bid/Proposal Evaluation Policy

Bids/proposals shall be evaluated by the department director in accordance with the specific terms and evaluation criteria set forth in the ITB/RFP. Terms and criteria may vary from project to project. Bids/proposals shall be reviewed for completeness, price, commercial responsiveness, technical responsiveness, and responsibility. Packages must be evaluated to the extent necessary to determine that correctable errors would not reduce the bid/proposal price to within the acceptable range. Packages shall be unconditionally accepted without alteration or correction, except that pricing ambiguities will be corrected.

The City Manager shall determine if a bidder/proposer has been responsive and is to be considered responsible under the conditions of the bid/proposal as described in [HCC 3.16.070](#).

To prevent the perception that the bid/proposal process involves collusion or anti-competitive practices, communication with bidders/proposers shall be discontinued during the evaluation period. If contact is essential, then it shall be for a specific purpose and be provided to all bidders/proposers.

Bids that exceed the Engineer's Estimate by more than 15% may be rejected.

Proposals remain confidential until a contract is approved by City Council by Resolution.

2.7.c Fair Cost Estimate

In contracts for public improvements exceeding fifty thousand dollars (\$50,000), the design engineer shall prepare fair cost estimates prior to bid/proposal opening or initiation of negotiations for procurement. Also, significant change orders require some form of pricing estimate as follows:

- Engineer's cost estimates may be used at any time and are preferred prior to negotiation of changes with a defined scope.
- Proposal evaluations may be used for negotiation of all complex changes not suited for fair cost estimate preparation.
- Proposal evaluations may be used for contractor claims.

2.7.e Notice of Intent to Award

After the responses to bids have been opened and evaluated the Department Director will prepare a Notice of Intent to Award that includes a bid tabulation. This serves two purposes. It lists the name of each company or person that offered a bid and the price they bid. It also provides notice of the city's intent to award a contract(s) to the bidder(s) indicated. A copy of the Notice of Intent will be emailed to each company or person who responded to the ITB. Bidders identified as the apparent low responsive



bidders are instructed not to proceed until a Purchase Order, Contract Award, Lease, or some other form of written notice is given by the city. A company or person who proceeds prior to receiving a Purchase Order, Contract Award, Lease, or some other form of written notice from the contracting officer does so without a contract and at their own risk.

After the responses to a request for proposals have been opened and evaluated the Department Director will prepare a Notice of Intent to Award that includes only the total proposed cost without a breakdown in fees that may be identified within the proposal. Proposers identified as submitting the winning proposal are instructed not to proceed until a Purchase Order, Contract Award, Lease, or some other form of written notice is given by the city. A company or person who proceeds prior to receiving a Purchase Order, Contract Award, Lease, or some other form of written notice from the contracting officer does so without a contract and at their own risk.

2.7.f Bid/Proposal Award Notification

Upon review and evaluation of the submitted bids/proposals, the City Manager proposes the selected winner to the City Council for approval and resolution of award. Once approved by the City Council, the City Manager or department director will provide a written notice of award to the City Clerk's office and the bidder/proposer. The department director, or City Manager, will then start the contracting process for the project.

Once awarded, all proposals may be available for public inspection.

2.7.g Contracts

Subject to stated limitations, any form of contract which, in the opinion of the department director, will promote the best interests of the City may be used, except a contract which is cost-plus-a-percentage-of-cost.

A cost-reimbursement contract, or time-and-materials contract, may be used only when a determination has been made in writing that such a contract is likely to be less costly to the City than any other type or that it is impractical to obtain the supplies, services, or construction required except under such a contract.

Standardized baseline documents should be utilized for development and award of contracts.

2.7.h Contract Retained Percentage Policy

During contract negotiations, the City Manager or designee will determine if a retainage percentage is necessary. If a retainage is required, the amount and schedule will be determined during negotiations. Retainage will be no more than 10 percent. The City shall pay the contractor interest on retainage in accordance with Alaska State Statute 36.90.250.

In contracts for public improvement or work where payments to the contractor are at fixed prices and are measured on estimates during the progress of the work, the percentage to be retained shall be on the entire payment as prescribed by contract.

In contracts for public improvement or work where payments to the contractor during the progress of the work are partly to reimburse for actual costs and partly for earned fee and/or lump sum items, the percentages prescribed by contract may be retained on the earned fee and lump sum parts only, provided that billings for actual costs are subject to audit by the City.

In contracts where the work is on schedule and in accordance with specifications, the City Manager or designee may exempt the contractor from the retainage requirement.



278 2.7.i Change Orders

279 A change order to an existing city contract shall require the approval of the city council when the
280 proposed modification or change order increases the contract amount by fifty thousand dollars
281 (\$50,000) or more. No work may proceed under a modification or change order requiring city council
282 approval prior to approval by the city council.

283 The council shall be notified by written report at its next regular meeting of any modification or change
284 order in excess of ten thousand dollars (\$10,000). Such notification shall include:

- 285 A. The dollar amount of the original contract;
286 B. The number of previous modifications or change orders;
287 C. The dollar amount of each previous modification or change order and the total aggregated
288 dollar amount of the previous modifications and change orders;
289 D. The total dollar amount of the contract as modified or changed; and
290 E. A statement explaining the justification or need for the modification or change order.

291 Modifications and change orders shall not be arbitrarily divided into smaller amounts to avoid council
292 approval thereof.

293 The city may make modifications or change orders in any city contract without council approval where in
294 the judgment of the city manager a emergency or disaster exists which requires immediate action to
295 remedy and where there is insufficient time or it is impractical to obtain council approval. Notice of such
296 emergency or disaster modifications or change orders containing the information set forth in Section 3.

297 2.7.j Contract Bond Policy

298 In contracts for public improvements, a Bid Bond and Payment Bond and Performance Bond shall be
299 required for all publicly bid work exceeding \$10,000.

300 Each bid shall be accompanied by a Bid Bond consisting of a certified or cashier's check payable to the City
301 for a sum not less than five percent of the amount of the bid or accompanied by a bid bond in an amount
302 not less than five percent of the bid with a corporate surety licensed to do business in the State of Alaska.
303 Checks and Bid Bonds will be returned to unsuccessful bidders.

304 The successful bidder is required to submit a Performance Bond and a Payment Bond with a Surety
305 meeting the standards of AS 36.25.010(a), or as determined by federal funding agency, and satisfactory
306 to the City. The amount of the Performance Bond and the amount of the Payment Bond shall be specified
307 in the bid documents.

308 If the bidder fails to enter into the contract and furnish the Performance Bond and Payment Bond within
309 ten (10) working days from the date on which the bidder is notified of being the successful bidder, the Bid
310 Bond or check and the amount thereof shall be forfeited to the City.

311 2.7.k Exceptions to Competitive Bid/Proposal Process

312 A department director may recommend an alternative procurement procedure to the City Manager if
313 such a procedure will best serve the needs of the City and is allowable under Homer City Code and other
314 applicable laws. The City Manager shall review the recommendation and approve it before the
315 procurement process proceeds. Depending upon the estimated amount of purchase, City Council approval
316 or notification may be required (see procurement matrix).



The City Manager shall notify the City Council of the decision to use any procedure other than competitive sealed bids and the reasons for this decision at the next regularly scheduled City Council meeting.

The City Council may determine and make written findings that the public interest would be best served by not requiring competitive bids/proposals. The best interest determination may be based upon, but is not limited to, a finding that the services or articles can be procured at a lower cost without competitive bidding.

Authorized exemptions to bidding requirements include:

1. Negotiated procurement following unsuccessful efforts to obtain competitive bidding.
2. Small procurement, below \$25,000.
3. Emergency procurement.
4. Procurement of consultant and technical services.
5. Procurement of real estate.
6. Procurement of architect-engineer, construction manager, or construction completion services.
7. Interagency agreements.
8. Utilization of State or local government contracts.
9. Sole source procurement (see 2.8.c)
10. Procurement resulting from competitive sealed proposals as defined in HCC [3.16.110](#).
11. Placement of insurance coverage.
12. Electronic data processing software and hardware. Competition will be sought to the maximum extent practicable.

2.7.I Protest

An interested party is defined in 2 AAC 12.990(a) (7) as "an actual or prospective bidder or offeror whose economic interest might be affected substantially and directly by the issuance of a contract solicitation, the award of a contract, or the failure to award a contract."

If an interested party wishes to protest the content of a solicitation, the protest must be received, in writing, by the City Clerk at least ten days prior to the deadline for receipt of bids.

If a bidder or proposer wishes to protest the award of a contract or the proposed award of a contract, the protest must be received, in writing, by the City Clerk within ten days after the date the Notice of Intent to Award the contract is issued.

A protester must have submitted a bid in order to have sufficient standing to protest the proposed award of a contract. Protests must include the following information:

- the name, address, and telephone number of the protester;
- the signature of the protester or the protester's representative;
- identification of the contracting agency and the solicitation or contract at issue;
- a detailed statement of the legal and factual grounds of the protest including copies of relevant documents; and the form of relief requested.



All bidders will be notified of any protest.

If a protest is filed the award may be made unless the City Manager and Department Director determines in writing that a reasonable probability exists that the protest will be sustained; or stay of the award is not contrary to the best interests of the city.

The City Manager will issue a written response to the protest within 15 days after a protest has been filed. The response will set out the contracting officer's decision and contain the basis of the decision.

The decision of the City Manager may be appealed to the Superior Court within 30 days after the date the decision was issued. For the purposes of this section the date of issuance is the date upon which the decision was mailed or delivered to the parties.

2.8 Other Procurement Procedures

2.8.a Professional Services

The department director may request the City Manager to engage consultants/contractors or Architectural/Engineering (A/E) firms to perform services of a specialized scientific, technical, or administrative nature for short-term or periodic requirements. Consultant, technical, and A/E contracts may be initiated for peak or limited-time work requirements, work requiring special talents, license or equipment for which the hiring of permanent employees would not be practical or would not provide independent objectivity or be in the best financial interests of the City.

The department director will follow 2.1 Procurement Matrix for consultant, technical or A/E services, stating concisely the general scope and nature of the project or work.

The department director will seek competition in contracting for these specialized services whenever practical. Normally, these contracts will be negotiated based on demonstrated competence and qualification for the type of professional services required at fair and reasonable prices. The general policy is to select firms on a competitive basis that are qualified technically and that meet commercial competitive requirements. This shall be done through evaluations of proposals, and/or interviews, ranking of performance capability statements submitted by the perspective consultants. Justification for determinations for all such actions shall be documented. Negotiation of commercial terms and price or cost shall then be accomplished.

Upon review and evaluation of the submitted bids/proposals, the City Manager proposes the selected winner to the City Council for approval and resolution of award. Once approved by the City Council, the City Manager or department director will provide a written notice of award to the City Clerk's office and the bidder/proposer. The department director, or City Manager, will then start the contracting process for the project.

2.8.b Capital Equipment Procurement

Capital equipment procurement shall be based upon an analysis of City needs in consideration of alternative sources, cost of ownership and cost of money.

Contracts or procurement providing for the long-term lease or rental of capital equipment should contain provisions for the City to obtain ownership rights, including application of all or part of payments credited to ownership when available or appropriate.

2.8.c Sole Source Procurement

Department directors may present for approval the procurement of supplies, materials, services, or construction through a sole source in the following situations:



1. Based on documented research, the goods or service is only available from one source.
2. When competitive procurement procedures have been followed, but a limited number, or no bids, quotations, or proposals have been received.
3. Products or services that support existing software or data exchange between public or private agencies are required for compatibility with existing equipment.
4. Purchase of patented articles.
5. When the federal awarding agency or pass-through entity expressly authorizes a noncompetitive procurement in response to a written request from the City.

Approval requirements are based on standard procurement procedures.

2.8.d Emergency Procurement

A department director shall determine and recommend to the City Manager the need for emergency purchases for items or services or both provided that such emergency procurement shall be made with such competition as is practical under the circumstances. The City Manager has the authority to proclaim an emergency and to authorize emergency procurement. A written determination of the basis for the emergency procurement and for the selection of the supplier is to be included in the procurement file. The City Manager will notify council of emergency procurements below \$50,000 by memorandum and an emergency ordinance will be adopted to ratify procurements over \$50,000.

2.8.e Legal Review

All procurement actions having a significant impact on the City's legal rights or obligations will require legal review prior to implementation. Examples include:

- Capital Project contract agreements.
- Procurement actions over \$50,000 requiring City Council approval.
- Exceptions or modifications to standard terms and conditions.
- Lease or rental documents for capital equipment.
- Additional reviews as requested by department director, Finance Director, or City Manager.

In addition, suitable expressed warranty provisions will be considered for inclusion in terms of procurement through contract.

2.8.f Creation of Information Memorandum

An Information Memorandum is intended to ensure that the City Council is presented with relevant, accurate, timely, and complete information and recommendations. Further, it ensures that all parties that may assist with clarifying the issues, or affected by the outcome, may participate in the development of recommendations.

The body of an Information Memorandum should contain each of the sections described below, when appropriate.

- A. Procurement Description - Describe concisely the nature of the procurement action.
- B. Background - Summarize relevant background material. Information provided may include the origin, history, and importance of the procurement. If essential to understanding the



procurement requirement, additional background material may be provided in attachments and referenced in the text.

C. Justification - Summarize why and how long it is needed and what its use will be. State who will benefit from it, and what will happen if it is not available.

D. Alternatives - If appropriate, each option for meeting the procurement requirement shall be described succinctly.

E. Discussion - Comment on the implications of selecting an alternative procurement approval, if applicable, to clarify the basis for the recommendations. Summarize the positions of other personnel if they disagree with the alternative recommended. Additional comments may be provided in attachments. If the issue is a unique proposal, such as a proposal for a singular course of action, the "Alternatives" section should be omitted and this section should discuss the reasons for -or implications, pro and con - of taking or not taking the proposed action.

F. Fiscal Note – Explain-if the item is budgeted. If not budgeted, show the source from which monies should be made available. Include advantages of this action. Future cost or savings if applicable.

G. Bid/Proposal Evaluation - State briefly why, or why not, a bid/proposal cycle was employed. Explain the evaluation method used and the outcome of the evaluations.

H. Recommendation - State concisely the action recommended to the Council, and reference the option number listed under "Alternatives," if applicable.

I. Next steps - A list shall be made of the actions needed to implement the decision, including when the action must be completed and by whom. When additional Council actions are foreseen, these should be described, including estimated dates and costs.

3. Procurement under Local Disaster Emergency Declaration

3.1 Introduction

When a local disaster happens and a declaration of emergency has been made in accordance with the City's Emergency Operations Plan by the Mayor, or the next person in the line of succession if the Mayor is not available to act, the procurement policy permits the waiving or suspension of standard procurement policies. These provisions only apply following the declaration of a local emergency.

3.2 Purpose and Goal

This section is limited to emergency protective measures, debris removal and other critical immediate needs to protect life and property or to restore essential services as well as preparing preliminary damage assessments and cost estimates.

The goal is maximum flexibility to meet critical needs with a concurrent understanding that the use of this authority will be reasonable and used with appropriate discretion.

This section does not apply to permanent repair work which is generally larger projects to repair or replace damaged or lost infrastructure.



3.3 Immediate Procurement Matrix under Local Disaster Declaration of Emergency

Purchase	Procurement Process	Documentation Required	Authorization	Council Notification
<\$50,000	Reasonable attempt should be made to seek 3 bids or proposals.	Verbal agreements are allowed, written documentation must follow for immediate emergency procurement	City Manager	none
50,000 - \$300,000	Reasonable attempt should be made to seek 3 bids or proposals.	Verbal agreements are allowed, written documentation must follow for immediate emergency procurement	City Manager	Within 72 hours
\$300,000 - \$500,000	Reasonable attempt should be made to seek 3 bids or proposals.	Verbal agreements are allowed, written documentation must follow for immediate emergency procurement	City Manager	Within 24 hours
>\$500,000	Reasonable attempt should be made to seek 3 bids or proposals.	Verbal agreements are allowed, written documentation must follow for immediate emergency procurement	City Manager	Council Approval Required BEFORE purchase

3.4 City Manager's spending authority under a local disaster emergency declaration

3.4a. The City Manager or their designee has the maximum expenditure authority of up to \$500,000 without prior City Council approval.

1. The City Manager or their designee must notify the City Council within 72 hours of procurements or contracts over \$50,000 and within 24 hours for expenditures over \$300,000.

2. Procurements would apply only when immediate attention is required and only to work/costs arising for costs directly related to the disaster.

3. This procurement authority is not permitted for ongoing regular business occurring during the declaration.

3.5 Exception to the bid and proposal process under a local disaster emergency declaration



3.5a. Reasonable attempts should be made to seek 3 bids or proposals for all work when immediate attention is required.

1. Verbal agreements with vendors or contractors with written documentation of the proposal and a written contract to follow for critical emergency work.

2. If time permits, documentation should be completed before the notice to proceed.

3. Documentation at the time of or shortly after the event occurs is required to record actions taken, reasons that verbal agreements were used, and/or reasons less than 3 bids or proposal was reasonably necessary.

4. Definitions

Architectural/Engineering Services (A/E) - A/E services rendered by persons other than employees of the City contracted to perform activities normally related to the Architectural or Engineering profession. The end product is normally plans, specifications and estimates or a report.

Agreement - A binding contractual obligation between two organizations or parties as witnessed by signatures of responsible persons from each organization or party.

Approval - Recorded support or endorsement (including the date and signature, stamps, or initials of the person) of a document or activity.

As-Built Data - Documented data that describes the condition actually achieved in a product (generally used with reference to drawings).

Audit - An activity usually performed by an independent group to determine, through investigation, the adequacy of, and adherence to, established procedures, instructions, specifications, codes, and standards or other applicable contractual and licensing requirements and the effectiveness of implementation.

Award - The act of communicating a judgment or decision to accept a seller's offer; the acceptance must be communicated to the seller.

Bid - An offer to perform a contract for work and labor or supplying materials at a specified price. A bid is usually in response to an invitation for bid or a solicitation. (Also see Proposal)

Bid Bond - A written obligation that the contractor will execute the contract for the price bid.

Bid Package - The drawings, specifications, standards, and other documents specifying requirements that completely describe the task or item on which a prospective contractor will bid.

Bid Evaluation - The technical, financial, and commercial evaluation or appraisal of a bid to determine if the bid is responsive to needs and requirements.

Buyer/Owner - The City or department responsible for issuance or administration of procurement documents.

Capital Equipment - Equipment valued at over \$5,000 per unit.

Certification - The action of determining, verifying, and attesting in writing to the qualifications of personnel or materials.

Change Order - A formal change to a contract or the purchase order that is reviewed and approved by the City. (See Contract Modification)

Check Request - a disbursement request from authorized source.



- 523 **City Contract, Purchase Order and/or Change Order** - A legally binding document, when fully executed,
524 committing both the City and a contractor, vendor and/or a supplier.
- 525 **Contractor Claim** - An assertion or demand by one contracting party on another for monies, time, support
526 and work due him for exposure (e.g., damage, shortage, error in shipment) not specifically defined in the
527 contract.
- 528 **Consultant Services** - Services of an individual or organization engaged in an advisory capacity on an
529 intermittent basis to provide scientific, technical, or administrative expertise. The end product is normally
530 a report or recommendation (s) based upon data obtained from the City or others.
- 531 **Contract** - A legally binding agreement between two parties or organizations for the provisions of items
532 or services from one to the other. (See also Purchase Order)
- 533 **Contract Administration** - The activity of administering contracts, including those acts to determine
534 conformance, communications regarding contractual matters, and processing of contract modifications.
- 535 **Contract Modification** - Any written alteration in the specification, delivery point, rate of delivery,
536 contract period, price, quantity, or other contract provisions to an existing contract, whether
537 accomplished by unilateral action in accordance with a contract provision or by mutual action of the
538 parties to the contract. It includes (i) bilateral actions such as supplemental agreements and (ii) unilateral
539 actions such as change orders, orders for provisioned items, administrative changes, notices of
540 termination, and notices of the exercise of a contract option.
- 541 **Contractor** - Any organization under contract to furnish items or services. It includes the terms vendor,
542 supplier, subcontractor, and fabricator and the sub-tier levels of these, where appropriate.
- 543 **Cost-Reimbursement Contract** - A contract where the contractor is reimbursed for actual cost incurred in
544 the performance of the contract.
- 545 **Delegated Authority** - The authority given by formal agreement to perform designated activities.
- 546 **Delivery** - The physical and/or legal transfer of a shipment from consignor to consignee. In determining
547 whether a component has been delivered, the basic element is if or when the purchaser has taken legal
548 possession of the item. (See also Receiving)
- 549 **Designated Representative** - An individual or organization authorized by the purchaser or vendor to
550 perform functions in the procurement process.
- 551 **Documentation** - Any written or pictorial information describing, defining, specifying, reporting, or
552 certifying activities, requirements, procedures, or results.
- 553 **Emergency Purchases** - A requirement which arises from a situation where a threat to public health,
554 welfare or safety such as may arise by reason of floods, epidemics, riots, equipment failure or such other
555 reason may be proclaimed by the City Manager or his authorized delegate. The existence of such condition
556 creates an immediate and serious need for supplies, services or construction that cannot be met through
557 normal public bidding methods and the lack of which would seriously threaten (a) the health or safety of
558 any person, (b) the prevention or protection of property.
- 559 **Earned Fee** - The contractor's compensation for completing a specific task or providing a specific work
560 product.
- 561 **Equipment** - The articles or implements used in an operation, activity, or process.
- 562 **Exception** - Any article, item, material, or configuration in which objectionable points are noted or
563 recorded.



- 564 **General Scope** - That work which is fairly and reasonably within the contemplation of the parties when
565 the contract was entered into.
- 566 **Guaranty** - Promissory obligations of one party to undertake to be secondary liable for the obligations of
567 another party.
- 568 **Invitation for Bid** - The complete assembly (bid package) or related documents (whether attached or
569 incorporated by reference) that is furnished to prospective bidders for the purpose of bidding. The notice
570 to bidders is a means of publicizing the invitation for bids.
- 571 **Lump Sum** - The total amount to be paid to a contractor for completing a given contract scope of work
572 ("Lump Sum Contract") or for completing a specific task or providing a specific work product.
- 573 **Material** - A substance or combination of substances forming components, parts, pieces, and equipment
574 items. (Intended to include machinery, castings, liquids, formed steel shapes, aggregates and cement).
- 575 **Negotiation** - A process of conferring with another to arrive at a mutual settlement of some matter.
- 576 **Notice to Bidders** - A formal notification to prospective suppliers, usually published in local newspapers,
577 of the City's intention to purchase specific equipment, materials, supplies, or services.
- 578 **Payment Bond** - A written obligation that a contractor will pay all labor, materialmen and subcontractors
579 amounts due them so that liens are not filed.
- 580 **Performance Bond** - A written obligation that a contract will be completed as bid and the end product will
581 be free of liens.
- 582 **Pricing** - To determine or set the amount of money to be paid for an item, material, or service.
- 583 **Procedure** - A document that specifies or describes how an activity is to be performed by a division,
584 department, operation, or function and includes interface relationships between organizations. It assigns
585 responsibility for performance of the activity. It may include methods to be employed, equipment or
586 materials to be used, and sequence of operation. Procedures are approved by the appropriate issuing
587 authority.
- 588 **Procurement** - An activity that includes purchasing, contracting, renting, leasing, or otherwise obtaining
589 materials, equipment, supplies, or services. It includes all functions that pertain to the obtaining of
590 supplies and services, including description (but not determination) of requirements, selection and
591 solicitation of sources, preparation and award of contracts, and related phases of contract administration.
- 592 **Procurement Documents** - Purchase orders, drawings, contracts, specifications, or instructions used to
593 define requirements for purchase.
- 594 **Procurement Function** - The responsibility to deal with contractor/suppliers on behalf of the City and
595 perform staff work in support of final actions taken by persons with assigned signature authority.
- 596 **Proposal** - An offer by one party or organization to another of terms and conditions with reference to
597 some work or undertaking. A proposal is in response to a solicitation for proposals and is usually
598 associated with procurement by negotiations. (See also Bid).
- 599 **Proprietary Information** - Information considered by the originator or holder in due course to be of value,
600 the disclosure of which may result in financial harm, loss of competitive advantage, deterioration of
601 market share, or other detriment to the holder.
- 602 **Proprietary Information Handling Agreement** - An agreement between the City and a contractor
603 concerning the disclosure and handling of proprietary information.



- 604 **Purchase Order** - A contract for the purchase of goods or services. The purchase order established the
605 binding requirements with the supplier for goods or services delivered. (See also Contract)
- 606 **Purchaser** - The organization responsible for establishment of procurement requirements and for
607 issuance and administration of procurement documents.
- 608 **Quality** - The degree of conformance of an item or material to the specified requirements.
- 609 **Receiving** - The action of taking delivery of an item at a designated location.
- 610 **Receiving Inspection** - The activity encompassing observation, examination, measurement, testing, and
611 documentation of an item, part, or materials at the time it is received to assure that it conforms to the
612 procurement requirements.
- 613 **Reject** - A disposition that provides that the item is unsuitable for its intended purpose and rework, or
614 repair is not economically feasible; the item is, therefore, removed from possible use.
- 615 **Repair** - The process of restoring a nonconforming characteristic to a condition such that the capability of
616 an item to function reliably and safely is unimpaired, even though that item still may not conform to the
617 original requirements.
- 618 **Responsible** - Ready, willing, and able to perform the work.
- 619 **Responsive** - Complies in all material respects with the essential provisions of the Invitation for Bids or
620 the Request for Proposals.
- 621 **Rework** - The process by which a nonconforming item is made to conform to a prior specified requirement
622 by completion, re-machining, reassembling, or other corrective means.
- 623 **Seller** - Any individual or organization under contract for furnishing goods or services, including the terms
624 vendor, supplier, contractor, subcontractor, fabricator, and consultant and the lower-tier levels.
- 625 **Services** - The performance by a contractor of activities such as design, fabrication, inspection, repair, or
626 installation.
- 627 **Signature Authority** - The authority to sign a document that formally commits the City.
- 628 **Solicitation** - The act of inviting prospective bidder to bid.
- 629 **Specification** - A concise statement of a set of requirements to be satisfied by a product, a material, a
630 service, or process indicating, whenever appropriate, the procedure by which it may be determined
631 whether the given requirements are satisfied.
- 632 **Supplement Agreement** - A contract modification that is accomplished by mutual action of the parties or
633 organizations to the original agreement.
- 634 **Supplies** - The quantities of goods and services offered for sale at a particular time or at one price.
- 635 **Surety** - A third party who has become legally liable for the debt, default or failure of performance by a
636 City contractor.
- 637 **Technical Services** - The performance of work or by activities that generate data/information. Technical
638 Services can be categorized either as professional or non-professional, depending upon that nature of the
639 service provided. End product is usually a report or service but may be a physical thing such as a model.
- 640 **Testing** - The determination or verification of capability of an item to meet specified requirements by
641 subjecting the item to a set of physical, chemical, environmental, or operating conditions.



- 642 **Travel Authorization** – An authorization that permits an employee of the City of Homer or City Council
 643 Member to conduct business or to attend training beneficial for the City.
- 644 **Travel Advance Request** - A request by an employee or City Council Member who requires per diem in
 645 advance, is using a personal vehicle or payment method, and should be submitted in conjunction with the
 646 Travel Authorization form.
- 647 **Travel Expense Report** - A daily log of expenses while on business or training for the City of Homer.
 648 Expense receipts, travel itinerary and event schedule are to be attached.
- 649 **Travel Report Narrative** - A written account of the trip, which contains the dates, people, and topics of
 650 discussion had by Department Directors, the Mayor, and members of the Homer City Council, along with
 651 any recommendations for follow-up, while conducting business or receiving training beneficial for the City
 652 of Homer.
- 653 **Travel Status** – The time an authorized trip begins until it ends in accordance with the Travel Authorization
 654 Form. If travel is delayed or adjusted outside the timeline on the Travel Authorization Form, a Travel
 655 Narrative is required to explain added time and/or expenses incurred.
- 656 **Warranty** - Promissory obligations of one party to undertake to be secondary liable for the obligations of
 657 another party.

Appendix 1 - Purchase Order

City of Homer requires purchase orders be entered into the accounting system directly. Below are screenshots of the current system's purchase order entry screens. Questions should be directed to the Accounts Payable Technician.

Caselle Connect® 2022.11.103 (Licensed to City of Homer, AK)

File Edit Inquiry Other Settings Document Management Zoom Help

Close

Caselle Connect® > Accounts Payable > Purchases and Requisitions > Enter Purchase Orders

Caselle Connect® Enter Purchase Orders

PO: 9708 Type: Regular GL period: 06/23 PO total: .00
 PO date: 06/14/2023 Vendor: Input date: 06/14/2023 Status:

Purchase Order User-Defined Details Attachments Notes

Input date: 06/14/2023
 GL period: 06/23 (06/30/2023)
 PO number: 9708
 PO date: 06/14/2023
 PO type: Regular
 Vendor:
 Remit to:
 Requisitions:

Requisition Number	Date	Amount
--------------------	------	--------

 Department:
 Vendor information:
 Vendor number:
 Name:
 Address:
 Remittance information:
 Name:
 Address:



Appendix 2 – Check Request

CITY OF HOMER

CHECK REQUEST FORM

CHECK REQUEST DATE _____

PLEASE MAKE CHECK PAYABLE TO:

DESCRIPTION/REASON FOR REQUEST:

ACCOUNT NUMBER _____

AMT\$ _____

ACCOUNT NUMBER _____

AMT\$ _____

ACCOUNT NUMBER _____

AMT\$ _____

ACCOUNT NUMBER _____

AMT\$ _____

ACCOUNT NUMBER _____

AMT\$ _____

AMOUNT TOTAL \$ _____

REQUESTED BY _____

APPROVED BY _____

DATE CHECK NEEDS TO BE MAILED _____

OR

PERSON TO RETURN CHECK TO _____



Appendix 3 – Price Quotes

CITY OF HOMER

PRICE QUOTES FOR GOODS AND SERVICES OVER \$2000

VENDOR NAME/ VENDOR CONTACT	DATE	DESCRIPTION	PRICE INCLUDING SHIPPING CHARGE	MODE TRANS	VENDOR EVALUATE
--------------------------------	------	-------------	------------------------------------	---------------	--------------------

1)

2)

3)

Purchasing Agent: _____ Department: _____ Date: _____

(Attached to encumbrance copy or PO)



Appendix 4 – Procurement Card Request

CITY OF HOMER

Procurement Card Request

<u>First Name</u>	<u>Middle Initial</u>	<u>Last Name</u>
<u>Department:</u>		
<u>Email Address</u>	<u>Office Phone Number</u>	
<u>Department Director Name</u>		
<u>Department Director Email</u>	<u>Department Director Phone Number</u>	
<u>Reason for Request:</u> <input type="checkbox"/> New P-Card User <input type="checkbox"/> Expired Card <input type="checkbox"/> Lost/Stolen Card <input type="checkbox"/> Limit Increase/Decrease		
<u>Purchase Authorization Limit:</u> <input type="checkbox"/> Department Director: \$10,000 <input type="checkbox"/> Division Director: \$5,000 <input type="checkbox"/> Administrative Lead: \$2,000 <input type="checkbox"/> Departmental Staff: \$1,000	<u>Monthly Limit:</u> <input type="checkbox"/> Department Director: \$20,000 <input type="checkbox"/> Division Director: \$10,000 <input type="checkbox"/> Administrative Lead: \$10,000 <input type="checkbox"/> Others: \$5,000	
<u>If Requesting Limit Increase, please explain:</u> 		
<u>Cardholder Signature</u>	Date:	
<u>Department Director Signature</u>	Date:	
<u>Finance Notes:</u>		



Appendix 5 – Appointment of Designee for Spending Authority



City of Homer

www.cityofhomer-ak.gov

Office of the City Clerk

491 East Pioneer Avenue
Homer, Alaska 99603

clerk@cityofhomer-ak.gov

(p) 907-235-3130

(f) 907-235-3143

Memorandum

TO: FINANCE DEPARTMENT

THROUGH: CITY MANAGER

FROM: DEPARTMENT HEAD NAME

DATE: MM/DD/YYYY

SUBJECT: SPENDING AUTHORITY DESIGNATION ABOVE AUTHORIZATION LEVEL

Employee Name: _____

Purchase Authorization: _____

Justification of spending authority increase:

Period of designation: _____

Specific approval limitations: _____

Signatures required:

Department Head: _____

City Manager: _____

Finance Director: _____