



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

City of Homer Agenda

City Council Regular Meeting

Monday, August 22, 2022 at 6:00 PM

In Person at City Hall Cowles Council Chambers and by Zoom Webinar

<https://cityofhomer.zoom.us/j/205093973?pwd=UmhJWEZ3ZVdvdDkxZ3NtbldlNlNlXQT09>

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

Webinar ID: 205 093 973 Passcode: 610853

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, pg. 6)

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 8, 2022. City Clerk. Recommend adoption.
- b. Ordinance 22-48, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Title 3 by Adding Chapter 3.15 Homer Accelerated Water and Sewer Program (HAWSP) Fund Codifying the Establishment of the HAWSP Fund and Related Matters. City Manager. Recommended dates Introduction August 22, 2022, Public Hearing and Second Reading September 12, 2022.

Memorandum 22-137 from City Manager as backup.

- c. Ordinance 22-49, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Chapter 18.08 City Property Leases to Clarify General Lease Management Procedures and Related Matters. City Manager/City Clerk. Recommended dates Introduction August 22, 2022, Public Hearing and Second Reading September 12, 2022.

Memorandum 22-138 from City Clerk as backup.

- d. Ordinance 22-50, An Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget by Accepting and Appropriating an Alaska State Library Interlibrary Cooperation Grant in the Amount of \$8,058 to Purchase a Microfilm Reader for the Homer Library. City Manager/Library Director. Recommended dates, Introduction August 22, 2022 Public Hearing and Second Reading September 12, 2022.

Memorandum 22-139 from Library Director as backup.

- e. Ordinance 22-51, An Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget by Accepting and Appropriating the FY22 State of Alaska Community Assistance Program Payment in the Amount of \$98,714.98 to the General Fund Capital Asset Repair and Maintenance Allowance (CARMA) Fund for ADA Improvements. City Manager. Recommended dates, Introduction August 22, 2022 Public Hearing and Second Reading September 12, 2022.

Memorandum 22-142 from City Manager as backup.

VISITORS

- a. COVID-19 Agency Update - Lorne Carroll, State of Alaska Public Health Nurse III (10 minutes)
- b. Legislative Update - Representative Sarah Vance (10 minutes)

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

- a. Worksession Report
- b. Committee of the Whole Report
- c. Mayor's Report
- d. Borough Report
- e. Planning Commission
- f. Library Advisory Board
- g. Parks Art Recreation and Culture Advisory Commission
- h. Americans with Disabilities Act Compliance Committee
- i. AML Summer Conference Travel Report - Council Member Aderhold

PUBLIC HEARING(S)

- a. Ordinance 22-43, An Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget by Authorizing the Expenditure of \$51,000 from the Sewer Capital Asset Repair and Maintenance Allowance Fund to Acquire Three Aerators for the Solids Retention Pond. City Manager/Public Works Director. Introduction August 8, 2022, Public Hearing and Second Reading August, 22. 2022.

Memorandum 22-131 from Public Works Director as backup.

- [b.](#) Ordinance 22-44, An Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget by Accepting and Appropriating a State of Alaska Public Library Assistance Grant for FY23 in the amount of \$7,000 for Books and Library Materials. City Manager/Library Director. Introduction August 8, 2022 Public Hearing and Second Reading August 22, 2022.
- [c.](#) Ordinance 22-45, An Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget by Appropriating \$126,917 from the Homer Education and Recreation Complex (HERC) Capital Asset Repair and Maintenance Allowance (CARMA) Fund and \$26,083 from the General Fund CARMA Fund to Demolish the Smaller Old School Building known as HERC 2. Mayor. Introduction August 8, 2022 Public Hearing and Second Reading August 22, 2022.

Memorandum 22-132 from Economic Development Manager as backup.

- [d.](#) Ordinance 22-46, An Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget by Appropriating \$27,823 from the General Fund Capital Asset Repair and Maintenance Allowance Fund to Purchase Patrol Equipment for the Homer Police Department. City Manager/Police Chief. Introduction August 8, 2022 Public Hearing and Second Reading August 22, 2022.

Memorandum 22-133 from Police Chief as backup.

- [e.](#) Ordinance 22-47, An Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget by Authorizing Pass Through Funds for the State of Alaska Pioneer Dock Fender Repair Project. City Manager/Public Works Director. Introduction August 8, 2022 Public Hearing and Second Reading August 22, 2022.

Memorandum 22-134 from Public Works Director as backup.

ORDINANCE(S)

CITY MANAGER'S REPORT

- [a.](#) City Manager's Report

PENDING BUSINESS

NEW BUSINESS

- [a.](#) Memorandum 22-141 from City Clerk re: Request for Executive Session Pursuant to AS 44.62.310 (C)(1 & 3) Matters, the Immediate Knowledge of Which would Clearly have an Adverse Effect upon the Finances of the Government Unit, Pending Litigation, and Attorney/Client Privilege. (VanZant et al vs City of Homer 3HO-20-00251 CI)

RESOLUTIONS

- a. Resolution 22-063, A Resolution of the City Council of Homer, Alaska Supporting the Kenai Peninsula Borough's Application for a Safe Streets and Roads for All (SS4A) Action Plan Grant and Authorizing the City of Homer to be Included as a Joint Applicant. City Manager. Recommend adoption.

Memorandum 22-063 from Special Projects Coordinator as backup.

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 12, 2022 at 6:00 p.m., Committee of the Whole at 5:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

ORDINANCE REFERENCE SHEET
2022 ORDINANCE
ORDINANCE 22-48

An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Title 3 by Adding Chapter 3.15 Homer Accelerated Water and Sewer Program (HAWSP) Fund Codifying the Establishment of the HAWSP Fund and Related Matters.

Sponsor: City Manager

1. City Council Regular Meeting August 22, 2022 Introduction

Memorandum 22-137 from City Manager as backup.

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

3
4 City Manager/
Finance Director

5 **ORDINANCE 22-48**
6

7 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
8 AMENDING HOMER CITY CODE TITLE 3 BY ADDING CHAPTER 3.15
9 HOMER ACCELERATED WATER AND SEWER PROGRAM (HAWSP)
10 FUND CODIFYING THE ESTABLISHMENT OF THE HAWSP FUND
11 AND RELATED MATTERS.
12

13 WHEREAS, The City Council authorized the Homer Accelerated Water and Sewer
14 Program (“HAWSP”) to promote water and sewer system improvements; and
15

16 WHEREAS, HAWSP is funded by a tax levy under HCC 9.16.010(b), special assessments
17 received from benefited property owners and other available funds from time to time; and
18

19 WHEREAS, HAWSP funds are accounted for in the financial statements of the City of
20 Homer, Alaska (“City”); and
21

22 WHEREAS, it is in the best interest of the City to codify the establishment of the HAWSP
23 fund (“HAWSP Fund”), for project planning and accounting purposes;
24

25 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:
26

27 Section 1. That there is hereby codified the HAWSP Fund, as a debt service fund for the
28 purpose of program planning and accounting for the receipt of funds that are or may be
29 allocated to payment of water and or sewer system improvements.
30

31 Section 2. The City Council hereby determines that the HAWSP Fund revenues shall be
32 allocated to water and or sewer system improvements from time to time. The Finance Director
33 is authorized and directed to establish financial controls required by law, and provide for audit
34 of such funds in accordance with local and state law.
35

36 Section 3. There Homer City Code is hereby amended to include Chapter 3.15 as
37 follows:
38

39 **Chapter 3.15**

40 **HOMER ACCELERATED WATER AND SEWER PROGRAM FUND**
41

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43 **Sections:**

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ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

First Reading:

Public Hearing:

Second Reading:

Effective Date:

KEN CASTNER, MAYOR



City of Homer

www.cityofhomer-ak.gov

Office of the City Manager

491 East Pioneer Avenue
Homer, Alaska 99603

citymanager@cityofhomer-ak.gov

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(f) 907-235-3148

Memorandum 22-137

TO: Mayor Castner and Homer City Council
FROM: Rob Dumouchel, City Manager
DATE: August 18, 2022
SUBJECT: Codification of HAWSP Fund

In late 2021, the Mayor and I met with attorneys from JDO to discuss issues largely related to water and sewer loans through the Alaska Department of Environmental Conservation (ADEC). The intent was to ensure that we are meeting all of our obligations to ADEC and that there are no issues outstanding that could impede the City from future loans. This is particularly critical with the federal funding that is becoming available at this time.

This project became quite involved, with my office, the City Attorney, Finance, and Public Works all playing a part in doing the research and collaborating on the best ways to move forward with ADEC loans. We found that we are generally in good shape, but there were a few things we could do to strengthen our position. The ordinance codifying the establishment of the Homer Accelerated Water and Sewer Program (HAWSP) Fund was suggested by the City Attorney as one step to clarify the intent and existence of the HAWSP Fund. This ordinance does not make any substantive changes from what Council has previously approved via the HAWSP policy, but it does formally place the existence of the fund in code.

At a staff level, there are some additional follow up items to achieve which include negotiating some updates to agreements with ADEC. We will report back to Council with any significant updates.

Staff Recommendation: Introduce and approve ordinance 22-48

ORDINANCE REFERENCE SHEET
2022 ORDINANCE
ORDINANCE 22-49

An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Chapter 18.08 City Property Leases to Clarify General Lease Management Procedures and Related Matters.

Sponsor: City Manager/City Clerk

1. City Council Regular Meeting August 22, 2022 Introduction

Memorandum 22-138 from City Clerk as backup.

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

4 City Manager/
5 City Clerk

6 **ORDINANCE 22-49**

7
8 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
9 AMENDING HOMER CITY CODE CHAPTER 18.08 CITY PROPERTY
10 LEASES TO CLARIFY GENERAL LEASE MANAGEMENT
11 PROCEDURES AND RELATED MATTERS.
12

13 WHEREAS, Staff in the City Manager’s Office, City Clerk’s Office, Port and Harbor, and
14 Economic Development have been meeting to internally restructure how City leases are
15 managed; and
16

17 WHEREAS, The amendments in this ordinance further clarify the lease management
18 process.
19

20 NOW THEREFORE THE CITY OF HOMER ORDAINS
21

22 Section 1. Homer City Code Chapter 18.08.020, entitled “Land allocation plan – Property
23 available for lease” is hereby amended as follows:
24

25 18.08.020 Land allocation plan – Property available for lease.
26

27 a. Unless dedicated or reserved to another purpose, all real property including tide, submerged
28 or shore lands to which the City has a right, title and interest as owner or lessee, or to which
29 the City may become entitled, may be leased as provided in this chapter. In the case of any
30 conflict between this chapter and any local, State or Federal law governing the leasing of City
31 tide and submerged lands, the law governing the leasing of City tide and submerged lands shall
32 prevail.
33

34 b. The City administration shall maintain a list of all City-owned properties authorized for lease
35 by Council. This list shall be adopted annually and contain the information required under this
36 chapter. The list may be called the land allocation plan and will be made available to the public
37 at the City Clerk’s office.
38

39 c. Council shall adopt a land allocation plan that identifies:
40

41 1. City-owned property available for lease;
42

- 43 2. The property description, lease rate, preferred length of the lease term for each available
44 parcel; and
45
46 3. Any requirements, preferences or restrictions regarding use and/or development.
47
48 d. Council may identify property in the land allocation plan that is subject to competitive
49 bidding. Property subject to competitive bidding in the land allocation plan need only identify
50 the property description in the land allocation plan but all other terms required in subsection
51 (c) of this section shall be identified in the request for proposal for such properties.
52
53 e. Prior to the adoption of the land allocation plan, Council shall hold a work session.
54 Commission members and City staff may provide recommendations to Council during the
55 work session regarding City-owned property available for lease and the terms of such leases.
56
57 f. The City shall provide public notice of the adoption of the land allocation plan and the City-
58 owned real property available for lease no more than 60 days after its adoption.
59
60 g. All uses and activities on City-owned real property available for lease are subject to all
61 applicable local, State, and Federal laws and regulations.
62
63 h. The Council may restrict specific City-owned properties to certain uses or classes of use that
64 serve the City's best interest.

65
66 Section 2. Homer City Code Chapter 18.08.045, entitled "Lease applications" is hereby
67 amended as follows:

68
69 18.08.045 Lease applications.
70

71 **a.** Except for property subject to competitive bidding under this chapter, persons interested in
72 leasing City property may submit a lease application to the City Clerk. The City Manager shall
73 consider all applications and determine if an application is complete and meets the criteria
74 identified in the land allocation plan **and in HCC 18.08.060.**

75
76 **b.** When the City receives more than one lease application for a parcel that meets the criteria
77 established for that parcel in the land allocation plan, the City Manager shall evaluate the
78 applications using the criteria in HCC 18.08.060 and award the lease most advantageous to the
79 City. If both applicants are equally advantageous to the City, the City Manager shall award the
80 lease to the applicant who submitted a completed application first.

81
82 **c.** Applicants may be charged a ~~fee for processing a lease application~~ **non-refundable Lease**
83 **Application Fee as set forth in the City of Homer Fee Schedule.**

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Section 3. Homer City Code 18.08.050, entitled “Requests for proposals – Competitive bidding process” is hereby amended as follows:

18.08.050 Requests for proposals – Competitive bidding process.

a. The City Manager may issue a request for proposals to lease specific property identified in the land allocation plan at any time after posting the notice required in HCC 18.08.020(f).

b. A request for proposal advertised by the City must identify the property description of the property available for lease, the time frame for the submission of requests for proposals, any preferred uses or industries, and the overall criteria the City intends to use to score and rank proposals.

c. The City Manager must obtain approval from the Council before requesting proposals to lease property not identified in the land allocation plan as property available for lease.

d. The City Manager shall consider all responses to the City’s request for proposals that are timely, responsible and responsive. Untimely submissions shall be rejected. The City Manager reserves the right to reject any and all proposals in the City’s best interest.

e. The City Manager may rescind a notice to award at any time prior to the execution of a lease if the proposer can no longer meet the terms of the proposal. If the City Manager rescinds a notice to award, the City Manager may negotiate with the next most responsive proposer and submit a new recommendation for award to Council under HCC 18.08.070 and Council may approve the award of the proposal to that recommended proposer. If negotiations with the next most responsive bidder are unsuccessful, all bids must be rejected and a new request for proposal may be issued.

f. The Council may approve other bidding or proposal procedures or exceptions to these procedures via resolution.

Section 4. Homer City Code 18.08.070, entitled “Notice to award” is hereby amended as follows:

18.08.070 Notice to award.

~~a. The City Manager shall consider all responses to the City’s request for proposals that are timely and responsive. Untimely submissions shall be returned to the proposer without review and that proposer shall not be considered.~~

125 ~~b. The City Manager may, in his or her sole discretion, and upon a determination that none of~~
126 ~~the proposals are in the City's best interest, recommend rejection of all proposals.~~

127
128 ~~a.e.~~ Upon a determination that a proposal **meets the criteria under HCC 18.08.060** is the
129 ~~most advantageous to the City,~~ the City Manager shall recommend the proposal to Council for
130 acceptance. If Council approves the recommendation, the City Manager shall issue a notice to
131 award the lease to the successful proposer. The City Manager's recommendation shall be
132 presented to Council in a written memorandum identifying the recommended winning
133 proposer, the property description, the essential terms of the proposed lease, and the reasons
134 the City Manager recommended the award.

135
136 ~~b.d.~~ The City Manager shall submit any recommendation for approval of a proposal under this
137 chapter for property located on the Homer Spit ~~or in the Marine Commercial or Marine~~
138 ~~Industrial zoning districts~~ to the Port and Harbor Advisory Commission for review and
139 comment prior to recommending a proposal to Council.

140
141 ~~c.e.~~ If the Council adopts the City Manager's recommendation, the City Manager shall negotiate
142 with the winning applicant **selected proposer** and present a final lease to the Council for
143 approval. A notice to **of tentative** award is conditional upon the City Manager's successful
144 negotiation of a final written lease consistent with the terms upon which the award was based.

145
146 ~~d.f.~~ The City Manager may, ~~with Council approval,~~ rescind a notice to award. A notice to award
147 becomes void on the date the City Manager provides written notice to the proposer that the
148 award has been rescinded.

149
150 ~~g.~~ The City Manager may rescind a notice to award at any time prior to the execution of a lease
151 if the proposer can no longer meet the terms of the proposal.

152
153 ~~h.~~ If the City Manager rescinds a notice to award, the City Manager may negotiate with the next
154 ~~most responsive proposer and submit a new recommendation for award to Council and~~
155 ~~Council may approve the award of the proposal to that recommended proposer. If~~
156 ~~negotiations with the next most responsive bidder are unsuccessful, all bids must be rejected~~
157 ~~and a new request for proposal may be issued.~~

158
159 ~~i.~~ The Council may approve other bidding or proposal procedures or exceptions to these
160 procedures via resolution.

161
162 Section 5. Homer City Code 18.08.080, entitled "Lease execution and final approval" is
163 hereby amended as follows:

164
165 18.08.080 Lease execution and final approval.

166
167 a. After a notice to award a lease is approved by Council or a lease application is approved by
168 the City Manager, the City Manager is responsible for finalizing and executing the lease
169 agreement with the successful applicant or proposer. After Council’s approval of the notice to
170 award but before Council approval under HCC 18.08.040, the City Manager may negotiate
171 nonessential long-term lease terms and make changes necessary to clarify the terms of the
172 long-term lease or correct clerical errors.

173
174 b. The City Manager has authority to negotiate all terms of short-term leases subject to the
175 provisions of this chapter.

176
177 c. After a lease is executed by both parties, the City Manager shall draft and the City Clerk shall
178 record a memorandum of lease. ~~Lessee is responsible for the recording fees.~~

179
180 Section 6. Homer City Code 18.08.130, entitled “Lease renewal” is hereby amended as
181 follows:

182
183 18.08.130 Lease renewal.

184
185 a. Council, upon written recommendation by the City Manager, may exempt the renewal of a
186 lease from competitive bidding if Council finds such exemption serves the City’s best interests.

187
188 b. A lessee seeking to enter into a new lease with the City exempted from competitive bidding
189 under this section must submit a lease application and a written request for a new lease to the
190 City Manager at least 12 months but no more than 18 months prior to the expiration of the
191 existing lease. The City Manager shall notify Council of new lease requests under this section.
192 The City will review the application but is under no obligation to enter into a new lease.

193
194 c. If Council approves the new lease without a competitive process, it must do so by resolution
195 within six months prior to the date of lease termination.

196
197 d. Council shall consider the following factors when determining whether to exempt a lease
198 from competitive bidding under this section:

- 199
200 1. Lessee’s past capital investment and binding commitment to future capital investment;
201
202 2. Lessee’s financial condition and prior lease history;
203
204 3. The number of persons employed and the prospect for future employment;
205

206 4. Tax revenues and other financial benefits to the City anticipated in the future if the lease
207 is renewed;

208
209 5. Consistency of past use and intended future use with all applicable laws, including land
210 use codes and regulations, the Comprehensive Plan, and overall economic development
211 plan;

212
213 6. Other opportunities for use of the property that may provide greater benefit to the City;
214 and

215
216 7. Other social, policy, and economic considerations as determined by Council.

217
218 Section 7. Homer City Code 18.08.140, entitled “Sublease” is hereby amended as
219 follows:

220
221 18.08.140 Sublease.

222
223 a. City property may be subleased if expressly permitted in the lease agreement and approved
224 ~~in writing~~ by Council.

225
226 b. Except as provided otherwise in the lease agreement, all subleases must be in writing,
227 executed by the parties, and approved by the City Manager or their designee.

228
229 c. Approval must be granted prior to occupancy of the leased premises by a subtenant.

230
231 d. Subleasing shall not be used to transfer substantially all of a leasehold interest.

232
233 e. All subleases must comply with all applicable Federal, State, and local laws.

234
235 Section 8. Homer City Code 18.08.160, entitled “Assignment” is hereby amended as
236 follows:

237
238 18.08.160 Assignment.

239
240 a. Except as provided in the lease agreement, Council must approve the assignment of a lease
241 to another party.

242
243 b. Except as otherwise provided in this section or the lease agreement, the City Manager must
244 make a determination that a lessee is in full compliance with a lease before an assignment will
245 be effective. The City Manager may, in his or her sole discretion, consent to assignment of a
246 lease where lessee is in full compliance with the lease terms except for payments owed so long

247 as assignor and/or assignee agree in writing to pay the full amount owed within 90 days of the
248 assignment. An assignment shall not be effective and shall constitute default by lessee if full
249 payment is not received within 90 days of the assignment.

250
251 c. Except as otherwise provided in the lease agreement, if the lessee is in good standing and
252 eligible to assign the lease, the following procedures apply:

253
254 1. The lessee shall file a written request for assignment and a complete new lease
255 application to the City Manager;

256
257 2. The City Manager shall review the request and new lease application and determine
258 whether the proposed assignee **can fulfill the terms of the lease and the requirements**
259 **of this chapter** ~~is qualified under this chapter and the assignment~~ is in the City's best
260 interests;

261
262 3. The City Manager shall make a recommendation on the assignment to Council for final
263 action; and

264
265 4. Council shall approve or deny the request for assignment via resolution.

266
267 5. Assignment of long-term leases on the Homer Spit ~~or within the Marine Commercial or~~
268 ~~Marine Industrial zoning districts~~ shall be reviewed by the Port and Harbor Advisory
269 Commission prior to submission to Council for approval. ~~Except as otherwise provided in~~
270 ~~the lease agreement, assignment of all other long term leases shall be reviewed by the~~
271 ~~Homer Advisory Planning Commission prior to Council approval.~~

272
273 d. Council may approve assignment of a lease to a bank or other financial institution if it
274 determines the assignment is in the best interest of the City and the City Manager recommends
275 approval.

276
277 e. Where a lessee intends to assign the lease as part of a sale of the business located on the
278 leased lot, the person who intends to purchase the business may apply to extend the lease
279 term to allow the continuation of the business and to secure financing for the purchase of that
280 business. Any significant changes in the terms (use) of the existing lease must be reviewed by
281 the Port and Harbor Commission and approved by City Council by resolution as an amendment
282 to the lease.

283
284 Section 9. Homer City Code 18.08.195, entitled "Processing and filing fees" is hereby
285 amended as follows:

286
287 18.08.195 Processing and filing fees.

288 Fees for lease applications, lease, subleases and assignments, and other related fees shall be
289 established by Council by resolution **are contained in the City of Homer Fee Schedule.**
290 Failure to pay **required** owed fees may result in the rejection of a lease application or denial of
291 lease renewal, assignment, or sublease.

292
293 Section 10. Homer City Code 18.08.200, entitled “Time is of the essence – Lease
294 applications, proposals, and negotiations” is hereby enacted to read as follows:

295
296 **18.08.200 Time is of the essence – Lease applications, proposals, and negotiations.**

297
298 **The City Manager may consider all City lease applications and proposals that are**
299 **responsive, responsible, in compliance with the provisions of this chapter and in the**
300 **City’s best interest. If the City, in its sole discretion, determines that it will be unable to**
301 **reach an acceptable agreement with a proposer within a reasonable period of time, the**
302 **City reserves the right to terminate negotiations with any proposer should it be in the**
303 **City’s best interest.**

304
305 Section 11. This Ordinance is of a permanent and general character and shall be
306 included in the City Code.

307
308 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this ____ day of August, 2022.

309
310 CITY OF HOMER

311
312 _____
313 KEN CASTNER, MAYOR

314 ATTEST:

315
316 _____
317 MELISSA JACOBSEN, MMC, CITY CLERK

318
319 YES:

320 NO:

321 ABSTAIN:

322 ABSENT:

323
324 First Reading:

325 Public Hearing:

326 Second Reading:

327 Effective Date:



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 22-138

TO: MAYOR CASTNER AND HOMER CITY COUNCIL

FROM: MELISSA JACOBSEN, MMC, CITY CLERK/DEPUTY DIRECTOR OF ADMINISTRATION

DATE: AUGUST 18, 2022

SUBJECT: ORDINANCE AMENDING HCC 18.08 CITY PROPERTY LEASES

City lease management is transferring to City Hall. Staff in the City Manager's Office, City Clerk's Office, Port and Harbor, and the Economic Development Manager have been meeting internally to work through this transition and update processes on how City leases are managed.

Ordinance 22-49 addresses changes in section 18.08 of code related to the standard operating procedures for lease applications and lease management.

RECOMMENDATION: Adopt Ordinance 22-49.

ORDINANCE REFERENCE SHEET
2022 ORDINANCE
ORDINANCE 22-50

An Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget by Accepting and Appropriating an Alaska State Library Interlibrary Cooperation Grant in the Amount of \$8,058 to Purchase a Microfilm Reader for the Homer Library.

Sponsor: City Manager/Library Director

1. City Council Regular Meeting August 22, 2022 Introduction

Memorandum 22-139 from Library Director as backup.

**CITY OF HOMER
HOMER, ALASKA**

City Manager/Library Director

ORDINANCE 22-50

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
AMENDING THE FY23 CAPITAL BUDGET BY ACCEPTING AND
APPROPRIATING AN ALASKA STATE LIBRARY INTERLIBRARY
COOPERATION GRANT IN THE AMOUNT OF \$8,058 TO PURCHASE
A MICROFILM READER FOR THE HOMER LIBRARY.

WHEREAS, The Homer Public Library has been awarded an Alaska State Library
Interlibrary Cooperation Grant to purchase a microfilm reader; and

WHEREAS, There is no matching requirement for this grant.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The Homer City Council hereby accepts and appropriates an Alaska State
Library Interlibrary Cooperation Grant as follows:

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
xxx-xxx	Alaska Public Library Interlibrary Cooperation Grant	\$8,058

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

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

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA this ____ day of _____, 2022.

CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

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



City of Homer

www.cityofhomer-ak.gov

Homer Public Library

500 Hazel Avenue
Homer, AK 99603

library@cityofhomer-ak.gov

(p) (907)-235-3180

(f) (907)-235-3136

Memorandum 22-139

TO: Rob Dumouchel, City Manager
FROM: David Berry, Library Director
DATE: August 9, 2022
SUBJECT: ILC Grant for Microform Reader Replacement

Homer Public Library has a collection of local newspapers stored on microfilm and a small amount of microfiche. The library's existing microform reader is roughly 20 years old and long past its service life.

The Alaska State Library has awarded us an Interlibrary Cooperation (ILC) grant in the amount of \$8,058 to buy a new, upgraded microform reader. There is no matching requirement. The new machine should work better and gives us additional features, such as adjustable magnification, exporting to PDF format and printing.

RECOMMENDATION

Adopt an ordinance to accept the grant funds.



August 5, 2022

Dave Berry
Homer Public Library
500 Hazel Ave.
Homer, AK 99603
dberry@ci.homer.ak.us

Dear Dave,

The State Library has reviewed your FY2023 Interlibrary Cooperation Grant application and has awarded **State** funds in the amount of **\$8,058.00** for the project, **Homer - Microform Reader Replacement**.

Please review this grant award packet carefully and completely. In order to start receiving payment(s) on your grant, this is what you need to do:

1. Review the Official Award Notification Document and verify that your information is correct. If changes are necessary, please submit this information to the grants administrator.
2. Arrange for two signatures on the ***Interlibrary Cooperation Grant Agreement form***. E-mail the signed agreement to eed.library.grants@alaska.gov.
3. The following will be your schedule of payment(s) for this grant:
A single payment will be made as soon as the agreement is signed and processed.

To modify schedule please contact me at eed.library.grants@alaska.gov.

4. Since this grant is funded with **State of Alaska** money, the library must give credit to the State in all publicity and advertising concerning the impact of the grant project.
5. Finally, it is understood that by signing this agreement, you understand and agree to all conditions set forth in this package ***including materials referenced within these documents***.

If you have questions or need more information, please refer to the Interlibrary Cooperation (ILC) Guidelines (available at the [Alaska State Library Grants for Libraries webpage](#)).

Please return your signed agreement or direct questions to eed.library.grants@alaska.gov, 907-465-1018.

Once again, congratulations and good luck with your project!

Sincerely,



Claire Imamura
Grants Librarian
Alaska State Library

This grant is funded by the State of Alaska



State of Alaska Funding

ILC23-013

Interlibrary Cooperation (ILC) Grant Award Notification from the Alaska State Library

Grant Recipient Information

Organization Name and Address:

Homer Public Library
500 Hazel Ave.
Homer, AK 99603

Organization Vendor Code: CIH84724

Organization UEI: 0

Contact: Dave Berry

Project Number: ILC23-013

Award Information

Project Name:

Homer - Microform Reader Replacement

Grant Award Amount: \$8,058.00

Indirect Cost Rate: 0%

Period of Performance Start Date: July 1, 2022

Period of Performance End Date: June 30, 2023

Payment Schedule: A single payment will be made as soon as the agreement is signed and processed.

Award Performance Goals and Reporting:

Grantee is to report on performance as indicated in the approved Interlibrary Cooperation Grant (ILC) application. Final financial and narrative report due September 1, 2023.

1. The Alaska State Library (ASL) provides this grant pursuant to Alaska Statutes 14.56.300 et. seq. and Alaska Administrative Code 4.57.050 et. seq. and as identified in the grantee's grant application for FY2023.
2. The grantee must request and receive ASL's prior approval for changes to the grant project activities and budget as projected in the approved ILC grant application.
3. The administration of this grant and the expenditure of grant funds are subject to the guidelines provided at the Alaska State Library Grants website (<https://lam.alaska.gov/library-grants/ilc>). The latter document incorporates by reference the uniform administrative requirements, cost principals, and audit requirements for Federal awards promulgated by the Office of Management and Budget.
4. When the organization returns the signed grant agreement to ASL, this will indicate the organization's acceptance of the award and compliance with the ILC statutory and regulatory requirements (including information detailed in *ILC Guidelines* <https://lam.alaska.gov/library-grants/ilc>).
5. If an organization has an indirect cost rate associated with a grant award that indirect cost can only apply to *actual grant funds* expended by the organization. If funds are not spent (returned), the allocated indirect cost for those grant funds must also be returned.

State Funding Information

Authorized by: CHAPTER 11 SLA 22 Pg 12 Ln 18

State of Alaska
Alaska Legislature
Department of Education and Early Development
Division of Libraries, Archives, and Museums
Alaska State Library



Questions

Claire Imamura
907-465-1018
eed.library.grants@alaska.gov

What am I agreeing to?

As a recipient of State of Alaska grant funds through the Alaska State Library, your organization is required to meet specific rules and regulations. You agree to these requirements when you submit a signed grant agreement to the Alaska State Library. This document provides additional information about the Grantee provisions on the grant agreement (page 5 of this document).

Items B-1, B-2, and B-3: Self Explanatory

Item B-4: Grant Agreement and Final Report

Two people must sign the grant agreement for the organization and submit it to the State Library before any grant funds can be awarded. The director or grant contact at the organization may sign for the organization. The city manager, mayor, or clerk, or the chair or treasurer of the non-profit board may sign for the legal entity. The organization is required to submit a grant final report on the project to the State Library by September 1 of the following year. Interlibrary cooperation grant report forms may be found at the Alaska State Library's Grants webpage.

Item B-5: Accurate Records

The organization must maintain adequate financial records to ensure complete reporting and retain project and financial records relating to the grant for a minimum of five years from the due date of the final grant report or until all audit exceptions have been resolved, whichever is longer.

Item B-6: Self Explanatory

Item B-7: Prior Approval for Changing the Grant Budget

If the organization needs to change one of the grant budget lines more than 10%, fill out an interlibrary cooperation grant budget revision form at [the Alaska State Library's Grants](#) page and send it to the State Library for approval.

Item B-8: Crediting the State of Alaska for the Grant Funds

Organizations should publicize grant-supported activities in the media and are required to credit the State of Alaska in publications and during activities paid for with State funds. Copies of publications or materials produced with grant funds must be submitted to the State Library.

Item B-9: Self Explanatory

Alaska State Library FY2023 Interlibrary Cooperation Grant Agreement

This agreement made and entered into Friday, August 5, 2022, by and between the **Alaska State Library**, hereafter referred to as the Grantor; and the **Homer Public Library**, hereafter referred to as the Grantee.

WITNESSETH: Whereas, the State of Alaska has appropriated funds for Interlibrary Cooperation grants; and whereas, the application of the Grantee for a grant, **Homer - Microform Reader Replacement**, has been approved. NOW THEREFORE, for and in consideration of the mutual covenants herein contained the parties hereto agree:

A. The Grantor will agree to:

1. Furnish funds in the amount of **\$8,058.00** from **State of Alaska** funds (Grant number: ILC23-013).
2. Provide, as necessary, advisory services in furtherance of the grant project.

B. The Grantee will agree to:

1. Complete the project as outlined in the approved grant application.
2. Abide by the conditions set forth in the application and approved (with revisions if applicable) by the Grantor.
3. Provide basic library services free of charge, if the organization is a library.
4. Submit a signed grant agreement and final report for the grant.
5. Maintain accurate records for auditing purposes.
6. Return any grant funds unexpended or unencumbered, all funds for which there is no proper accounting, and, if applicable, any indirect costs allocated to unexpended or unencumbered grant funds by June 30, 2023.
7. Receive prior approval from the Grantor for any line item change that exceeds 10% of the line item, except that no prior approval is required for line item changes of less than \$100.
8. Credit the State of Alaska for providing grant funds for the project in all project-related public events, press releases, printed materials, and Web sites.
9. Agrees to only purchase materials that promote the purpose and activities of the project and that are educational and informational in nature and have a clearly demonstrable and legitimate purpose that is directly related to the grant.

By accepting this award or agreement, the grantee may become subject to the audit requirements of State of Alaska Administrative Code 2 AAC 45.010. As a result, the grantee may be required to provide for an audit and to permit independent auditors to have access to their records and financial statements. The grantee should consult with an independent auditor for assistance in determining audit requirements for each fiscal year.

The undersigned understands and agrees to the conditions of this agreement.

Both Signatures Are Required

For the Organization

For the Legal Entity

Signature

Signature

Title

Date

Title

Date

Please copy this signed agreement for your records, then return by:

MAIL TO Grants Administrator, Alaska State Library, P.O. Box 110571, Juneau, AK 99811-0571

FAX TO 907-465-2151, **OR SCAN TO** eed.library.grants@alaska.gov

ORDINANCE REFERENCE SHEET
2022 ORDINANCE
ORDINANCE 22-51

An Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget by Accepting and Appropriating the FY22 State of Alaska Community Assistance Program Payment in the Amount of \$98,714.98 to the General Fund Capital Asset Repair and Maintenance Allowance (CARMA) Fund for ADA Improvements.

Sponsor: City Manager

1. City Council Regular Meeting August 22, 2022 Introduction

Memorandum 22-142 from City Manager as backup

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

3 City Manager

4 **ORDINANCE 22-51**

5
6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
7 AMENDING THE FY23 CAPITAL BUDGET BY ACCEPTING AND
8 APPROPRIATING THE FY22 STATE OF ALASKA COMMUNITY
9 ASSISTANCE PROGRAM PAYMENT IN THE AMOUNT OF \$98,714.98
10 TO THE GENERAL FUND CAPITAL ASSET REPAIR AND
11 MAINTENANCE ALLOWANCE (CARMA) FUND FOR ADA
12 IMPROVEMENTS.

13
14 WHEREAS, In FY22 the City of Homer received \$98,714.98 from the Community
15 Assistance Program (CAP) which has not yet been accepted or appropriated; and

16
17 WHEREAS, The application for the FY22 Community Assistance Program funds
18 indicated the City of Homer would designate those funds towards City reserves, specifically for
19 ADA Improvements for City facilities; and

20
21 WHEREAS, The State's CAP program allows communities to deviate from their
22 applications as long as the resultant use will be used for a public purpose as required under AS
23 29.60.850(a) and the municipality agrees to make available a service or facility with the funds
24 under AS 29.60.855-29.60.879 to every person in the community; and

25
26 WHEREAS, During the FY22/23 Capital Budget process a handful of ADA-related projects
27 that were not funded and it was suggested FY22 CAP funds be used to complete them at a later
28 date. Those projects included:

- 29
- 30 • Citywide ADA Interior Signage and Restrooms
 - 31 • Parking Lot ADA Regrading Program
 - 32 • Parks ADA Transition Plan
 - 33 • Parks ADA Implementation

34 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

35
36 Section 1. The Homer City Council hereby accepts and appropriates the FY22
37 Community Assistance Program Payment in the amount of \$98,714.98 for the purpose of ADA
38 Improvements for City facilities as follows:

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40 Revenue:

41 <u>Description</u>	42 <u>Amount</u>
43 FY2022 Community Assistance Program	\$98,714.98

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Transfer:

<u>Description</u>	<u>Amount</u>
General Fund CARMA	\$98,714.98

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

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this ___ day of _____, 2022.

CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

First Reading:

Public Hearing:

Second Reading:

Effective Date:



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 22-142

TO: Mayor Castner and Homer City Council
FROM: Rob Dumouchel, City Manager
DATE: August 18, 2022
SUBJECT: FY22 Community Assistance Program Funds

Each year the State of Alaska provides Community Assistance Program (CAP) funds to municipalities around the state. The amount is highly variable and the City chose some years back to not include CAP funds in the budget. Instead we accept and allocate upon receipt. See below for examples of CAP usage in previous years:

- FY18 - \$205,119 to the Police Station Fund
- FY19 - \$177,172 to the Police Station Fund
- FY20 - \$152,080 to the Old Middle School CARMA (HERC)
- FY21 - \$76,842 to supplement Volunteer Fire self-contained breathing apparatus system replacement

In FY22 we were awarded \$98,714.98. These funds were hung up for some time at the State, in part due to staffing shortages, but Finance Director Walton was able to get them released to us just this month. The funds have been received and are ready to accepted and appropriated. In our application we indicated that we would use the funds for ADA improvements. We do not have to follow through with the plan in the application, we just have to ensure that our use meets a public purpose as required under AS 29.60.850(a) and accurately report how the funding was spent when we submit our application for future fiscal years. That said, the staff recommendation continues to be that these funds should be put towards ADA improvements.

During the FY22/23 Capital Budget process, there were a handful of ADA-related projects that were not funded, but it was noted that we would be suggesting FY22 CAP funds be used to complete them at a later date. Those projects included:

- Citywide ADA Interior Signage and Restrooms
- Parking Lot ADA Regrading Program
- Parks ADA Transition Plan
- Parks ADA Implementation

Estimates back in 2021 place the items above at a total cost of approximately \$93,000. It is very likely inflation has pushed most of those prices upwards and it will not be able to achieve all ADA projects with the CAP funding. We are asking that the Council pass Ordinance 22-51 as a "CAP ADA Project" under which we will do our best to complete as much of the work outlined above.

Staff Recommendation: Accept CAP funds, Introduce a [] prove Ordinance 22-51

ORDINANCE REFERENCE SHEET
2022 ORDINANCE
ORDINANCE 22-43

An Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget by Authorizing the Expenditure of \$51,000 from the Sewer Capital Asset Repair and Maintenance Allowance Fund to Acquire Three Aerators for the Solids Retention Pond.

Sponsor: City Manager/Public Works Director

1. City Council Regular Meeting August 8, 2022 Introduction
Memorandum 22-131 from Public Works Director as backup.
2. City Council Regular Meeting August 22, 2022 Public Hearing and Second Reading

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

3 City Manager/
4 Public Works Director

5 **ORDINANCE 22-43**

6
7 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
8 AMENDING THE FY23 CAPITAL BUDGET BY AUTHORIZING THE
9 EXPENDITURE OF \$51,000 FROM THE SEWER CAPITAL REPAIR
10 AND MAINTENANCE ALLOWANCE FUND TO ACQUIRE THREE
11 AERATORS FOR THE SOLIDS RETENTION POND.
12

13 WHEREAS, The City’s waste water treatment process utilizes a solids retention pond to
14 settle out solids before the waste water is disinfected and discharged to Kachemak Bay; and
15

16 WHEREAS, This is an aerobic pond; that is, a series of six mechanical aerators introduce
17 oxygen into the pond to help the bacteria that help digest solids in the sewage, do their job;
18 and
19

20 WHEREAS, Three aerators have stopped functioning and need to be replaced; and
21

22 WHEREAS, We received a quote from a specialty manufacturing company, Aeration
23 Industries International, Chaska, Minnesota, for \$12,999 per unit and approximately \$4,000 per
24 unit for shipping.
25

26 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:
27

28 Section 1. The FY23 Capital Budget is hereby amended by appropriating \$51,000 from
29 the Sewer CARMA Fund to acquire three aerators for the Solids Retention Pond as follows:
30

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
256-0379	Sewer CARMA	\$51,000

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34 Section 2. This is a budget amendment ordinance only, is not permanent in nature, and
35 shall not be codified.
36

37 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 22nd day of August, 2022.
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39 CITY OF HOMER
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ATTEST:

KEN CASTNER, MAYOR

MELISSA JACOBSEN, MMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

First Reading:

Public Reading:

Second Reading:

Effective Date:



City of Homer

www.cityofhomer-ak.gov

Public Works

3575 Heath Street
Homer, AK 99603

publicworks@cityofhomer-ak.gov

(p) 907- 235-3170

(f) 907-235-3145

Memorandum 22-131

TO: Mayor Castner and Homer City Council
THROUGH: Rob Dumouchel, City Manager
FROM: Janette Keiser, PE, Director of Public Works
DATE: July 27, 2022
SUBJECT: Request Appropriation for Solids Retention Pond Aerators

I. **Issue:** The purpose of this Memorandum is to request funding for three sewage pond aerators.

II. Background:

The City's waste water treatment process utilizes a solids retention pond to settle out solids before the waste water is disinfected and discharged to Kachemak Bay. This is an aerobic pond; that is, a series of six mechanical aerators introduce oxygen into the pond to help the bacteria that help digest solids in the sewage, do their job. When the pond has no oxygen, the friendly bacteria die; the pond goes anaerobic creating odors and disrupting solids removal.

Three aerators have stopped functioning. We need to purchase new aerators, for which we received a quote from a specialty manufacturing company, Aeration Industries International, Chaska, Minnesota, for \$12,999 per aerator, not including shipping. We estimate it will cost about \$4,000 to get each unit shipped to Homer. We're asking for an appropriation of \$50,000 to acquire the three units we need. Once we get them, they will be installed by our capable crew.

These units were flagged as a high risk item in the Water and Sewer Utility Asset Management Plan. We had hoped we could keep them working until we could add them to the Water & Sewer Capital Improvement Plan for the next regular budget cycle, but they had other ideas.

III. **Recommendations:** That the City Council authorize \$50,000 from the Sewer CARMA fund to purchase three aerators for the solids retention pond.

CITY OF HOMER
FINANCIAL SUPPLEMENT

PROJECT NAME	<u>Solids Retention Pond Aerators</u>	DATE	<u>08/04/2022</u>
DEPARTMENT	<u>Public Works</u>	SPONSOR	<u>City Manager/PW Director</u>
REQUESTED AMOUNT	<u>\$ 51,000</u>		

DESCRIPTION	This is an aerobic pond; that is, a series of six mechanical aerators introduce oxygen into the pond to help the bacteria that help digest solids in the sewage, do their job. Three aerators have stopped functioning and need to be replaced. We received a quote from a specialty manufacturing company, Aeration Industries International, Chaska, Minnesota, for \$12,999 per unit and approximately \$4,000 per unit for shipping.
-------------	--

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	FUNDING SOURCE 2:	FUNDING SOURCE 3:
Current Balance <u>\$ 1,365,172</u>	Current Balance _____	Current Balance _____
Encumbered <u>\$ 1,281,553</u>	Encumbered _____	Encumbered _____
Requested Amount <u>\$ 51,000</u>	Requested Amount _____	Requested Amount _____
Other Items on Current Agenda <u>\$ 0</u>	Other Items on Current Agenda _____	Other Items on Current Agenda _____
Remaining Balance <u>\$ 32,619</u>	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 _____

ORDINANCE REFERENCE SHEET
2022 ORDINANCE
ORDINANCE 22-44

An Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget by Accepting and Appropriating a State of Alaska Public Library Assistance Grant for FY23 in the amount of \$7,000 for Books and Library Materials.

Sponsor: City Manager/Library Director

1. City Council Regular Meeting August 8, 2022 Introduction
Public Library Assistance Grant Letter as backup
2. City Council Regular Meeting August 22, 2022 Public Hearing and Second Reading

**CITY OF HOMER
HOMER, ALASKA**

City Manager/Library Director

ORDINANCE 22-44

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
AMENDING THE FY23 CAPITAL BUDGET BY ACCEPTING AND
APPROPRIATING A STATE OF ALASKA PUBLIC LIBRARY
ASSISTANCE GRANT FOR FY23 IN THE AMOUNT OF \$7,000 FOR
BOOKS AND LIBRARY MATERIALS.

WHEREAS, The City submitted an application for the Alaska Public Library Assistance Grant for books and library materials; and

WHEREAS, The State awarded the grant in the amount of \$7,000 and required a local match of \$7,000; and

WHEREAS, The required match of \$7,000 is funded in the FY2023 budget.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The Homer City Council hereby accepts and appropriates a State of Alaska Public Library Assistance Grant in the amount of \$7,000 for books and library materials as follows:

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
157-7100	State of Alaska Public Library Assistance Grant	\$7,000

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

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

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA this ____ day of _____, 2022.

CITY OF HOMER

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ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

KEN CASTNER, MAYOR

YES:
NO:
ABSTAIN:
ABSENT:
First Reading:
Public Hearing:
Second Reading:
Effective Date:



July 27, 2022

The **Public Library Assistance (PLA)** grant for FY23 for Homer Public Library will be **\$7,000**. We are delighted that your library is eligible to receive this annual operating grant so that you can provide the best possible service to your library patrons.

In order to receive your grant money, please return the attached grant agreement as soon as you can. Two different people (the librarian and the appropriate legal authority) must sign the grant agreement, since it is a legal document committing your library to certain obligations in return for receiving the public library assistance grant. Once we have your agreement, we will be able to electronically deposit your grant award (or mail a paper check in specific instances).

Librarians and officials should carefully note and follow the regulations governing the administration of this grant. To remain eligible for future grants, I have highlighted some of the most important grant requirements:

- Meet the four statutory requirements:
 - Maintain a Collection for Lending
 - Provide Interlibrary Loan
 - Provide Reference
 - Offer Children’s Programming
- Submit the online Alaska Public Library Report for this fiscal year grant by **September 1, 2023**.
- Spend **at least \$3,500** on library materials and online services.
- Be open 48 weeks and the appropriate number of hours for your population and type of library (weeks closed because of natural disasters will be waived).
- Attend **at least 6 hours of continuing education** (CE) during the current two-year cycle (7/1/2021-2023).

Please note that in addition to the above requirements, non-profit and school/public libraries have additional requirements. Non-profit organizations must have at least quarterly (4) public board meetings and **submit minutes** to the State Library. School libraries must execute and keep in force a **binding legal agreement** between the school district and the public library governing body. The governing body of the public library may be the municipal assembly, an advisory board appointed by the municipal assembly, or the board of directors of a non-profit corporation.

The State Library audits the records of selected libraries at the end of the grant year and reclaims any grant funds not properly accounted for. Also, any portion of this grant money not spent or encumbered by June 30, 2023 should be returned to the State Library. You may request a brief extension to spend unused FY23 collection grant funds.

Please return your signed agreements to Claire Imamura at eed.library.grants@alaska.gov. Questions should also be directed to Claire at 907-465-1018 or the email above. Thank you!

Sincerely,

Claire Imamura
Grants & Inclusive Services Librarian
Alaska State Library

Alaska Public Library Assistance Grant Agreement FY2023

This agreement made and entered into on Wednesday, July 27, 2022, by and between the **Alaska State Library**, hereafter referred to as the Grantor; and the **Homer Public Library**, hereafter referred to as the Grantee.

Whereas, the State of Alaska has appropriated funds for public library assistance; and whereas, the application of the Grantee for a grant for public library assistance has been approved. NOW THEREFORE, for and in consideration of the mutual covenants herein contained the parties hereto agree as follows:

The Grantor will agree to:

1. Furnish funds in the amount of **\$7,000** (dispersed after the agreement is received).
2. Provide advisory services in furtherance of the grant project.
3. Acknowledge the Grantee’s eligibility for additional grants and services.

The Grantee will agree to:

Provide at least the following services free to residents of the municipality or community:

- Establish and maintain a **collection** of books and other materials for loan;
- Provide access to **interlibrary loans**;
- Provide **reference** information; and
- Provide **programming for children**.

Abide by the conditions set forth in its application, guidelines, and approved by the Grantor, including:

- Expend at least **\$3,500** on library materials and online services for each outlet.
- The number and timing of **open hours**;
- The existing and ongoing **educational requirements** for the library director.
- Have **trained paid or volunteer staff on duty** in the library during the scheduled open hours.

Maintain accurate financial records for auditing purposes.

- Return any grant funds **unexpended or unencumbered** by June 30, 2023, and all funds for which there is no proper accounting.
- Receive prior approval from the Grantor for **any line item change** that exceeds 10% of the line item, except that no prior approval is required for: Line item changes of less than \$100; or line item changes that add funds to library materials and online services.
- **Expend local funds** of at least **\$7,000** for project purposes. Repay any portion of grant funds that have not actually been matched by local funds over the course of the grant period. Local fund match can include volunteer service as described in the Guidelines.
- Expended funds must be clearly attributable to **public library (not school) services and operations**.

Uphold specific governance requirements

- Non-profits will maintain “**Good Standing**” with the State and **submit minutes** of required quarterly public board meetings.
- School/public libraries will have an **agreement** between the school district and the public library governing body.

Submit reports, certifications, and contact information such as:

- The online **Alaska Public Library Report (APLR)** by September 1, 2023.
- The follow-up **signed certification** for the APLR
- Any changes in director or library **contact information** within 30 days.

Funding for this grant is dependent on the following source:

State Sources	PLA23-Homer	\$7,000
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By accepting this award or agreement, the grantee may become subject to the audit requirements of State of Alaska Administrative code 2 AAC 45.010. As a result, the grantee may be required to provide for an audit and to permit independent auditors to have access to their records and financial statements. The grantee should consult with an independent auditor for assistance in determining audit requirements for each fiscal year.

The undersigned understands and agrees to the conditions of this agreement. Both signatures are required.

For the Library

For the Legal Entity

Signature

Signature

Title

Date

Title

Date

MAIL TO: Library Grants Administrator, Alaska State Library,
P.O. Box 110571, Juneau, AK 99801, SCAN TO eed.library.grants@alaska.gov, or FAX to 907-465-2151

ORDINANCE REFERENCE SHEET
2022 ORDINANCE
ORDINANCE 22-45

An Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget by Appropriating \$126,917 from the Homer Education and Recreation Complex (HERC) Capital Asset Repair and Maintenance Allowance (CARMA) Fund and \$26,083 from the General Fund CARMA Fund to Demolish the Smaller Old School Building known as HERC 2.

Sponsor: Mayor

1. City Council Regular Meeting August 8, 2022 Introduction

Memorandum 22-132 from Economic Development Manager as backup.
2. City Council Regular Meeting August 22, 2022 Public Hearing and Second Reading

**CITY OF HOMER
HOMER, ALASKA**

Mayor

ORDINANCE 22-45

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA AMENDING THE FY23 CAPITAL BUDGET BY APPROPRIATING \$126,917 FROM THE HOMER EDUCATION AND RECREATION COMPLEX (HERC) CAPITAL ASSET REPAIR AND MAINTENANCE ALLOWANCE (CARMA) FUND AND \$26,083 FROM THE GENERAL FUND CARMA FUND TO DEMOLISH THE SMALLER OLD SCHOOL BUILDING KNOWN AS HERC 2.

WHEREAS, The City acquired T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2000022 Homer School Survey 1999 City Addn Tract 2 in 2000, from the Kenai Peninsula Borough for \$1; and

WHEREAS, The property contains two former school buildings both built in the 1950's; and

WHEREAS, City of Homer Public Works Building Maintenance and Janitorial staff have been housed in the smaller building called HERC 2 for at least 22 years; and

WHEREAS, The building was in disrepair when conveyed to the City, and deterioration of the structure has continued over the past 22 years; and

WHEREAS, The concrete of the HERC 2 is spalling and there are cracks through the concrete which may imply structural instability; and

WHEREAS, All city staff operations have been removed from the building, and demolition is recommended for the structure; and

WHEREAS, The City intends to contract with a qualified contractor for appropriate hazardous material abatement; and

WHEREAS, There is limited state or federal funding that would pay the full cost of demolition, and

WHEREAS, The City has requested waiver of all solid waste fees by the Kenai Peninsula Borough to limit municipal costs for the waste disposal; and

WHEREAS, The City intends to pursue low-cost demolition methods to minimize cost; and

44
45 WHEREAS, The City can demolish this building most quickly and effectively by using city
46 funds.

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

49
50 Section 1. The Homer City Council hereby amends the FY 2023 Capital Budget by
51 appropriating \$126,917 from the HERC CARMA Fund and \$26,083 from the General Fund CARMA
52 Fund to demolish the HERC 2 building as follows:

53
54

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
156-0396	HERC CARMA	\$126,917

55
56
57

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
156-0375	GF CARMA FUND	\$26,083

58
59
60 Section 2. This ordinance is a budget amendment only, is not of a permanent nature and
61 is a non code ordinance.

62
63 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA this ____ day of _____, 2022.

64
65 CITY OF HOMER

66
67 _____
68 KEN CASTNER, MAYOR

69
70
71 ATTEST:

72
73 _____
74 MELISSA JACOBSEN, MMC, CITY CLERK

75
76 YES:

77 NO:

78 ABSTAIN:

79 ABSENT:

80
81 First Reading:

82 Public Hearing:

83 Second Reading:

84 Effective Date:



Memorandum 22-132

TO: Rob Dumouchel, City Manager
FROM: Julie Engebretsen, Economic Development Manager
DATE: July 29, 2022
SUBJECT: **Demolishing the Smaller HERC Building (HERC 2)**

- I. **Purpose:** The purpose of this memorandum is to lay out a strategy for demolishing the smaller HERC building (HERC 2).
- II. **Recent Developments:** City staff has researched both state and federal Brownfields funding, and found that the process of an application and the timing of potential grant award makes using these programs a poor fit for our needs and timelines. These programs will only pay for hazardous material abatement; they will not pay for demolition costs. The hazmat abatement for the smaller building is estimated (2020 dollars) to be approximately \$54,000. Staff thinks the time required to apply for this funding as well as the delay in availability of the funds (if awarded) makes this option staff time intensive with relatively low return.

Earlier this spring, the City requested funding for planning, site cleanup and removal of HERC II through Senator Murkowski as a FY23 Congressionally Directed Spending (CDS) Request to the Interior Committee. The City received notice on 7/29/2022 that we were not selected for funding.

Beyond Brownfield funding, the City is able to leverage financial support for this project. Administration is requesting a waiver of all solid waste fees from the Kenai Peninsula Borough. Staff will continue to investigate potential funding sources.

III. **History:**

- A. **The Haz Mat Study.** Over the years, there have been multiple studies of the HERC buildings regarding whether they could be cost effectively renovated, or barring that, demolished. The most recent effort was in 2019-2020. The City Council passed Ordinance 19-38(A)(S) authorizing \$35,000 for the completion of a HERC Demolition Study. The study was performed by Environmental Management, Inc. (EMI), which performed the following tasks:

1. Completed a hazardous material survey by taking samples of the various hazardous materials in the buildings, namely asbestos and lead based paint,
2. Developed a cost estimate for hazardous material removal/disposal, and
3. Developed a cost estimate for demolishing the buildings.

B. Cost Summary. The study noted that the costs could be decreased depending on whether some usable materials could be salvaged and sold, such as the concrete, gluelam beams, gymnasium floor and other reusable materials. The costs to abate the haz mat and demolish both buildings were estimated to be \$667,843. (Stantech’s report (spring 2022) arrived at a cost estimate of \$750,000.)

Of this figure, about 26% (\$176,377) is related to the hazardous materials, which can be broken down as follows:

HERC 1 (big building)	71%	\$125,573
HERC 2 (little building)	29%	\$ 53,807

IV. Updated Strategy:

A. Phase I – Relocate City operations. Currently, both Building Maintenance and Parks are operating out of HERC 1. Building Maintenance vacated HERC 2 upon the finding in June that significant cracks extend through structural walls, causing concern over potential building failure during an earthquake event.

1. **Building Maintenance.** The long term plan is for Building Maintenance to move into the old Mechanic’s Shop on the existing Public Works campus when the new Mechanic’s Shop is built. In the meantime, the City needs interim space (5-10 years) to adequately support operations. The City is actively seeking rental space as a solution. Suggestions are welcome, particularly for locations and lessors that can offer a longer term lease (beyond a 1-2 year timeframe).

2. **Possible defrayed expenses.** Demolishing the HERC 2 -building allows us to defray approximately \$20,000 in expenses that are currently being charged to the Public Works Department to insure, heat, light and provide other utilities to the building.

B. Phase II – Abate Haz Mat. Estimated cost = \$54,000. The estimated cost to abate the haz mat in this building, using a 3rd party contractor, is \$54,000 in 2020 dollars. Doing this work would make the building ready for demolition.

C. Phase III – Demolish HERC 2. Estimated cost = \$78,094. Once the haz mat was removed from HERC 2, the demolition is fairly straight forward. We propose to use the work Force Account; that is, by hiring temporary employees, experienced with heavy civil construction and/or building demolition and do the work as an in-house City project. The estimated cost of Phase III is \$78,094 in 2020 dollars. The steps would be as follows:

1. Procure Demolition Insurance.
2. Rent equipment from local contractors to supplement our in-house equipment
3. Assemble a crew of temporary employees and appoint a supervisor

4. Work with crew to develop a Demolition Plan, including a safety plan, disposal plan, utility plan, schedule and other planning documents required for proper project management and to comply with regulatory requirements
5. Identify disposal sites for the various materials that will be generated by the demolition
6. Work the Demolition Plan.
7. Once the building was demolished, restore the site to a safe and preferably, usable condition.

D. Budget -

Hazardous Material Abatement	\$54,000
City demolition team	\$78,094
<u>Contingency 15%</u>	<u>\$20,000</u>
Total	\$152,084

V. Unknown Factors

The cost estimates and time frames provided in this memo are the best estimate staff can provide based on the information available. For most City projects and budget ordinances, a complete project budget is scoped thoroughly and Council has reasonable certainty on what the costs will be. Demolishing a building is not something the City has experience in. Part of the cost containment plan is to locally crush the concrete, for use in road or trail building projects. If that does not work out, the demolition waste can be trucked to the Homer and Central Peninsula Landfills (least preferred option) but the cost is unknown. The cost of trucking a year from now is not very quantifiable (fuel costs, etc). A contingency factor of 15% has been added to the project budget.

In the worst case scenario, such as if the City has to truck the debris to the Central Peninsula, more funding will be needed. Demolition of the building appears to be inevitable at this point. Delaying this project in hopes of received outside funding, or more refined budget estimates is likely to simply result in higher future costs. Staff will keep Council apprised of project costs and alternatives we take this major step in revitalizing this prominent city property.

CITY OF HOMER
FINANCIAL SUPPLEMENT

PROJECT NAME	<u>Demolish Smaller Old School Building (HERC 2)</u>	DATE	<u>08/04/2022</u>
DEPARTMENT	<u>Administration</u>	SPONSOR	<u>City Manager</u>
REQUESTED AMOUNT	<u>\$ 153,000</u>		

DESCRIPTION	The City intends to pursue low-cost demolition methods to minimize cost. The City can demolish this building most quickly and effectively by using city funds.
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FUNDING SOURCE(S)	HERC CARMA	GF CARMA	GF FLEET CARMA	PORT RESERVES	WATER CARMA
	83%	17%	0%	0%	0%
	HAWSP	HART-ROADS	HART-TRAILS	PORT FLEET RESERVES	SEWER CARMA
	0%	0%	0%	0%	0%

FUNDING SOURCE 1: HERC CARMA	FUNDING SOURCE 2: GF CARMA	FUNDING SOURCE 3:
Current Balance <u>\$ 126,917</u>	Current Balance <u>\$ 2,612,803</u>	Current Balance _____
Encumbered <u>\$ 0</u>	Encumbered <u>\$ 808,149</u>	Encumbered _____
Requested Amount <u>\$ 126,917</u>	Requested Amount <u>\$ 26,083</u>	Requested Amount _____
Other Items on Current Agenda <u>\$ 0</u>	Other Items on Current Agenda <u>\$ 152,823</u>	Other Items on Current Agenda _____
Remaining Balance <u>\$ 0</u>	Remaining Balance <u>\$ 1,625,748</u>	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 _____

ORDINANCE REFERENCE SHEET
2022 ORDINANCE
ORDINANCE 22-46

An Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget by Appropriating \$27,823 from the General Fund Capital Asset Repair and Maintenance Allowance Fund to Purchase Patrol Equipment for the Homer Police Department.

Sponsor: City Manager/Police Chief

1. City Council Regular Meeting August 8, 2022 Introduction
Memorandum 22-133 from Police Chief as backup.
2. City Council Regular Meeting August 22, 2022 Public Hearing and Second Reading

**CITY OF HOMER
HOMER, ALASKA**

City Manager/Police Chief

ORDINANCE 22-46

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA AMENDING THE FY23 CAPITAL BUDGET BY APPROPRIATING \$27,823 FROM THE GENERAL FUND CAPITAL ASSET REPAIR AND MAINTENANCE ALLOWANCE (CARMA) FUND TO PURCHASE PATROL EQUIPMENT FOR THE HOMER POLICE DEPARTMENT.

WHEREAS, The Homer Police Department (HPD) engages in training throughout the year to maintain proficiency in critical skill sets, and evaluates reports on critical events around the country to help in determining if HPD officers have the training and equipment necessary for response; and

WHEREAS, HPD has identified the need for patrol rifle suppressors to reduce noise during active shooter events, and hands free radio communications devices to ensure clear communications between officers and with dispatch; and

WHEREAS, Suppressors and enhanced hands-free radio communications devices are almost essential equipment at any active shooter scene.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The Homer City Council hereby amends the FY23 Capital Budget by appropriating \$27,823 from the General Fund CARMA Fund for the purchase of patrol equipment for the Homer Police Department as follows:

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
156	General Fund CARMA	\$27,823

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 ___th day of ____, 2022.

CITY OF HOMER

KEN CASTNER, MAYOR

43

44 ATTEST:

45

46

47 _____

48 MELISSA JACOBSEN, MMC, CITY CLERK

49

50

51 YES:

52 NO:

53 ABSENT:

54 ABSTAIN:

55

56 Introduction:

57 Public Hearing:

58 Second Reading:

59 Effective Date:



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 22-133

TO: City Manager Dumouchel

FROM: Chief Robl

DATE: 7-14-2022

SUBJECT: Patrol Equipment Purchase Request

The Police Department engages in a continuous cycle of training officers throughout the year to maintain proficiency in critical skill sets. Throughout our trainings we are continually evaluating training effectiveness, future training needs and additional equipment needs. We also study and evaluate after incident reports from critical events around the country to determine if our training methods and equipment are adequate to address similar events occurring within our jurisdiction.

During our last active shooter response trainings and weapons qualifications drills, we have identified a need for two additional pieces of equipment for our officers. One is for suppressors for our patrol rifles. This will eliminate the sharp, loud cracking noises when the rifles are fired. Doing so will improve communications, eliminate the distractions caused by repeated, very loud noises and help shield our officers locations from armed adversaries. It will also help to make training more effective and safer for our officers. Despite using enhanced hearing protection during training, officers often leave rifle training drills with ringing in their ears which could indicate future hearing loss problems.

The second item we would like to equip all of our officers with is a professional, wired ear bud and microphone for radio communications. These units connect to the officer's portable radios and go directly into their ears. They also include a small, sensitive lip microphone with external noise cancelling features. These devices are very high tech and sophisticated. They allow for crystal clear radio reception in the harshest of environments without having to touch their portable radios. Wearing them allows officers to continue highly effective, clear communications with dispatch and other officers while moving through an active shooter scene actively shooting, rendering aide or physically engaging a suspect. We will also utilize these during many other routine calls for service such as directing traffic at accident scenes, making arrests and basically anytime when an officer needs to talk on the radio but use their hands at the same time.

Suppressors and enhanced hands-free radio communications devices are almost essential equipment at any active shooter scene. They eliminate many of the problems described by officers during the review and evaluation of responses. I request funding in the amount of \$27,823 to purchase this equipment.

CITY OF HOMER
FINANCIAL SUPPLEMENT

PROJECT NAME	<u>Patrol Equipment</u>	DATE	<u>08/04/2022</u>
DEPARTMENT	<u>Police</u>	SPONSOR	<u>City Manager/Police Chief</u>
REQUESTED AMOUNT	<u>\$ 27,823</u>		

DESCRIPTION	<p>The Homer Police Department (HPD) engages in training throughout the year to maintain proficiency in critical skill sets, and evaluates reports on critical events around the country to help in determining if HPD officers have the training and equipment necessary for response. HPD has identified the need for patrol rifle suppressors to reduce noise during active shooter events, and hands free radio communications devices to ensure clear communications between officers and with dispatch. Suppressors and enhanced hands-free radio communications devices are almost essential equipment at any active shooter scene.</p>
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FUNDING SOURCE(S)	OPERATING	GF CARMA	GF FLEET CARMA	PORT RESERVES	WATER CARMA
	0%	100%	0%	0%	0%
	HAWSP	HART-ROADS	HART-TRAILS	PORT FLEET RESERVES	SEWER CARMA
	0%	0%	0%	0%	0%

FUNDING SOURCE 1: GF CARMA	FUNDING SOURCE 2:	FUNDING SOURCE 3:
Current Balance <u>\$ 2,612,803</u>	Current Balance _____	Current Balance _____
Encumbered <u>\$ 808,149</u>	Encumbered _____	Encumbered _____
Requested Amount <u>\$ 27,823</u>	Requested Amount _____	Requested Amount _____
Other Items on Current Agenda <u>\$ 151,083</u>	Other Items on Current Agenda _____	Other Items on Current Agenda _____
Remaining Balance <u>\$ 1,625,748</u>	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 _____

ORDINANCE REFERENCE SHEET
2022 ORDINANCE
ORDINANCE 22-47

An Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget by Authorizing Pass Through Funds for the State of Alaska Pioneer Dock Fender Repair Project.

Sponsor: City Manager/Public Works Director

1. City Council Regular Meeting August 8, 2022 Introduction

Memorandum 22-134 from Public Works Director as backup.
2. City Council Regular Meeting August 22, 2022 Public Hearing and Second Reading

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

4 City Manager/
5 Public Works Director

6 **ORDINANCE 22-47**
7

8 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
9 AMENDING THE FY23 CAPITAL BUDGET BY AUTHORIZING PASS
10 THROUGH FUNDS FOR THE STATE OF ALASKA PIONEER DOCK
11 FENDER REPAIR PROJECT.
12

13 WHEREAS, In November 2021, the fenders on the Pioneer Dock were damaged by a
14 State of Alaska vessel and the State’s risk management office review concluded the State was
15 responsible for the damages; and
16

17 WHEREAS, The State developed an agreement with the Harbormaster to make repairs,
18 which called for the City to procure long lead time materials as well as
19 design/construction/inspection services and submit invoices to the State, which would pay
20 them directly; and
21

22 WHEREAS, The estimated cost of repair is under \$300,000; and
23

24 WHEREAS, The City has already purchased the materials and arranged with R&M, one
25 of the City’s term contract consultants, to design the repairs as well as be the City’s on-site
26 representative once construction is underway; and
27

28 WHEREAS, The City is now ready to put the construction out to bid and this work needs
29 to be done as soon as possible.
30

31 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:
32

33 Section 1. The FY23 Capital Budget is amended to authorize \$300,000 to be expended
34 from and reimbursement deposited in the account described below:
35

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
415-xxxx	Pioneer Dock Fender Repair	\$300,000

36
37
38

39 Section 2. The City Manager is a authorized to negotiate and execute a formal
40 agreement to memorialize the the State of Alaska’s promise to pay for the costs of damage
41 and repair caused to the fenders of the City Pioneer Dock solely by a State of Alaska vessel.
42



City of Homer

www.cityofhomer-ak.gov

Public Works

3575 Heath Street
Homer, AK 99603

publicworks@cityofhomer-ak.gov

(p) 907- 235-3170

(f) 907-235-3145

Memorandum 22-134

TO: City Council

THROUGH: Rob Dumouchel, City Manager

FROM: Janette Keiser, PE, Director of Public Works
Bryan Hawkins, Port & Harbor Director

DATE: August 3, 2022

SUBJECT: Pioneer Dock Fender Repairs

I. **Issue:** The purpose of this Memorandum is to explain the Pioneer Dock Fender Repair Project.

II. **Background:**

In November 2021, the fenders on the Pioneer Dock were damaged by a State of Alaska vessel. The State's risk management office agreed the State was responsible and developed an informal agreement with the Harbormaster to make repairs. The plan calls for the City to procure long lead time materials as well as design/construction/inspection services and submit invoices to the State, which would pay the invoices directly. Total costs are estimated to be under \$300,000. The City has already purchased the materials. The City has also arranged with R&M, one of the City's term contract consultants, to design the repairs as well as be the City's on-site representative once construction is underway.

We are now ready to put the construction out to bid. This work needs to be done as soon as possible.

Before we commit to the next, more expensive, steps, it would be helpful to have authorization to negotiate a more formal arrangement with the State.

III. **Recommendations:** We request that the City Council authorize the City Manager to negotiate and execute a more formal agreement with the state regarding these repairs.



City of Homer

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Office of the City Manager

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Homer, Alaska 99603

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(f) 907-235-3148

Memorandum

TO: Mayor Castner and Homer City Council
FROM: Rob Dumouchel, City Manager
DATE: August 18, 2022
SUBJECT: City Manager's Report for August 22, 2022 Council Meeting

Main Street Sidewalk Construction & Ben Walters Sidewalk Planning

The Main Street Sidewalk project has resumed. East Road Services received their storm drain materials and has been installing them. We have also replaced two obsolete fire hydrants.

On a related note, the Ben Walters Way Sidewalk is at 35% design. The current cost estimate is \$1.5M which is in line with what has been forecast in the Road Financial Plan for the project.

Visit from AKDOT&PF Commissioner

Alaska Department of Transportation and Public Facilities Commissioner Ryan Anderson and Communications Director Shannon McCarthy visited with Harbormaster Bryan Hawkins, Deputy Harbormaster Matt Clarke, Special Projects Coordinator Jenny Carroll, and I at the Harbormaster's office on August 17th. We discussed topics ranging from the port expansion and beach renourishment along the spit to winter snow plowing operations and employee recruitment/retention. We are very appreciative of the Commissioner making the time to visit Homer in person and discuss our transportation needs and ideas for partnerships in the future.

Master Transportation Plan

City staff and Kinney Engineering held a Kick-off Meeting to review the Scope of Work for the Master Transportation Plan which was funded earlier this month by Ordinance 22-38. One of the things we will be doing is working with the community to identify goals and objectives. We will be debating questions like – What Levels of Service do we want for Homer's roads? We told Kinney that rather than seeking Levels of Service that focus on moving cars as quickly as possible from Point A to Point B, we've heard the community is envisioning a more "People First" approach.

Kinney will also be memorializing the importance of State-owned roads to the City's transportation system and helping us work through a critical dichotomy; that is, we want to control our vision, but we don't own the most important roads that affect that vision and it's challenging to control, or even influence, what you don't own. We held a brief discussion on this item with the AKDOT&PF Commissioner while he was in Homer and he provided a member of his staff as a point of contact for this work when we are ready to engage the state.

Visit with NOAA Administrator

Richard Spinrad, Ph.D., the Under Secretary of Commerce for Oceans and Atmosphere & NOAA Administrator, and members of his staff, visited Homer Wednesday, August 17. Dr. Spinrad is responsible for the strategic direction and oversight of the agency. His visit to Homer was part of a 10-day trip in Alaska to gain an understanding of local needs and concerns regarding NOAA services, meet local NOAA staff, discuss the changing climate and how NOAA can help foster sustainable development in the coastal marine economy. Special Projects Coordinator Jenny Carroll had the opportunity to attend a meet and greet with Dr. Spinrad where they discussed topics ranging from community and economic development as it relates to water resources, local initiatives to address climate change, erosion and clean water, including the Green Infrastructure Slope Stability/Erosion Mitigation project, and NOAA's tsunami warning system and communications. Other stops on NOAA's itinerary include Anchorage, Juneau, Kenai, Nome and Fairbanks.

Alaska Municipal League Summer Conference

I attended the Alaska Municipal League (AML) summer conference in Sitka. August 10th was a full day meeting of the Alaska Municipal Management Association (AMMA). After dispensing with our business meeting (I'm an AMMA board member), we spent the rest of the day focused on employee recruitment and retention. All throughout the state, cities and boroughs are struggling to find and retain quality employees. Similar to Homer, housing is a major barrier. Most attendees were also struggling to offer competitive wages for most positions. We'll be digging more into employee issues at our December meeting in Anchorage. August 11th and 12th were focused on statewide topics and discussion led by AML.

Quarterly Finance Report

Attached to this report is a report covering the 4th quarter of FY22. Sales tax revenue is artificially low in the report because at the time it was written, we still had not completely received 4th quarter sales tax data from the Kenai Peninsula Borough. I expect that we will have that information available for the next Council meeting.

Enclosures:

1. FY22 Q4 Report from Finance Director



City of Homer

www.cityofhomer-ak.gov

Finance Department

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Homer, Alaska 99603

finance@cityofhomer-ak.gov

(p) 907-235-8121

(f) 907-235-3140

Memorandum

TO: Mayor Castner and Homer City Council
THROUGH: Rob Dumouchel, City Manager
FROM: Elizabeth Walton, Finance Director
DATE: August 18, 2022
SUBJECT: FY2022 4th Quarter Financials

This memo is broken into two sections. The first section provides some analysis of the fourth quarter data from the perspective of the Finance Department. The second section provides some background information that may be helpful in interpreting the associated spreadsheet.

Remember that these financial reports are preliminary and are subject to change.

General Fund:

Preliminary estimates show the General Fund experiencing roughly a \$336k operating surplus at the close of FY22. This number is expected to increase when final sales tax figures are received.

Financial Analysis:

- Sales tax revenue was originally budgeted at \$5.8 million, amended to \$8.3 million and actual revenue received fiscally to date is \$7.3 million. Remote sales tax revenue was budgeted at \$207,225 and actual revenue received fiscally to date is \$308,693. **Remember, we are awaiting final sales tax figures for the 4th quarter and will have more revenue to record once that information is received from the borough.**
- The use of money (investment) category shows revenue/losses for long-term investments. There are periods in which we experience losses, but in the end (maturity) the City will likely experience net gains on our investment decisions.
- Operating transfers are slighter under budget, as the full budgeted amount for HART-Roads wasn't transferred due to actual road maintenance costs coming in under budget. The transfer amount now matches the actual costs less the mandatory \$500,000 required deposit into HART-Roads.
- Most General Fund expenditure categories managed to keep within budget parameters. Looking at historical trends, the collective expenditure is in line with historical spending.
- Two key areas to highlight:

- Clerks. It is important to remember that this category also includes the Mayor/Council operating expenses. The main driver with this overage is legal expenses. These expenses were budgeted at \$275,000 for FY22 and preliminary actuals are \$402,087.
- Non-departmental. The \$25,000 overage is attributed to the funding of a portion of the Homer Business Advisor of the Alaska Small Business Development Center (ORD 21-68).

Water and Sewer Fund:

Preliminary estimates show the Water and Sewer Fund experiencing just under a \$235k operating surplus after the close of FY22.

Financial Analysis:

- Utility total revenues are exceeding budget expectations and consistent with historical trends. Historically, water revenues are down slightly and sewer revenues are above trends. This can be attributed to changes in water and sewer rates over the years.
- Utility preliminary expenditures are in line with budget expectations. The collective expenditures are down from the same time interval in 2020, but some of this can be attributed to the difficulty in acquiring items.
- One key area to highlight is the Water Distribution System – The main cause of this overage is associated with electricity expenses. The budget was \$40,382 and the preliminary actuals are roughly \$216k.

Port and Harbor Fund:

Preliminary estimates show the Port and Harbor Fund experiencing just over a \$625k operating surplus at the close of FY22.

Financial Analysis:

- Seasonality is a huge factor in the harbor operations and the timing of receiving its revenues. The largest single component of revenue for the harbor is stall revenues and it is collected in the first half of the fiscal year. The Harbor budgeted roughly \$1.54 million in reserved stall revenue and actual revenue received fiscally to date is \$1.55 million. There is a year-end accounting entry to adjust for period reporting, so this value is subject to change.
- The majority of harbor expenditure categories managed to stay within budget appropriations by the close of FY22.

Background Information:

The purpose of these reports is to provide a budget versus actual comparison for City Council and at the same time illustrating the operating revenues and expenditures each fund has experienced within a given time period.

Therefore, it is important to remember that these reports are not all inclusive and do not represent all financial activity of the City. The focus is to report on those revenues and expenditures that present themselves as operating and are included in our budget.

An update to this report this fiscal year is the inclusion of a historical fiscal analysis. The purpose of this section is to provide City Council and the public comparative data for the same date range. As time goes on, this data will allow for better trend analysis and benchmarking.

General Fund:

Revenue Breakdown:

- Property tax is collected and administered by the Kenai Peninsula Borough and remitted to the City. The majority of these payments are remitted in September, October and November. Taxpayers can either split tax installments in two (first half due on September 15 and second half due on November 15) or can pay taxes in full on October 15.
- Sales tax is collected and administered by the Kenai Peninsula Borough (KPB) and then remitted to the City. KPB remits sales tax revenue to the City on a monthly basis, but there is a two month “lag” in the revenue received. This means that the revenue that is received by the City in one month is not a reflection on sales tax actually earned in that particular month.
- Use of money represents the interest income earned (lost) on investments held.
- Intergovernmental revenues include: Prisoner Care Contract with the State of Alaska for \$440,066; Pioneer Avenue Maintenance Contract with the State of Alaska for \$34,000; Police Special Services Contract with the State of Alaska for \$36,000; and the Borough 911 Contract with the Kenai Peninsula Borough for \$52,800.
- Charges for services include revenues received from the charges the City charges for some services it provides (i.e. application fees, ambulance fees, camping fees).
- Other revenues received for this time period is primarily from ACS for \$75,000 (reference ORD 21-42).
- Airport revenues represent those revenues collected through business at the Homer airport (leases, car rental, concessions, and parking fees).
- Operating transfers represent the admin fees charged to Water, Sewer and Port funds. The budget transfer from HART-Roads and HART-Trails to contribute to road and trail maintenance is also under this category. The \$10,000 transfer is representative of the amount the Utility Fund transfers to the General Fund to contribute to Public Works maintenance costs connected with Utility facilities and equipment.

Water and Sewer Fund:

Revenue Breakdown:

- Revenues received into the water fund include: metered sales, connection fees, investment income, penalties, and hydrant transfer from the General Fund.
- Revenues received into the sewer fund include: metered sales, inspection fees and dump station fees.

Expenditure Highlights:

- General Fund Admin Fees were waived for the Utility Fund in FY22 and FY23, per the amended FY22/23 Operating Budget (ORD 22-20).
- Other transfers include: transfer to health insurance fund (balancing mechanism), transfers to revolving energy fund, hydrant transfer to the water fund and \$10,000 transfer to General Fund for Public Works maintenance.

Port and Harbor Fund:

Revenue Breakdown:

- Administration revenues include: rents and leases, storage fees, investment income and any surplus revenues.
- Harbor revenues primarily represent stall revenues, but it also includes income received from energy charges, parking revenue and commercial ramp wharfage.
- Pioneer dock revenues include: Coast Guard leases, fuel wharfage, water sales and docking fees.
- Fish dock revenues include: ice sales, cold storage, crane rental, seafood wharfage and fish tax.
- Deep water dock revenues primarily represent docking and water sales at the deep water dock.

Expenditure Highlights:

- General Fund Admin Fees were waived for the Port Fund in FY22 and FY23, per the amended FY22/23 Operating Budget (ORD 22-20).
- Debt Service transfer represents the Lot 42 loan with the General Fund. The Port has budgeted to pay this loan off by the end of FY23.
- Load and Launch Ramp revenues in excess are accounted for separately from the larger harbor reserves.

Treasurer's Report:

The treasurer's report illustrates the investment positions of the City of Homer. It details the total amount held in our bank accounts and the timeline of maturity.

Quarterly General Fund
Expenditure Report
Thru Quarter Ended June 30, 2022

	Current Fiscal Analysis				Historical Fiscal Analysis			
	Amended FY22 Budget	Actual FY22 YTD	Budget Remaining	% Budget Remaining	Actual July 2018 - June 2019	Actual July 2019 - June 2020	Actual July 2020 - June 2021	Actual July 2021 - June 2022
Revenues								
Property Taxes	\$ 3,794,794	\$ 3,818,464	\$ 23,669	1%	\$ 3,522,082	\$ 3,631,221	\$ 3,730,911	\$ 3,818,464
Sales and Use Taxes*	8,548,113	7,659,654	(888,459)	-10%	6,128,318	6,582,962	7,117,886	7,659,654
Permits and Licenses	46,595	40,594	(6,001)	-13%	42,754	45,012	41,672	40,594
Fines and Forfeitures	22,930	21,246	(1,684)	-7%	17,855	23,265	11,849	21,246
Use of Money	146,718	(196,256)	(342,974)	-234%	187,572	244,060	22,068	(196,256)
Intergovernmental	562,866	571,866	9,000	2%	662,360	572,713	553,866	571,866
Charges for Services	597,597	677,360	79,762	13%	422,098	672,578	360,130	677,360
Other Revenues	-	123,185	123,185	0%	47,475	64,425	130,950	123,185
Airport	198,729	201,972	3,243	2%	203,324	209,116	171,375	201,972
Operating Transfers	864,165	799,825	(64,340)	-7%	2,026,004	2,058,582	315,184	799,825
Total Revenues	\$ 14,782,507	\$ 13,717,910	\$ (1,064,597)	-7%	\$ 13,259,841	\$ 14,103,934	\$ 12,455,891	\$ 13,717,910
Expenditures & Transfers								
Administration	\$ 1,392,969	\$ 1,178,744	\$ 214,225	15%	\$ 1,060,060	\$ 1,041,825	\$ 1,101,871	\$ 1,178,744
Clerks	880,182	950,980	(70,798)	-8%	722,341	746,276	881,584	950,980
Planning	416,528	373,735	42,794	10%	362,197	370,951	408,041	373,735
Library	952,536	806,336	146,200	15%	858,099	832,823	858,734	806,336
Finance	888,674	715,766	172,908	19%	658,125	698,130	774,959	715,766
Fire	1,481,683	1,268,979	212,704	14%	981,961	1,060,985	1,336,019	1,268,979
Police	3,837,209	3,638,646	198,564	5%	3,251,742	3,338,503	3,797,479	3,638,646
Public Works	3,272,912	2,763,561	509,351	16%	2,538,235	2,485,682	2,908,328	2,763,561
Airport	226,517	225,033	1,484	1%	197,848	193,191	215,442	225,033
City Hall, HERC	189,087	190,221	(1,134)	-1%	166,428	149,286	174,815	190,221
Non-Departmental	94,000	119,000	(25,000)	-27%	94,000	94,000	94,000	119,000
Total Operating Expenditures	\$ 13,632,299	\$ 12,231,001	\$ 1,401,298	10%	\$ 10,891,038	\$ 11,011,651	\$ 12,551,269	\$ 12,231,001
Transfer to Other Funds								
Leave Cash Out	\$ 136,126	\$ 136,126	\$ -	0%	\$ 85,232	\$ 104,643	\$ 58,222	\$ 136,126
Other	983,164	983,164	-	0%	180,642	122,991	69,860	983,164
Total Transfer to Other Funds	\$ 1,119,290	\$ 1,119,290	\$ -	0%	\$ 265,874	\$ 227,635	\$ 128,082	\$ 1,119,290
Transfer to CARMA								
General Fund Fleet CARMA	\$ 20,918	\$ 20,918	\$ -	0%	\$ 231,222	\$ 196,500	\$ -	\$ 20,918
General Fund CARMA	-	-	-	0%	290,559	170,654	-	-
Seawall CARMA	10,000	10,000	-	0%	10,000	10,000	10,000	10,000
Total Transfer to CARMA Funds	\$ 30,918	\$ 30,918	\$ -	0%	\$ 531,781	\$ 377,154	\$ 10,000	\$ 30,918
Total Expenditures & Transfers	\$ 14,782,507	\$ 13,381,209	\$ 1,401,298	9%	\$ 11,688,693	\$ 11,616,440	\$ 12,689,351	\$ 13,381,209
Net Revenues Over (Under) Expenditures	\$ 0	\$ 336,701						

*This is subject to change as we are awaiting final sales tax figures for the 4th quarter from the borough.

These numbers are preliminary and are subject to our annual audit.

Quarterly Water and Sewer Fund
Expenditure Report
Thru Quarter Ended June 30, 2022

	Current Fiscal Analysis				Historical Fiscal Analysis			
	Amended FY22 Budget	Actual FY22 YTD	Budget Remaining	% Budget Remaining	Actual July 2018 - June 2019	Actual July 2019 - June 2020	Actual July 2020 - June 2021	Actual July 2021 - June 2022
Revenues								
Water Fund	\$ 2,014,420	\$ 1,982,663	\$ (31,757)	-2%	\$ 2,235,019	\$ 2,402,659	\$ 2,074,837	\$ 1,982,663
Sewer Fund	1,762,264	1,805,224	\$ 42,960	2%	1,804,184	1,711,095	1,684,775	1,805,224
Total Revenues	\$ 3,776,685	\$ 3,787,887	\$ 11,202	0%	\$ 4,039,204	\$ 4,113,753	\$ 3,759,612	\$ 3,787,887
Expenditures & Transfers								
<u>Water</u>								
Administration	\$ 202,025	\$ 221,177	\$ (19,152)	-9%	\$ 176,350	\$ 192,630	\$ 201,588	\$ 221,177
Treatment Plant	616,638	540,669	75,969	12%	562,810	580,862	618,900	540,669
System Testing	28,608	33,152	(4,544)	-16%	44,278	23,843	30,361	33,152
Pump Stations	93,119	91,365	1,753	2%	100,526	81,088	109,313	91,365
Distribution System	348,073	463,852	(115,780)	-33%	313,363	332,513	396,757	463,852
Reservoir	17,326	13,272	4,054	23%	29,583	22,907	13,002	13,272
Meters	181,863	97,100	84,763	47%	150,071	171,481	150,509	97,100
Hydrants	203,479	173,604	29,875	15%	184,073	198,417	206,058	173,604
<u>Sewer</u>								
Administration	\$ 191,623	\$ 190,922	\$ 702	0%	\$ 154,812	\$ 173,910	\$ 183,661	\$ 190,922
Plant Operations	701,815	612,641	89,174	13%	662,341	673,868	760,302	612,641
System Testing	15,160	10,330	4,830	32%	36,682	14,448	12,406	10,330
Lift Stations	210,079	227,855	(17,776)	-8%	170,984	201,218	217,180	227,855
Collection System	326,795	237,302	89,493	27%	271,880	237,618	298,303	237,302
Total Operating Expenditures	\$ 3,136,603	\$ 2,913,242	\$ 223,360	7%	\$ 2,857,753	\$ 2,904,804	\$ 3,198,338	\$ 2,913,242
Transfer to Other Funds								
Leave Cash Out	\$ 72,026	\$ 72,026	\$ -	0%	\$ 14,859	\$ 20,810	\$ 16,117	\$ 72,026
GF Admin Fees	-	-	-	0%	517,046	524,290	303,634	-
Other	23,030	23,030	-	0%	59,969	36,475	23,492	23,030
Total Transfer to Other Funds	\$ 95,056	\$ 95,056	\$ -	0%	\$ 591,874	\$ 581,575	\$ 343,242	\$ 95,056
Transfers to CARMA								
Water	\$ 247,542	\$ 247,542	\$ -	0%	\$ 84,252	\$ 81,240	\$ -	\$ 247,542
Sewer	297,484	297,484	-	0%	155,164	14,856	-	297,483.72
Total Transfer to CARMA Funds	\$ 545,026	\$ 545,026	\$ -	0%	\$ 239,416	\$ 96,096	\$ -	\$ 545,026
Total Expenditures & Transfers	\$ 3,776,685	\$ 3,553,324	\$ 223,360	6%	\$ 3,689,042	\$ 3,582,475	\$ 3,541,581	\$ 3,553,324
Net Revenues Over(Under) Expenditures	\$ -	\$ 234,563						

These numbers are preliminary and are subject to our annual audit.

Quarterly Port and Harbor Fund
Expenditure Report
Thru Quarter Ended June 30, 2022

	Current Fiscal Analysis				Historical Fiscal Analysis			
	Amended FY22 Budget	Actual FY22 YTD	Budget Remaining	% Budget Remaining	Actual July 2018 - June 2019	Actual July 2019 - June 2020	Actual July 2020 - June 2021	Actual July 2021 - June 2022
Revenues								
Administration	\$ 596,909	\$ 552,014	\$ (44,895)	-8%	\$ 569,959	\$ 692,855	\$ 719,854	\$ 552,014
Harbor	3,312,100	3,636,466	324,366	10%	2,846,131	3,054,776	4,093,742	3,636,466
Pioneer Dock	330,646	294,761	(35,884)	-11%	311,943	333,371	268,274	294,761
Fish Dock	565,242	590,159	24,917	4%	591,475	577,314	556,319	590,159
Deep Water Dock	161,889	157,434	(4,455)	-3%	266,373	317,882	174,775	157,434
Outfall Line	4,800	4,626	(174)	-4%	4,800	4,800	4,800	4,626
Fish Grinder	7,191	(872)	(8,063)	-112%	7,823	7,283	7,108	(872)
Load and Launch Ramp	126,483	132,446	5,964	5%	128,416	126,438	134,121	132,446
Total Revenues	\$ 5,105,259	\$ 5,367,034	\$ 261,776	5%	\$ 4,726,919	\$ 5,114,719	\$ 5,958,993	\$ 5,367,034
Expenditures & Transfers								
Administration	\$ 711,339	\$ 711,097	\$ 242	0%	\$ 616,160	\$ 647,380	\$ 709,380	\$ 711,097
Harbor	1,355,331	1,189,213	166,118	12%	1,181,983	1,147,923	1,228,818	1,189,213
Pioneer Dock	81,451	106,648	(25,197)	-31%	62,572	85,282	84,823	106,648
Fish Dock	644,058	543,789	100,270	16%	583,367	522,142	553,121	543,789
Deep Water Dock	87,824	89,177	(1,353)	-2%	86,436	82,704	76,539	89,177
Outfall Line	6,500	4,405	2,095	32%	3,137	2,475	4,044	4,405
Fish Grinder	30,333	13,930	16,404	54%	11,433	21,775	20,215	13,930
Harbor Maintenance	446,653	377,326	69,327	16%	365,131	376,878	361,515	377,326
Main Dock Maintenance	40,768	32,258	8,510	21%	31,188	32,443	27,759	32,258
Deep Water Dock Maintenance	51,268	36,635	14,633	29%	44,450	40,140	31,665	36,635
Load and Launch Ramp	92,282	79,081	13,201	14%	70,779	62,872	64,197	79,081
Total Operating Expenditures	\$ 3,547,809	\$ 3,183,560	\$ 364,249	10%	\$ 3,056,635	\$ 3,022,013	\$ 3,162,077	\$ 3,183,560
Transfer to Other Funds								
Leave Cash Out	\$ 66,243	\$ 66,243	\$ -	0%	\$ 29,241	\$ 31,457	\$ 20,620	\$ 66,243
GF Admin Fees	-	-	-	0%	591,076	579,038	-	-
Debt Service	69,285	69,285	-	0%	98,817	70,338	70,338	\$ 69,285
Other	301,517	301,517	-	0%	321,118	304,450	300,000	\$ 301,517
Total Transfer to Other Funds	\$ 437,045	\$ 437,045	\$ -	0%	\$ 1,040,252	\$ 985,283	\$ 390,958	\$ 437,045
Transfers to Reserves								
Harbor	\$ 1,086,204	\$ 1,086,204	\$ -	0%	\$ 271,984	\$ 286,611	\$ -	\$ 1,086,204
Load and Launch Ramp	34,201	34,201	-	0%	38,301	46,717	26,354	34,201
Total Transfer to Reserves	\$ 1,120,405	\$ 1,120,405	\$ -	0%	\$ 310,285	\$ 333,328	\$ 26,354	\$ 1,120,405
Total Expenditures & Transfers	\$ 5,105,259	\$ 4,741,010	\$ 364,249	7%	\$ 4,407,171	\$ 4,340,624	\$ 3,579,389	\$ 4,741,010
Net Revenues Over(Under) Expenditures	\$ -	\$ 626,025						

These numbers are preliminary and are subject to our annual audit.

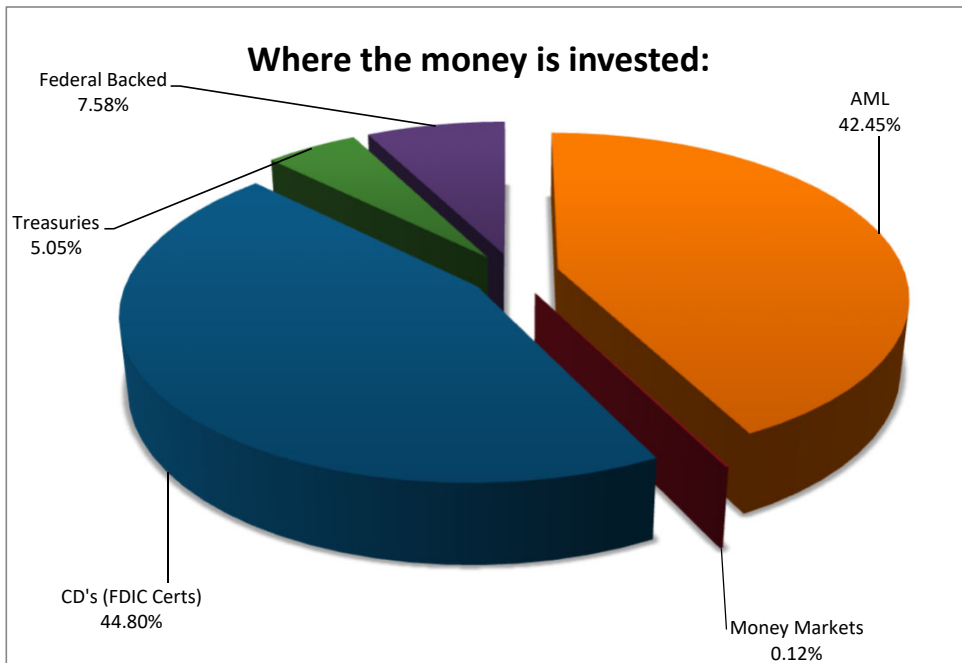
**CITY OF HOMER
Treasurer's Report**

As of:

June 30, 2022

INVESTMENT BY INSTITUTION:	\$ Invested	% Of \$ Invested
Alaska Municipal League	\$ 13,068,024	42%
Pro-Equities	\$ 17,737,263	58%
Total Cash and Investments	\$ 30,805,288	100%

MATURITY OF INVESTMENTS:	AMOUNT	% Of Investment by Maturity Date
1 to 30 Days	7/30/2022 \$ 13,650,851	44%
30 to 120 Days	10/28/2022 \$ 700,918	2%
120 to 180 Days	12/27/2022 \$ -	0%
180 to 365 Days	6/30/2023 \$ 2,594,819	8%
Over 1 Year	\$ 13,858,700	45%
TOTAL	\$ 30,805,288	100%



These investments are made in accordance with the City of Homer's investment policy pursuant to Ordinance 93-14, Chapter 3.10. The balances reported are unaudited.



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 22-141

TO: MAYOR CASTNER AND CITY COUNCIL

FROM: MELISSA JACOBSEN, MMC, CITY CLERK

DATE: AUGUST 17, 2022

SUBJECT: REQUEST FOR EXECUTIVE SESSION PURSUANT TO AS 44.62.310 (A-C)(1 & 5) MATTERS, THE IMMEDIATE KNOWLEDGE OF WHICH WOULD CLEARLY HAVE AN ADVERSE EFFECT UPON THE FINANCES OF THE GOVERNMENT UNIT AND ATTORNEY/CLIENT PRIVILEGE (VAN ZANT ET AL V CITY OF HOMER 3HO-20-00251 CI)

Pursuant to Council's Operating Manual – "Any Councilmember, the Mayor or City Manager may place consideration of an executive session on the agenda..."

City Manager Dumouchel has requested an Executive Session regarding "Van Zant et al vs. City of Homer". This has been publicly and internally noticed since that time.

City Manager Dumouchel, City Attorney Gatti and Attorney Bowman, and Jim Wilkins from AMLJIA will participate.

RECOMMENDATION

Approve the request for Executive Session and conduct immediately.

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

3 City Manager

4 **RESOLUTION 22-063**

5
6 A RESOLUTION OF THE HOMER CITY COUNCIL, SUPPORTING THE
7 KENAI PENINSULA BOROUGH’S APPLICATION FOR A SAFE
8 STREETS AND ROADS FOR ALL (SS4A) ACTION PLAN GRANT AND
9 AUTHORIZING THE CITY OF HOMER TO BE INCLUDED AS A JOINT
10 APPLICANT.

11
12 WHEREAS, The Safe Streets and Roads for All (SS4A) Grant Program, established under
13 the Infrastructure Investment and Jobs Act, funds initiatives that support the Federal
14 Department of Transportation’s goal of zero deaths and serious injuries on our nation’s
15 roadways; and

16
17 WHEREAS, SS4A funds two activities, Safety Action Plans and Implementation Grants
18 that carry out projects and strategies identified in an Action Plan; and

19
20 WHEREAS, Implementation Grants require an applicant to have a qualifying Safety
21 Action Plan in place; and

22
23 WHEREAS, Neither the City of Homer nor the Kenai Peninsula Borough currently have a
24 qualifying Action Plan in place; and

25
26 WHEREAS, Development of an Action Plan will better position the City of Homer and the
27 Kenai Peninsula Borough to pursue Implementation Grants through the SS4A program in
28 future funding cycles, and to pursue other State transportation grant funds; and

29
30 WHEREAS, The guidelines for the SS4A Grant Program encourages joint applications
31 that engage multiple jurisdictions in the same region in order to ensure collaboration and
32 leverage local expertise; and

33
34 WHEREAS, As the regional government, the Kenai Peninsula Borough has agreed to
35 apply as the lead applicant with participating municipalities included as joint applicants for
36 the SS4A Action Plan Grant; and

37
38 WHEREAS, It is in the best interest of the City of Homer to support the KPB’s application
39 and participate as a joint applicant for the SS4A Safety Action Plan Grant.

40
41 NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska hereby
42 supports the Kenai Peninsula Borough’s application for a SS4A Safety Action Plan grant and
43 authorizes the City of Homer to be included as a joint applicant.

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PASSED AND ADOPTED by the Homer City Council this 22nd day of August 2022.

CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

Fiscal Note: Not to exceed \$23,000 anticipated to be in-kind contribution of staff time.



Memorandum 22-140

TO: Mayor Castner and Homer City Council
FROM: Jenny Carroll, Special Projects and Communications Coordinator
THROUGH: Rob Dumouchel, City Manager
DATE: August 16, 2022
SUBJECT: Resolution Supporting a Regional Application to the Federal Safe Streets For All Program to Develop a Kenai Peninsula Borough-wide Safety Action Plan.

- I. **Issue:** Request for City support of the Kenai Peninsula Borough's application for a Safety Action Plan Grant, with the City of Homer included as a joint applicant.
- II. **Background:** The Safe Streets for All (SS4A) is a Federal IIJA grant program focused on roadway safety with the goal of zero deaths and serious injuries on our nation's roadways. Two types of SS4A grants are available: 1) Safety Action Plan Grants; and 2) Implementation Grants.

A Safety Action Plan identifies roadway safety issues and prioritizes strategies, design and development activities to improve roadway safety and eliminate fatalities and injuries for all users, including pedestrians, bicyclists and motorists. SS4A Implementation grants are awarded for the purpose of developing projects and carrying out strategies identified in the Safety Action Plan. Implementation grants require that a community have a Safety Action Plan in place.

Homer does not have a Safety Action Plan that meets the requirements of the SS4A program and there is no Regional Plan. After discussions with Kinney Engineering and the Public Works Director, the scope of the Master Transportation Plan does not include components of a safety action plan.

The SS4A program encourages multi-jurisdictional applications; regional applications are more competitive under the program. As the regional government, the KPB has agreed to apply as the lead applicant, with participating municipalities included as joint applicants. Upon adoption of an Action Plan, the cities and borough would be eligible to apply for SS4A implementation grants in future funding cycles.

If successful, it is anticipated that a memorandum of agreement would be signed between the Borough and municipalities to refine the project scope, cost and timing. The program requires a 20% local match. All participating communities and the KPB would share in the cost share obligation, which can be fulfilled via cash, in-kind or a combination. The City's cost share would not exceed \$23,000, much of which we anticipate could be in-kind contribution of staff time.

The Resolution before you provides the City's support to the Borough to apply for a SS4A Action Plan Grant. Thank you for your consideration.