



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

City of Homer Agenda

City Council Regular Meeting

Monday, August 10, 2020 at 6:00 PM

City Hall Cowles Council Chambers via Zoom Webinar

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

Webinar ID: 205 093 973 Password: 610853

CALL TO ORDER, PLEDGE OF ALLEGIANCE

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

MAYORAL PROCLAMATIONS AND RECOGNITIONS

PUBLIC COMMENT ON MATTERS ALREADY ON THE AGENDA

RECONSIDERATION

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

- a. City Council Unapproved Regular Meeting Minutes of July 27, 2020. City Clerk. Recommend adoption.
- b. Memorandum 20-116 from Mayor Re: Appointment of Katelyn Engebretsen as Student Representative to the Port and Harbor Advisory Commission. Recommend approval.
- c. Ordinance 20-49, An Ordinance of the City Council of Homer, Alaska Amending the Homer City Zoning Map to Rezone 4061 Pennock Street from Urban Residential (UR) Zoning District to Residential Office (RO) Zoning District. Planning Commission. Recommended dates Introduction August 10, 2020, Public Hearing and Second Reading August 24, 2020.

Memorandum 20-117 from City Planner as backup

VISITORS

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

- a. Worksession Report
- b. Committee of the Whole Report

- c. Mayor's Report
- d. Borough Report
- e. Library Advisory Board
- f. Planning Commission
 - [i.](#) Planning Commission Report
- g. Economic Development Advisory Commission
- h. Parks Art Recreation and Culture Advisory Commission
- i. Port and Harbor Advisory Commission
- j. Americans with Disabilities Act Compliance Committee

PUBLIC HEARING(S)

- [a.](#) Ordinance 20-42, An Ordinance of the City Council of Homer, Alaska, Amending the Official Road Maintenance Map of the City of Homer by adding 2515 Lineal Feet (.48 miles) of Urban Road on Ternview Place, Kilokak Lane, and Virginia Lyn Way. City Manager/Public Works Director. Introduction July 27, 2020 Public Hearing and Second Reading August 10, 2020.

Memorandum 20-103 from Public Works Inspector as backup

- [b.](#) Ordinance 20-43, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Section 11.08.090 Driveways, Road Approaches-Property of City, Relating to Driveway Construction Permits. City Manager/Public Works Director. Introduction July 27, 2020 Public Hearing and Second Reading August 10, 2020.

Memorandum 20-104 from Public Works Director as backup

- [c.](#) Ordinance 20-44, An Ordinance of the City Council of Homer, Alaska, Amending the 2020-2021 Operating Budget to Appropriate Funds in the Amount of \$47,080 in the 2020 and \$99,670 in 2021 for a total of \$146,750 from General Fund Fund Balance to Fund Additional Finance Department Personnel.Lord/Aderhold. Introduction July 27, 2020 Public Hearing and Second Reading August 10, 2020

- [d.](#) Ordinance 20-45, An Ordinance of the City Council of Homer, Alaska Appropriating \$4,031,326.50 in CARES Act Funds from the State of Alaska and Providing for Administrative Flexibility in the Management of these Funds. Lord/Aderhold. Introduction July 27, 2020 Public Hearing and Second Reading August 10, 2020

Memorandum 20-110 from Interim City Manager as backup

- [e.](#) Ordinance 20-48, An Ordinance of the City Council of Homer, Alaska Amending the 2020 Operating Budget and Authorizing Expenditure of \$29,100 from the General Fund Fund

Balance to Fund Additional Porta Potties and Hand Wash Stations and Authorizing a Sole Source Contract. City Manager/Public Works Director. Introduction July 27, 2020 Public Hearing and Second Reading August 10, 2020.

Memorandum 20-105 from Public Works Director as backup

ORDINANCE(S)

- [a.](#) Ordinance 20-46, An Ordinance of the City Council of Homer, Alaska Promoting Natural Gas as a Cleaner Heating Fuel and Amending Homer City Code Title 7 Vehicles and Traffic, Chapter 7.16 Operating, Stopping or Parking of Motor Vehicles in Beach Areas Prohibited-Exceptions, by Deleting Section 7.16.020(b). Evensen. Recommended dates: Introduction July 27, 2020, Public Hearing and Second Reading August 10, 2020

Memorandum 20-109 from Interim City Manager as backup

- [b.](#) Ordinance 20-50 An Ordinance of the City Council of Homer, Alaska Appropriating \$60,000 in CARES Act Funds from the State of Alaska for the Homer Chamber of Commerce to Continue Operations during the Pandemic. Evensen/Mayor Recommended dates Introduction August 10, 2020 Public Hearing and Second Reading August 24, 2020

CITY MANAGER'S REPORT

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

PENDING BUSINESS

- [a.](#) Resolution 20-071, A Resolution of the City Council of Homer, Alaska Establishing the Nonprofit Economic Relief Grant Program (NERG), Household Economic Relief Grant Program (HERG), Social Services Economic Relief Grant Program (SOSERG), And Childcare Business Economic Relief Grant Program (CBERG) in Response to the Economic Downfall Caused by Measures taken to Assure Public Safety in the Face of the Covid-19 Pandemic. Lord/Aderhold/Venuti.

Memorandum 20-111 from Interim City Manager as backup

NEW BUSINESS

RESOLUTIONS

COMMENTS OF THE AUDIENCE

COMMENTS OF THE CITY ATTORNEY

COMMENTS OF THE CITY CLERK

COMMENTS OF THE CITY MANAGER

COMMENTS OF THE MAYOR

COMMENTS OF THE CITY COUNCIL

ADJOURNMENT

Next Regular Meeting is Monday, August 24, 2020 at 6:00 p.m., Committee of the Whole at 5:00 p.m. All meetings scheduled to be held virtually from the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

Session 20-24 a Regular Meeting of the Homer City Council was called to order on July 27, 2020 by Mayor Ken Castner at 6:00 p.m. at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska, and opened with the Pledge of Allegiance.

PRESENT: COUNCILMEMBERS: ADERHOLD, HANSEN-CAVASOS, LORD, SMITH,
VENUTI

ABSENT: EVENSEN (excused)

STAFF: ACTING CITY MANAGER ABBOUD
CITY CLERK JACOBSEN
FINANCE DIRECTOR WALTON
CITY ATTORNEY GATTI

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

The following changes were made: **Consent agenda:** Correct Ordinance 20-48 title to read An Ordinance of the City Council of Homer, Alaska Amending the 2020 Operating Budget and Authorizing expenditure of \$29,100 from the General Fund Fund Balance to Fund additional porta potties and handwash stations at and authorizing a sole source contract. **Visitors** Prince William Sound Regional Citizens Advisory Council (PWSRCAC) Report, Written PWSRCAC Briefing **City Manager's Report** June General Fund Monthly Report and Memorandum 20-115 from Interim City Manager Re: Follow-Up to Resolution 20-061; **New Business** Memorandum 20-108 from City Clerk Re: Vacation of the 10 foot wide drainage easement on Lot 24-A, AA Mattox Peggi's Addition Granted by Peggi's Addition (Plat HM 99-64); within Section 17, Township 6 South, Range 13 West, Seward Meridian, Alaska within the Kenai Peninsula Borough, Written public comments, **Resolutions** Resolution 20-072, A Resolution of the City Council of Homer, Alaska Approving a Policy to Establish Campground Host Stipends as a Proactive Step to Incentivize Campground Hosts for City Owned Campgrounds in an amount not to exceed \$100 per Week. City Manager/Public Works Director. Written public comment.

LORD/VENUTI MOVED TO APPROVE THE AGENDA AS AMENDED.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

MAYORAL PROCLAMATIONS AND RECOGNITIONS

Mayor Castner congratulated Councilmember Venuti for being acknowledged by the College for her work as the Learning Resource Coordinator and writing tutor at the Kachemak Bay

Campus of the Kenai Peninsula College and as Advisor to the Kenai Peninsula College Student Association.

PUBLIC COMMENT ON MATTERS ALREADY ON THE AGENDA

AnnaLisa Cox, city resident, requested the Council grant consent to the vacation of the utility drainage easement on Lot 24-A, AA Mattox Peggi's Addition. She cited HCC 18.12.0609(b) and references to KBP Code regarding this matter and provided historical information on the drainage easement.

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. City Council Unapproved Regular Meeting Minutes of June 22, 2020 and Special Meeting Minutes of July 1 and July 14, 2020. City Clerk. Recommend adoption.
- b. Memorandum 20-101 from Deputy City Clerk Re: Approval of New Liquor License for Homer Spit Oyster Bar. Recommend approval.
- c. Memorandum 20-102 from Deputy City Clerk Re: Retail Marijuana License Renewal for Uncle Herb's. Recommend approval.
- d. Ordinance 20-42, An Ordinance of the City Council of Homer, Alaska Amending the Official Road Maintenance Map of the City of Homer by adding 2515 Lineal Feet (.48 miles) of Urban Road on Ternview Place, Kilokak Lane, and Virginia Lyn Way. City Manager/Public Works Director. Recommended dates: Introduction July 27, 2020, Public Hearing and Second Reading August 10, 2020

Memorandum 20-103 from Public Works Inspector as backup

- e. Ordinance 20-43, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Section 11.08.090 Driveways, Road Approaches-Property of City, Relating to Driveway Construction Permits. City Manager/Public Works Director. Recommended dates: Introduction July 27, 2020, Public Hearing and Second Reading August 10, 2020

Memorandum 20-104 from Public Works Director as backup

- f. Ordinance 20-44, An Ordinance of the City Council of Homer, Alaska Amending the 2020-2021 Operating Budget to Appropriate Funds in the Amount of \$47, 080 in the 2020 and \$99,670 in 2021 for a total of \$146,750 from General Fund Fund Balance to Fund

Additional Finance Department Personnel.Lord/Aderhold. Recommended dates: Introduction July 27, 2020, Public Hearing and Second Reading August 10, 2020

- g. Ordinance 20-48, An Ordinance of the City Council of Homer, Alaska Amending the 2020 Operating Budget and Authorizing expenditure of \$29,100 from the General Fund Fund Balance to Fund additional porta potties and handwash stations at and authorizing a sole source contract. City Manager/Public Works Director. Recommended dates: Introduction July 27, 2020, Public Hearing and Second Reading August 10, 2020.

Memorandum 20-105 from Public Works Director as backup

- h. Resolution 20-065, A Resolution of the City Council of Homer, Alaska Amending the Homer Fee Schedule under Library Fees to Eliminate Late Fees and Increase the Lost or Damaged Item Processing Fee. Venuti. Recommend adoption.

Memorandum 20-106 from Library Director as backup

- i. Resolution 20-066, A Resolution of the City Council of Homer, Alaska Authorizing the City to Apply for the Municipal Arts & Culture Matching Grant Program, a Partnership between Municipal Governments and Rasmuson Foundation. Aderhold/Lord. Recommend adoption.

- j. Resolution 20-067, A Resolution of the City Council of Homer, Alaska Approving and Accepting the Donation from Shell Perretta of Wethersfield, Connecticut, for a Park Bench to be placed on the Homer Spit in Memory and Fulfillment of her Mother's Last Wishes. Venuti/Hansen-Cavasos. Recommend adoption.

Memorandum 20-107 from PARCAC as backup

- k. Resolution 20-068, A Resolution of the City Council of Homer, Alaska Stating the Critical Importance, and Supporting the Recertification, of the Cook Inlet Regional Citizens Advisory Council (Cook Inlet RCAC). Mayor. Recommend adoption.

- l. Resolution 20-069, A Resolution of the City Council of Homer, Alaska Extending the City of Homer Disaster Emergency Declaration to October 27, 2020 due to the Current and Expected Impacts of the COVID-19 Novel Coronavirus Pandemic. Mayor. Recommend adoption.

City Clerk Jacobsen read the consent agenda and its recommendations.

LORD/ADERHOLD MOVED TO ADOPT THE RECOMMENDATIONS OF THE CONSENT AGENDA.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

VISITORS

- a. Prince William Sound Regional Citizens Advisory Council (PWSRCAC) Report - Robert Archibald (10 minutes)

Robert Archibald reported on the PWSRCAC concern of steady and ongoing deterioration of federal and state oil spill response oversight resources. He addressed federal rollbacks including budget cuts and reduced staffing at key oversight agencies. Alaska Department of Environmental Conservation has announced they state would largely suspend oversight and enforcement activities during the current public health emergency. PWSRCAC recognizes the need to scale back some activities but the actions need to be measured and temporary so protections remain strong and the risk of a major oil spill is not increased. Mr. Archibald also addressed impacts of staffing reductions at Alyeska Pipeline Service Company and concerns with BP's sale of Alaska assets to Hilcorp and Harvest Alaska LLC and reduction in safety, prevention, and response readiness.

Mr. Archibald added PWSRCAC staff is working not only on the pressing issues he's covered, they continue work on studies, research and reviews being done, and other items including in the briefing sheet he provided to Council.

- b. Homer Steps Up Walking Challenge Results - Derotha Ferraro, South Peninsula Hospital Director of Public Relations & Marketing (5 minutes)

Derotha Ferraro, South Peninsula Hospital Director of Public Relations & Marketing, reported on the results of the Home Steps Up walking challenge.

- c. Unified Command Report (20 minutes) Derotha reviewed SPH testing numbers and reported on SPH status.

Derotha Ferraro, South Peninsula Hospital PIO, provided a hospital update, testing numbers are posted daily at www.sphosp.org. Currently we're at 5987 total tests, 100 positive, 5779 negative, and 108 pending. Hours for testing at the hospital have changed to 10:00 am to 8:00 p.m. daily at the main entrance parking lot, call 235-0235 to pre-register. Since the last report in June their employee cases total to 10 out of 480 employees, the cases are not associated with each other and don't appear to be from occupational exposure. Lessons learned from the cases continues to be the value of masking at all times when with others. Hospital representatives are attending statewide planning sessions for the rollout of vaccinations which are expected within 6 months.

Lorne Carroll, Public Health Nurse III for the State of Alaska, reported on updates counts. Globally there are 16.4 million cases, 58% of those reported cases have recovered so far, and 625,000 deaths, roughly double of the 2009 pandemic of H1N1. In the US we're at 4.3 million

reported cases, roughly 1/3 have recovered, and 144,000 reported deaths. In Alaska 2622 reported cases, roughly 1/3 recovered, 116 hospitalizations, 21 deaths. Non-residents who have tested positive in Alaska are 584. Reported cases on the southern peninsula include Anchor Point there 9 cases, Fritz Creek 3 cases, KPB other south 31 case, Homer 52 cases. He reviewed the increased short and long term non-permanent staffing to assist with work in contact tracing and index case interviews. Regarding epidemiological scenarios, he explained in terms of transmission if one host transmits on average to less than one other host, the pandemic will stall out. If each host transmits the virus to just one person the virus will persist. If each host transmits to over one person, the pandemic keeps going. This is in the absence of vaccination availability.

Rachel Tussey, City of Homer PIO, reported July 4th saw a lot of visitors in Homer and more instances of people practicing mitigation efforts than over Memorial Day weekend and less of a spike in cases, which is a sign our collective efforts as a community are paying off. It's important that we keep up this work and everyone's efforts are appreciated. The EOC is working in maintenance mode, attending meetings with state and local partners, tracking and managing records for FEMA, handling CARES funding, keeping up with messaging, and finding ways to communicate with the public. The State of Alaska put an order in to the Federal Government for 1 million plain face masks that was approved and shipments are being delivered to communities that put a resource request in with the State. Homer's request came in at the beginning of last week, the fire department washed and bagged 500 masks and distribute them to Homer Saw and Cycle, Skiff Chicks, and Scott's Pharmacy so those who need a mask can pick one up. Another shipment of masks from the State that have the big dipper printed are scheduled to come in as part of the Mask up Alaska campaign. She reported on messaging efforts to address misinformation and stigmatism on how people can access the latest information from DHSS and wearing face masks, helping Parks and Recreation, Harbor signage needs, advertising the SBERG program, and voting in a COVID safe way.

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

a. Worksession Report

Councilmember Lord reported Council briefly talked about water and sewer rates, posed questions to staff, and will discuss it further on August 10th. They discussed CARES Act funding and Resolution 20-071 with proposed policy for four new grant programs with the City CARES Act dollars. The programs are Household Economic Relief, Nonprofit Economic Relief, Social Services Economic Relief, and Child Care Economic Relief Grants.

b. Committee of the Whole Report

Councilmember Lord reported they continued discussion on the grant programs Resolution 20-071 that has been suggested to be postponed to August 10th. They also discussed Ordinance 20-45 being introduced that proposes allocations for the remaining CARES Act funding that will be up for second reading on August 10th. The Kenai Peninsula Borough Assistant Attorney

attended to talk about the utility easement vacation on tonight's agenda. He noted at the first meeting in August the Borough will be taking up Ordinance 2020-36 which will make changes to Borough code regarding utility easements and vacations. They also heard an update on the Seawall Special Assessment neighborhood meeting that happened last week.

c. Mayor's Report

i. Community Letter Re: Alaska Marine Highway Reshaping Work Group

Mayor Castner commented regarding the Alaska Marine Highway Reshaping Work Group that will be working to address the future of the marine highway system and what it looks like for coastal communities. They'll begin meeting on August 6th.

He attended the opening of the SetFree Alaska facility. It was well attended, it's a very nice building and location, and they're waiting for Fire Marshall Inspection to open.

Mayor Castner shared that last Wednesday the Governor had a teleconference with the five Mayors on the Kenai Peninsula. He was proud of the Mayors from the City's for all speaking with one voice on the Governor's forcing us to make the decisions which we don't believe we have the staff or the power to do. They also addressed there's no point in one city requiring masks if it's not a borough wide effort. The Governor believes the cities have the power to make those requirements. Governor Dunleavy spoke directly with the Mayor on Friday regarding the letter from the Council. Concerning the part where they asked for assistance, the Governor said anyone who works for him can help the city work through a specific plan. Concerning a state-wide masking effort, he's not doing it. His primary reasoning is he feels the State Constitution provides for maximum local government decision making, and a vast majority of the towns don't have the virus and he doesn't want to impose masking in those places. Today there was another call with the Peninsula Mayors and the Attorney General (AG) has found pieces and parts in Alaska statutes that suggest a theory on why the City of Homer can impose a masking resolution if they chose to.

City Attorney Gatti commented regarding the AG's opinion regarding municipalities ability to enforce mask mandates locally and that his team will be working on a legal analysis of the situation.

d. Borough Report

e. Library Advisory Board

i. Library Advisory Board Report

Library Advisory Board Chair Marcia Kuszmaul reviewed the Library Advisory Board report in the packet.

- f. Planning Commission
 - i. Planning Commission Report
- g. Economic Development Advisory Commission
- h. Parks Art Recreation and Culture Advisory Commission
- i. Port and Harbor Advisory Commission
- j. Americans with Disabilities Act Compliance Committee

PUBLIC HEARING(S)

- a. Ordinance 20-28, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.60.060(c) Signs on Private Property, Tables 1, 2, and 3. Planning Commission. Introduction June 22, 2020. Public Hearing and Second Reading July 27, 2020.

Memorandum 20-081 from Acting City Manager as backup

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

LORD/VENUTI MOVED TO ADOPT ORDINANCE 20-28 BY READING OF TITLE ONLY.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

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

Memorandum 20-082 from Acting City Manager as backup.

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

LORD/ADERHOLD MOVED TO ADOPT ORDINANCE 20-29 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

- c. Ordinance 20-30, An Ordinance of the City Council of Homer, Alaska, Amending the 2020 Operating Budget and Authorizing Expenditure of Design Funds for the Seawall Armor Rock Installation Project. Aderhold/City Manager.

Introduction June 22, 2020. Public Hearing and Second Reading July 27, 2020.

Memorandum 20-083 from City Engineer as backup

Memorandum 20-072 from City Engineer as backup

Memorandum 20-073 from City Engineer as backup

Mayor Castner opened the public hearing.

Larry Slone, city resident, commented in support of Ordinance 20-30. He listened to the audio of the Seawall Improvement Special Assessment District neighborhood meeting and learned about the need for this project and the time sensitive issues.

There were no further comments and the hearing was closed.

LORD/ADERHOLD MOVED TO ADOPT ORDINANCE 20-30 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

There were comments supporting the need for this and clarifying the funding. 88% of the funding is coming from the Seawall Special Service fund, the maintenance fund for the seawall that property owners pay into and 12% from the City's seawall maintenance fund as a property owner along the wall. Part of the ordinance stipulates that the actual construction of the wall improvements would be contingent on the formation of the special assessment district. There are a lot of concerns about this special assessment district going forward and expending funds we'll no longer have for maintenance. This is a must do project and we need to figure out how to work with property owners to make this happen.

Councilmember Aderhold noted the ordinance was drafted after a property owner had initiated the special assessment district, but that has changed to a Council initiated district as an effort to save some time.

ADERHOLD/LORD MOVED TO AMEND LINE 24 TO STRIKE A PROPERTY OWNER IN THE OCEAN DRIVE LOOP SPECIAL SERVICE DISTRICT SEAWALL, AND INSERT THE HOMER CITY COUNCIL.

There was no discussion.

VOTE (amendment): NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

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

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

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

Memorandum 20-084 from Public Works Director as backup

Ordinance 20-31(S), An Ordinance of the City Council of Homer, Alaska, Amending the 2020-2021 Operating **Capital** Budget and Authorizing Expenditure of \$90,000 from the HART-Roads Fund to update the City's 1979 Drainage Management Plan. City Manager/Public Works Director.

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

LORD/VENUTI MOVED TO ADOPT ORDINANCE 20-31 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

LORD/ADERHOLD MOVED TO SUBSTITUTE ORDINANCE 20-31(S) FOR 20-31.

Councilmember Lord appreciates the addition of language acknowledging the Storm Water Master Plan within our capital projects list and the work done through the DEC Storm Water Grant received last year.

VOTE (substitution): NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

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

VOTE (main motion): NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

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

Memorandum 20-085 from Public Works Director as backup

Mayor Castner opened the public hearing.

Robert Archibald, city resident, commented the Parks Art Recreation and Culture Advisory Commission has discussed that the Main Street sidewalk is probably the most important sidewalk project to move forward with. He supports it personally as well.

There were no further comments and the hearing was closed.

LORD/VENUTI MOVED TO ADOPT ORDINANCE 20-32 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

Councilmember Venuti commented in support of the ordinance and shared about the recent Girl Scout Citizenship Badge project where several of the Scouts were familiar with and talked about the need for a sidewalk on Main Street so it will be safer for people walking.

Councilmember Lord thanked Public Works for bringing this forward and noted it's only on the City owned portion from Pioneer Avenue going north on Main Street.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

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

Memorandum 20-086 from Public Works Director as backup

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

LORD/ADERHOLD MOVED TO ADOPT ORDINANCE 20-33 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

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

Memorandum 20-087 from Public Works Director as backup

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

LORD/VENUTI MOVED TO ADOPT ORDINANCE 20-34 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

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

Memorandum 20-088 from Public Works Director as backup

Ordinance 20-35(S), An Ordinance of the City Council of Homer, Alaska, Amending the 2020-2021 Operating **Capital** Budget and Authorizing Expenditure of \$95,000 for the Planning, Design, and Permitting for the City of Homer Fuel Island Replacement Project. City Manager/Public Works Director.

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

LORD/ADERHOLD MOVED TO ADOPT ORDINANCE 20-35 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

LORD/VENUTI MOVED TO SUBSTITUTE ORDINANCE 20-35(S) FOR 20-35.

Councilmember Lord noted the title on the agenda for the substitute ordinance is incorrect. She clarified for the record that the substitute ordinance in the packet authorizes \$81,000 from the HART Road Fund and \$99,000 from CARMA Reserves to complete this project.

VOTE (substitution): NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

Councilmember Smith confirmed with Public Works Director Keiser that the updated cost estimate will complete the project.

VOTE (main motion): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

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

Memorandum 20-089 from Public Works Director as backup

Ordinance 20-36(S), an Ordinance of the City Council of Homer, Alaska, Amending the 2020-~~2021~~ Operating **Capital** Budget and Authorizing Expenditure of \$36,000 from the HART-Trails Fund for the Small Works Trails Maintenance Program and calling for the development of a Trails Program, to include a Trails Financial Plan. City Manager/Public Works Director.

Mayor Castner opened the public hearing.

Robert Archibald, city resident, comment the Parks Art Recreation and Culture Advisory Commission and the community are interested in trails. This is a great step in the right direction.

There were no further comments and the hearing was closed.

LORD/ADERHOLD MOVED TO ADOPT ORDINANCE 20-36 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

LORD/VENUTI MOVED TO SUBSTITUTE ORDINANCE 20-36(S) FOR 20-36

There was no discussion.

VOTE (substitute): NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

There was no discussion on the main motion.

VOTE (main motion): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- j. Ordinance 20-37, an Ordinance of the City Council of Homer, Alaska Extending the Moratorium on Applications for Professional Offices and Medical Clinics in the Residential Office District and Directing the Planning Commission to Make a Recommendation to the City Council for the Creation of a Medical District in the Vicinity of the South Peninsula Hospital that was established in Ordinance 19-49(S)(A) to September 15, 2020. Smith. Introduction June 22, 2020. Public Hearing and Second Reading July 27, 2020.

Public Works Director.

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

LORD/ADERHOLD MOVED TO ADOPT ORDINANCE 20-37 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

Rachel/heath no discussion UC

- k. Ordinance 20-39(A), An Ordinance by the City Council of Homer, Alaska, ~~Amending the FY 2020 Capital Budget to appropriate~~ **Appropriating** \$20,680 to Support the Additional Assistance Provided by Alaska Municipal League during the COVID 19 Public Health Emergency **from the City's COVID-19 Fund**. Mayor. Introduction June 22, 2020, Public Hearing and Second Reading July 20, 2020.

Memorandum 20-093 from Mayor as backup

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

LORD/ADERHOLD MOVED TO ADOPT ORDINANCE 20-39(A) BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

There was brief discussion with Finance Director Walton regarding the appropriate verbiage for the revenue and expense information in the ordinance.

LORD/ADERHOLD MOVED TO AMEND LINES 10 TO ADD CITY CARES ACT MONEY COVID-19 FUND AND 29 LINE 29 TO READ APPROPRIATION FROM CITY OF HOMER CARES ACT COVID-19 FUND.

VOTE (amendment): NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

Councilmember Lord noted this appropriation is also addressed in Ordinance 20-45 and want's to ensure it isn't allocated twice.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Mayor Castner called for a recess at 8:09 p.m. and resumed the meeting at 8:21 p.m.

ORDINANCE(S)

- a. Ordinance 20-45, An Ordinance of the City Council of Homer, Alaska Appropriating \$4,031,326.50 in CARES Act Funds from the State of Alaska and Providing for Administrative Flexibility in the Management of these Funds. Lord/Aderhold. Recommended dates: Introduction July 27, 2020 Public Hearing and Second Reading August 10, 2020

Memorandum 20-110 from Interim City Manager as backup

LORD/ADERHOLD MOVED TO INTRODUCE ORDINANCE 20-45 BY READING OF TITLE ONLY.

Councilmember Lord noted Council discussed this in conjunction with Resolution 20-071 at the worksession and committee of the whole. This ordinance includes starting numbers and she and Councilmember Aderhold look forward to feedback from Council on how the body would like to see funds appropriated.

Mayor Castner supplemented that the City is getting approximately \$7.8 million in CARES Act money. The purpose of the money is fairly discretionary but has to be to correct losses or harm the pandemic has caused to the community. Council is working to find ways to get the money into the community and use it through a variety of means and methods. This includes services

and expenses that have been taken on in reaction to the pandemic, and also to assist businesses, individuals, and nonprofit entities.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- b. Ordinance 20-46, An Ordinance of the City Council of Homer, Alaska Promoting Natural Gas as a Cleaner Heating Fuel and Amending Homer City Code Title 7 Vehicles and Traffic, Chapter 7.16 Operating, Stopping or Parking of Motor Vehicles in Beach Areas Prohibited-Exceptions, by Deleting Section 7.16.020(b). Evensen. Recommended dates: Introduction July 27, 2020, Public Hearing and Second Reading August 10, 2020

Memorandum 20-109 from Interim City Manager as backup

LORD/VENUTI MOVED TO POSTPONE ORDINANCE 20-46 TO AUGUST 10TH.

It was noted this is being postponed because the sponsor is absent tonight.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- c. Ordinance 20-47, An Emergency Ordinance of the City Council of Homer, Alaska Authorizing Additional Expenditures in the Amount of \$357,579 for Expenses Related to COVID-19 for Personnel Costs and Material and Service Costs.

Memorandum 20-113 from Interim City Manager as backup

Memorandum 20-114 from Interim City Manager as backup

ADERHOLD/LORD MOVED TO ADOPT ORDINANCE 20-47 BY READING OF TITLE ONLY.

Councilmember Lord hopes with the appropriations in Ordinance 20-45 that they can get away from the emergency ordinances.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

CITY MANAGER'S REPORT

Interim City Manager Abboud and Councilmembers discussed the City of Homer Road Assessment Report – Summer 2020, status of the new City Manager contract, the SBERG report and challenges, and the Water Department's receiving the Ursa Major status in Water System Excellence for 2019.

PENDING BUSINESS

NEW BUSINESS

- a. Memorandum 20-108 from City Clerk Re: Vacation of the 10 foot wide drainage easement on Lot 24-A, AA Mattox Peggi's Addition Granted by Peggi's Addition (Plat HM 99-64); within Section 17, Township 6 South, Range 13 West, Seward Meridian, Alaska within the Kenai Peninsula Borough.

LORD/VENUTI MOVED TO APPROVE THE RECOMMENDATION OF MEMORANDUM 20-108 THAT READS NO ACTION IS NECESSARY FROM CITY COUNCIL IN ACCORDANCE WITH AS 29.40.140 RELATED TO A DRAINAGE EASEMENT AND THIS HAS ALREADY BEEN CONSIDERED PER KBP 20.70.110.

Councilmember Aderhold requested input from the City Attorney.

City Attorney Gatti commented there are code sections that deal with vacations of an easement such as this and Council can consent to this and in a period of time you don't that substitutes for consent. This is a Kenai Peninsula Borough issue and they've been mitigating it in a quasi-judicial proceeding. It doesn't seem that the City has anything further to add to this and has spoken to it already.

There was brief comment confirming this is related to a drainage easement.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

RESOLUTIONS

- a. Resolution 20-070, A Resolution of the City Council of Homer, Alaska Amending the Small Business Economic Recovery Grant (SBERG) Program to Clarify Eligibility Requirements Related to Business Operation with the City of Homer as it Relates to Sales Tax Collection with the Kenai Peninsula Borough and Establishing an Appeals Process. Lord/Aderhold.

LORD/ADERHOLD MOVED TO ADOPT RESOLUTION 20-070 BY READING OF TITLE ONLY.

Councilmember Lord commented this provides flexibility for staff and the ability for businesses to appeal a decision.

Mayor Castner added this is a liberalization of the ordinance and they're trying to reach as many businesses as possible that qualify.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- b. Resolution 20-071, A Resolution of the City Council of Homer, Alaska Establishing the Nonprofit Economic Relief Grant Program (NERG), Household Economic Relief Grant Program (HERG), Social Services Economic Relief Grant Program (SOSERG), And Childcare Business Economic Relief Grant Program (CBERG) in Response to the Economic Downfall Caused by Measures taken to Assure Public Safety in the Face of the Covid-19 Pandemic. Lord/Aderhold/Venuti.

Memorandum 20-111 from Interim City Manager as backup

LORD/ADERHOLD MOVED TO ADOPT RESOLUTION 20-071 BY READING OF TITLE ONLY.

Councilmember Aderhold reviewed the propose programs, noting the Social Services program includes several services and it's been suggested to include medical, and she'd like feedback from Council regarding that.

Councilmember Lord noted an organization would have to qualify for either the non-profit or small business grant program and if they provide services to the community within this definition they'd be eligible for an additional \$2500.

Councilmember Smith thinks if there is money left for a second round, he'd be willing to entertain including medical, but not the first go round.

Councilmember Lord requested if Councilmembers have additional feedback for the sponsors to address to submit it to the Clerk's office, then they can work on compiling the feedback for their next meeting.

LORD/ADERHOLD MOVED TO POSTPONE TO AUGUST 10TH

VOTE (postponement): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- c. Resolution 20-072, A Resolution of the City Council of Homer, Alaska Approving a Policy to Establish Campground Host Stipends as a Proactive Step to Incentivize Campground Hosts for City Owned Campgrounds in an amount not to exceed \$100 per Week. City Manager/Public Works Director.

Memorandum 20-112 from Public Works Director as backup

LORD/ADERHOLD MOVED TO ADOPT RESOLUTION 20-072 BY READING OF TITLE ONLY.

Councilmember Smith noted this is described as a proactive step which suggests to him that there isn't a problem currently. He's unable to support this unless it's really needed. He doesn't

see COVID as a rationale to institute something that ticks up the dollar amount we spend every year.

Councilmember Lord noted the public comment provided in the supplemental packet and that this would be a policy so it's not only for this years. She acknowledged the challenges of being a camp host right now, and the camp grounds are generating a decent amount of money. This seems reasonable to her.

Councilmember Venuti noted the job description for the camp host and supports the idea of paying them. She feels they'd get more responsible people serving in the role and doing the work required of them.

Councilmember Aderhold also noted the public comment about providing free utility hook ups, but City camp grounds don't have those services available. She thinks \$100 per week isn't a lot of money for the work the hosts do, so she's willing to support it.

Councilmember Smith commented people who serve as camp hosts do it because they enjoy the opportunity and they know what it entails. They get a free camping spot and the enjoyment of interacting with the people. He understands its only \$8100, but he doesn't like the retroactive part when it's talked about as a proactive step.

Councilmember Lord commented that in looking at the memo in the packet, the proactive part is the appreciation of the time being given by the camp hosts. We're getting hundreds of hours of free labor from these people. There is benefit to doing something because you love it, but having a few extra dollars a day to spend is really nice, and this is something we can do within Parks budget with the revenues being generated from the camp grounds.

Mayor Castner noted these can't be construed as wages and he hopes they might sunset this at the end of the season and look at it again next year.

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

Motion carried.

COMMENTS OF THE AUDIENCE

City Attorney Gatti had no comments.

COMMENTS OF THE CITY CLERK

City Clerk Jacobsen commented regarding absentee voting for the State Primary Election and the Candidacy Filing Period for Mayor and two Councilmembers.

COMMENTS OF THE CITY MANAGER

COMMENTS OF THE MAYOR

Mayor Castner commented the virus is still out there and encouraged the community to take precautions to protect yourself.

COMMENTS OF THE CITY COUNCIL

Councilmember Aderhold shared her appreciation for Council's good job this evening. She also shared her appreciation for staff's work during COVID, Interim City Manager Abboud, and Public Works Director for their work. The City is moving on quite a few things.

Councilmember Lord echoed the thanks to staff and to the City Clerk's office for their work getting the packet and materials out. She thanked the teachers, principals, and the School Board and touched on their efforts for the upcoming school year; and congratulated SetFree Alaska for getting their work down here in the Southern Peninsula. She encouraged the community to be kind and non-violent in disagreements especially with the mask situation where people are being abused, yelled at, and threatened. Remember Green Dot and try to help diffuse or distract when these situations are happening. She acknowledged Councilmember Venuti's recognition from the college and shared that she's also an amazing baker.

Councilmember Venuti thanked staff for their work in getting the packet together, it was well done. She encouraged the community to contact Councilmembers and provide feedback about the CARES Act Economic Relief Grant programs from the City that were introduced tonight. She noted he Kachemak Bay Campus is registering students for classes, and appreciated the Mayors comments that masks make a differences. She announced she intends to file to run for another term on Council.

Councilmember Hansen-Cavasos is thankful for promoting masks, they do help in reducing the spread of the virus, and also encouraged people to be kind about the requirements a local businesses because it's important.

Councilmember Smith acknowledged Interim City Manager Abboud for his work, he's doing an admirable job. He encourage everyone to take advantage of the beautiful weather and shared about a weekend softball tournament.

Mayor Castner added a thank you to the Clerk's Office for their help with some research they helped him with during the packet preparation.

ADJOURN

There being no further business to come before the Council Mayor Castner adjourned the meeting at 9:19 p.m. The next Regular Meeting is Monday, August 10, 2020 at 6:00 p.m., Worksession at 4:00 p.m. and Committee of the Whole at 5:00 p.m. All meetings scheduled to

be held virtually from the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

Melissa Jacobsen, MMC, City Clerk

Approved: _____



City of Homer

www.cityofhomer-ak.gov

Office of the Mayor

491 East Pioneer Avenue
Homer, Alaska 99603

mayor@ci.homer.ak.us

(p) 907-235-3130

(f) 907-235-3143

Memorandum 20-116

TO: HOMER CITY COUNCIL
FROM: KEN CASTNER, MAYOR
DATE: AUGUST 5, 2020
SUBJECT: APPOINTMENT OF STUDENT REPRESENTATIVE TO THE PORT AND HARBOR
ADVISORY COMMISSION

Katelyn Engebretsen is appointed to serve as the Student Representative on the Port and Harbor Advisory Commission.

Recommendation: Confirm the appointment of Katelyn Engebretsen to the Port and Harbor Advisory Commission.



CITY OF HOMER
APPLICATION TO SERVE ON ADVISORY BODY
COMMISSION, BOARD, COMMITTEE, TASK FORCE

AUG 03 2020 AM 10:48 *pk*
CITY CLERK'S OFFICE
CITY OF HOMER
491 E. PIONEER AVE
HOMER, AK 99603
PH. 907-235-3130
FAX 907-235-3143
clerk@cityofhomer-ak.gov

The information below provides some basic background for the Mayor and Council
This information is public and will be included in the Council Information packet

Name: Katelyn Engebretsen Date: 8/3/2020

Physical Address: [REDACTED]

Mailing Address: [REDACTED]

Phone #: [REDACTED] Work #: _____

Email Address: [REDACTED]

The above information will be published in the City Directory and within the city web pages if you are appointed by the Mayor and your appointment is confirmed by the City Council

Please indicate the advisory body that you are interested in serving on by marking with an X.
You may select more than one.

<input type="checkbox"/> ADVISORY PLANNING COMMISSION 1ST & 3RD WEDNESDAY OF THE MONTH AT 6:30 PM WORKSESSION PRIOR TO EACH MEETING AT 5:30 PM	<input type="checkbox"/> ECONOMIC DEVELOPMENT ADVISORY COMMISSION 2ND TUESDAY OF THE MONTH AT 6:00 PM
<input type="checkbox"/> PARKS ART RECREATION & CULTURE ADVISORY COMMISSION 3RD THURSDAY OF THE MONTH AT 5:30 PM NO MEETINGS IN JANUARY, JULY & DECEMBER	<input type="checkbox"/> CITY COUNCIL 2ND & 4TH MONDAY OF THE MONTH SPECIAL MEETINGS & WORKSESSIONS AT 4:00 PM COMMITTEE OF THE WHOLE AT 5:00 PM REGULAR MEETING AT 6:00 PM
<input checked="" type="checkbox"/> PORT & HARBOR ADVISORY COMMISSION 4th WEDNESDAY OF THE MONTH OCT-APRIL AT 5:00 PM MAY - SEPT AT 6:00 PM	<input type="checkbox"/> LIBRARY ADVISORY BOARD 1ST TUESDAY OF THE MONTH AT 5:30 PM NO MEETINGS IN JANUARY, JUNE AND JULY
<input type="checkbox"/>	<input type="checkbox"/> OTHER - PLEASE INDICATE _____
<input type="checkbox"/>	

I have been a resident of the city for 15 years. I have been a resident of the area for 15 years.
I am presently employed at Coldwater AK

Please list any special training, education or background you may have which is related to your choice of advisory body.

I have worked at Coldwater AK (a water taxi in Homer) for two years, making bookings and planning out trips into the state park using tide charts and maps, as well as keeping track of captains.

Have you ever served on a similar advisory body? If so please list when, where and how long:

I have not.

Why are you interested in serving on the selected advisory body?

It sounds like an interesting way to serve my community while also sorta understanding what people are talking about.

Please list any current memberships or organizations you belong to related to your selection(s):

Please answer the following only if you are applying for the Advisory Planning Commission:
Have you ever developed real property other than a personal residence, if so briefly explain:

Please answer if your are applying for the Port & Harbor Advisory Commission:
Do you use the Homer Port and/or Harbor on a regular basis?

Yes No What is your primary use? Commercial Recreational

Please include any additional information that may assist the Mayor in his/her decision making:

Kathy Ulmer suggested this commission as a good way to serve my community.

When you have completed the application please review and return to the City Clerk's Office. You may also email this to clerk@cityofhomer-ak.gov or fax 27 07-235-3143. Thank you for applying!

ORDINANCE REFERENCE SHEET
2020 ORDINANCE
ORDINANCE 20-49

An Ordinance of the City Council of Homer, Alaska Amending the Homer City Zoning Map to Rezone 4061 Pennock Street from Urban Residential (UR) Zoning District to Residential Office (RO) Zoning District.

Sponsor: Planning Commission

1. City Council Regular Meeting August 10, 2020 Introduction
 - a. Memorandum 20-115 from Interim City Manager as backup

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

3 Planning Commission

4 **ORDINANCE 20-49**

5
6 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HOMER,
7 ALASKA, AMENDING THE HOMER CITY ZONING MAP TO REZONE
8 4061 PENNOCK STREET FROM URBAN RESIDENTIAL (UR) ZONING
9 DISTRICT TO RESIDENTIAL OFFICE (RO) ZONING DISTRICT
10

11 WHEREAS, Jason Weisser, land owner, filed a petition application seeking to amend the
12 zoning map to rezone 4061 Pennock Street in Homer, Alaska, Legal Description T 6S R 13W SEC
13 20 SEWARD MERIDIAN HM 0003995 A A MATTOX SUB 1958 ADDN 2 LOT 28 from UR to RO; and
14

15 WHEREAS, the Homer Planning Department reviewed the petition, found that the
16 petition application was complete and the criteria for amending the zoning map had been met;
17 and
18

19 WHEREAS, the Homer Planning Commission held a public hearing on the amendment
20 to the zoning map described herein on July 15, 2020 as required by Homer City Code
21 21.95.060(c); and
22

23 WHEREAS, The Homer Planning Commission found that (i) the proposed amendment
24 to the zoning map is consistent with the Homer Comprehensive Plan and will further specific
25 goals and objectives of the Plan; (ii) the proposed amendment to the zoning map applies a
26 zoning district that is better suited to the property that is the subject of the amendment than
27 the districts that the amendment will replace; and (iii) the amendment to the zoning map is in
28 the best interest of the public, considering the effect of development resulting from the
29 amendment, and the cumulative effect of similar development, on property within and in the
30 vicinity of the area subject to the amendment and on the community, including without
31 limitation effects on the environment, transportation, public services and facilities, and land
32 use patterns; and
33

34 WHEREAS, the City Council adopts the findings by the Homer Planning Commission and
35 has determined that these findings are sound.
36

37 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:
38

39 Section 1. The Homer Zoning Map is amended to transfer the parcel listed on the
40 attached Exhibit A from UR zoning district to the RO zoning district as shown on the attached
41 Exhibit B.
42



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

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(p) 907-235-3106

(f) 907-235-3118

Memorandum 20-117

TO: MAYOR CASTNER AND HOMER CITY COUNCIL
THROUGH: RICK ABOUD, INTERIM CITY MANAGER
FROM: TRAVIS BROWN, PLANNING TECHNICIAN
DATE: AUGUST 5, 2020
SUBJECT: PROPOSED ZONING MAP AMENDMENT

The Homer Planning Commission has acted upon a request to rezone a lot currently found in the Urban Residential District (UR) to Residential Office District (RO).

A petition was received by the Planning Office requesting a zoning change. The Applicant, Jason Weisser, proposes to have 4061 Pennock Street rezoned to RO from the current UR designation. The Applicant has plans to subdivide the property and develop homes with office/commercial space for which the current zoning designation would not allow.

The City Planner has reviewed the proposed amendment and the Planning Commission has held a public hearing on July 15, 2020 regarding this issue. No public testimony was provided.

The rezone represents an expansion of the existing RO District. The proposal supports many goals and objectives of the Homer Comprehensive Plan including those listed in Staff Report 20-43 and objectives that support Goal 1 of the Land Use Chapter, including action item 1-D-3, supporting strategies that include compact mixed-use development, higher density development and infill, which are all supported with this rezone.

The Planning Commission feels that the request to rezone a lot from UR to RO is appropriate and is found to be supported in the Homer Comprehensive Plan. Through a vote of unanimous consent, six commissioners recommend that the City Council adopt the proposed zoning map amendment.

Attachments:

Draft Ordinance

Staff report and corresponding meeting minutes



City of Homer

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Planning

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(p) 907-235-3106

(f) 907-235-3118

STAFF REPORT PL 20-43

TO: Homer Planning Commission
FROM: Julie Engebretsen, Acting City Planner
MEETING: July 15, 2020
SUBJECT: Draft Ordinance amending Zoning Map

Requested Action: Conduct a public hearing and recommend approval of the zoning map amendment to the Homer City Council

GENERAL INFORMATION

The applicant requests a change in zoning from Urban Residential, to Residential Office.

Applicant: Jason Weisser
PO Box 2913
Homer, AK 99603

Location: 4061 Pennock St

Legal Description: AA Mattox Sub 1985 Addn Lot 2 Lot 28

Parcel ID: 177030281

Size of Existing Lot: 1 acre

Zoning Designation: Urban Residential District

Existing Land Use: Vacant

Surrounding Land Use: North: Flex high school, vacant land, Law office
South: Residential
East: Residential
West: Multifamily/Conifer Woods

Comprehensive Plan: Goal 1 Objective D Implementation Item 3: "Support planning and zoning regulations that promote land use strategies that include compact, mixed-use development, higher density development, and infill."

Wetland Status: Very small area of wetlands possibly on the southeast corner of the lot.

Flood Plain Status: Zone D, Flood Hazards Undetermined

Utilities: Public utilities service the site.

Public Notice: Notice was sent to 30 property owners of 30 parcels as shown on the KPB tax assessor rolls.

GENERAL INFORMATION

This ordinance proposes a zoning map amendment to move the Residential Office District Boundary south to encompass the subject lot. The applicant has plans to subdivide the property and develop homes with commercial space that does not meet the definition of the home occupation code. HCC 21.51.010(d) states “A home occupation shall be carried on only by the full-time occupants of the dwelling unit.” This limitation does not allow for employees who are not also residents of the home. The applicant has found there is demand for live/work housing that would allow for employees, or the potential to hire additional help with the successful growth of the business.

HCC 21.95.060 Review by Planning Commission

- a. The Planning Commission shall review each proposal to amend this title or to amend the official zoning map before it is submitted to the City Council.
- b. Within 30 days after determining that an amendment proposal is complete and complies with the requirements of this chapter, the Planning Department shall present the amendment to the Planning Commission with the Planning Department’s comments and recommendations, accompanied by proposed findings consistent with those comments and recommendations.
- c. The Planning Department shall schedule one or more public hearings before the Planning Commission on an amendment proposal, and provide public notice of each hearing in accordance with Chapter 21.94 HCC.
- d. After receiving public testimony on an amendment proposal and completing its review, the Planning Commission shall submit to the City Council its written recommendations regarding the amendment proposal along with the Planning Department’s report on the proposal, all written comments on the proposal, and an excerpt from its minutes showing its consideration of the proposal and all public testimony on the proposal.

21.95.050 Planning Department review of zoning map amendment.

The Planning Department shall evaluate each amendment to the official zoning map that is initiated in accordance with HCC 21.95.020 and qualified under HCC 21.95.030, and may recommend approval of the amendment only if it finds that the amendment:

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

Analysis: The Comprehensive Plan states (Goal 1 Objective D Implementation Item 3): “Support planning and zoning regulations that promote land use strategies that include compact, mixed-use development, higher density development, and infill.” The proposed rezone is contiguous to the

Residential Office District along East End Road, and complies with the general land use pattern set out in the Comprehensive Plan Land Use Recommendations Map. The applicant has stated there is a need for more small lots that allows for a small office/clerical building and/or in-home business. The Residential Office district allows for greater mixed use opportunities.

Staff Finding: The zoning change is consistent with the Comprehensive Plan and will support higher density mixed use infill development.

b. Applies a zoning district or districts that are better suited to the area that is the subject of the amendment than the district or districts that the amendment would replace, because either conditions have changed since the adoption of the current district or districts, or the current district or districts were not appropriate to the area initially.

Analysis: Conditions have changed since the original adoption of the zoning district boundaries. Since the creation of the Residential Office District along East End Road in 1986, there has been at least one amendment enlarging the district boundaries as the demand for residential office property has grown. Small businesses that do not need a prominent location within the Central Business District can find it a challenge to buy developable land within the RO district.

Staff Finding: The amendment would apply a zoning district that is better suited to the area because conditions have changed since the creation of the Residential Office Zoning District boundaries.

c. Is in the best interest of the public, considering the effect of development permitted under the amendment, and the cumulative effect of similar development, on property within and in the vicinity of the area subject to the amendment and on the community, including without limitation effects on the environment, transportation, public services and facilities, and land use patterns.

Analysis: City water and sewer are available and Pennock Street is a city maintained road. Full police and fire services are available. Public services and facilities are adequate to serve increased intensity land use. Very little of the land is wetlands. Development of this property would increase infill within the community, and create more opportunities for buildings that could include live/work arrangements that are not allowed in the Urban Residential District. Homer is currently seeing several large residential housing subdivisions under development, but has less opportunity for small scale mixed use Residential Office development.

Staff Finding: The rezoning of this one acre lot that is contiguous to the Residential Office District is in the best interests of the public as it supports higher density mixed use infill development.

STAFF COMMENTS/RECOMMENDATIONS:

Planning staff has reviewed the ordinance per 21.95.050 and recommends the Planning Commission conduct a public hearing, and recommend approval to the City Council.

ATTACHMENTS

1. Application
2. Public Notice
3. Draft ordinance



City of Homer

www.cityofhomer-ak.gov

Planning
491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us
(p) 907-235-3106
(f) 907-235-3118

Rezoning Application

For Staff Use Only

Fee Amount: \$500	Received by: TB 6/4/20	Planning Commission Public Hearing Date:
Date application accepted as complete:		HAPC approval or denial date:

APPLICANT INFORMATION

Name: Jason Weisser Phone Number: 907-399-8081

Address: PO Box 2913, Homer, AK 99603

Property Owner (if different than applicant)

Name: Weisser Homes, LLC Phone Number: 907-399-8081

Address: PO Box 2913, Homer, AK 99603

PROPERTY INFORMATION (if more than one lot, list on separate page)

Street Address: 4061 Pennock St. Lot size: 1 acre Tax parcel number: 17730281

Legal Description: AA Mattox Sub 1958 ADDN 2 Lot 28

Circle one: Is City water available? YES/NO City Sewer? YES/NO Electrical Service? YES/NO

What is the existing use of the property? Vacant Land

What is the proposed use of the property? Residential

What structures or land uses exist on the neighboring properties? (Examples: residential, commercial, vacant) List the zoning of these adjacent lots.

Structures/land use	Zoning
North: <u>School</u>	<u>Residential Office</u>
South: <u>Residential</u>	<u>Urban Residential</u>
East: <u>Residential</u>	<u>Urban Residential</u>
West: <u>Apartments</u>	<u>Residential Office</u>

1. What is the public need and why is this rezone justified?

There is a need for more small lots that allow for small office/clerical building and/or in-home businesses.

2. Describe the benefits and detriments of this proposed rezoning to:

- (a) the community.
- (b) the neighboring landowners.
- (c) you, the property owner.

(a) available residential office lots (b) increase in property values

(c) will have available lots for future clients (d) no detriments to this proposed rezoning

3. Can the proposed land use be developed in a manner that is compatible with development in adjacent zoning districts? If so, how? What effect will this change have on the surrounding properties?

No adverse effects on neighboring properties

4. Can the existing public facilities, services, and utilities accommodate the proposed use without any detrimental affect on adjacent zoning districts? If so, how?

Water, sewer, and power are already in place, and there will be no changes to Pennock Street.

5. Would rezoning to a district allowing the proposed use permit other uses, which would not be compatible with adjacent land use?

RO is adjacent to the North and West, UR on the South and East. The proposed rezoning is in alignment with permitted use.

6. How does this proposal relate to the Comprehensive Plan and purposes of the zoning regulations?

It will allow for small business growth without negatively affecting the surrounding properties.

7. How would the proposed change affect the public health safety and welfare of the surrounding area?

I feel the overall impact will be to enhance the development and property values of Pennock Street.

OTHER REQUIREMENTS

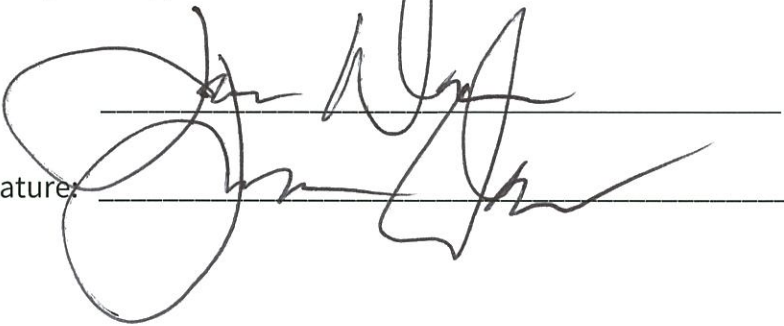
1. The applicant shall provide a map showing the area to be rezoned.
2. The applicant shall provide a petition, signed by a majority of the landowners within the proposed zoning area saying that they support the proposed change.

I hereby certify that the above statements and other information submitted are true and accurate to the best of my knowledge, and that I, as applicant, have the following legal interest in the property:

Owner of record Lessee Contract purchase duly authorized to act for a person who has the following legal interest, _____ and that the owner of record is knowledgeable of this application if I am not the owner. I also understand that this item will be scheduled for the Planning Commission Agenda only if all application materials are submitted.


Applicant Signature: _____

Property Owner Signature: _____



Petition

<p>Proposed amendment:</p>	<p>The property at 4061 Pennock St is 1 acre. Currently the parcel is a part of the Urban Residential District. This request is to change the zoning of the entire property, LEGAL T 6S R 13W SEC 20 SEWARD MERIDIAN HM 0003995 A A MATTOX SUB 1958 ADDN 2 LOT 28 to the Residential Office District.</p>
<p>HCC 21.95.020 (e) (3) (a)</p>	<p>"Each person signing this petition represents that the signer is a record owner of the lot whose description accompanies the signature; that the signer is familiar with the proposed zoning map amendment and the current zoning district of the lot; and that the signer supports the City Council's approval of the amendment."</p>
<p>Statement of Justification</p>	<p>I have clients looking for Residential Office lots for clerical type office property and they are having a hard time finding available lots. This rezoning will help fill that need.</p>

Printed Name	Signature of Property Owner or Designated Representative	Legal Description	Tax parcel number
Jason Weisser		LEGAL T 6S R 13W SEC 20 SEWARD MERIDIAN HM 0003995 A A MATTOX SUB 1958 ADDN 2 LOT 28	17730281

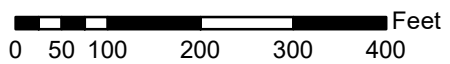
MY SIGNATURE MEANS I AM IN FAVOR OF THIS AMENDMENT



Area to be rezoned



Area Map



PUBLIC HEARING NOTICE

Public notice is hereby given that the City of Homer will hold a public hearing by the Homer Planning Commission on Wednesday, July 15, 2020 at 6:30 p.m. via virtual meeting, on the following matter:

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING THE OFFICIAL ZONING MAP BY EXPANDING THE RESIDENTIAL OFFICE DISTRICT TO INCLUDE THE ONE-ACRE LOT AT 4061 PENNOCK STREET, LOT 28 A.A. MATTOX 1958 ADDITION NO. 2 NE ¼, NE ¼, SEC. 20, T. 6 S., R. 13 W., S.M., HM 0003995. THE LOT IS CURRENTLY ZONED URBAN RESIDENTIAL DISTRICT.

Anyone wishing to view the complete proposal, attend the virtual meeting, or participate in the virtual meeting may do so by visiting the Planning Commission Regular Meeting page on the City's online calendar at <https://www.cityofhomer-ak.gov/calendar>.

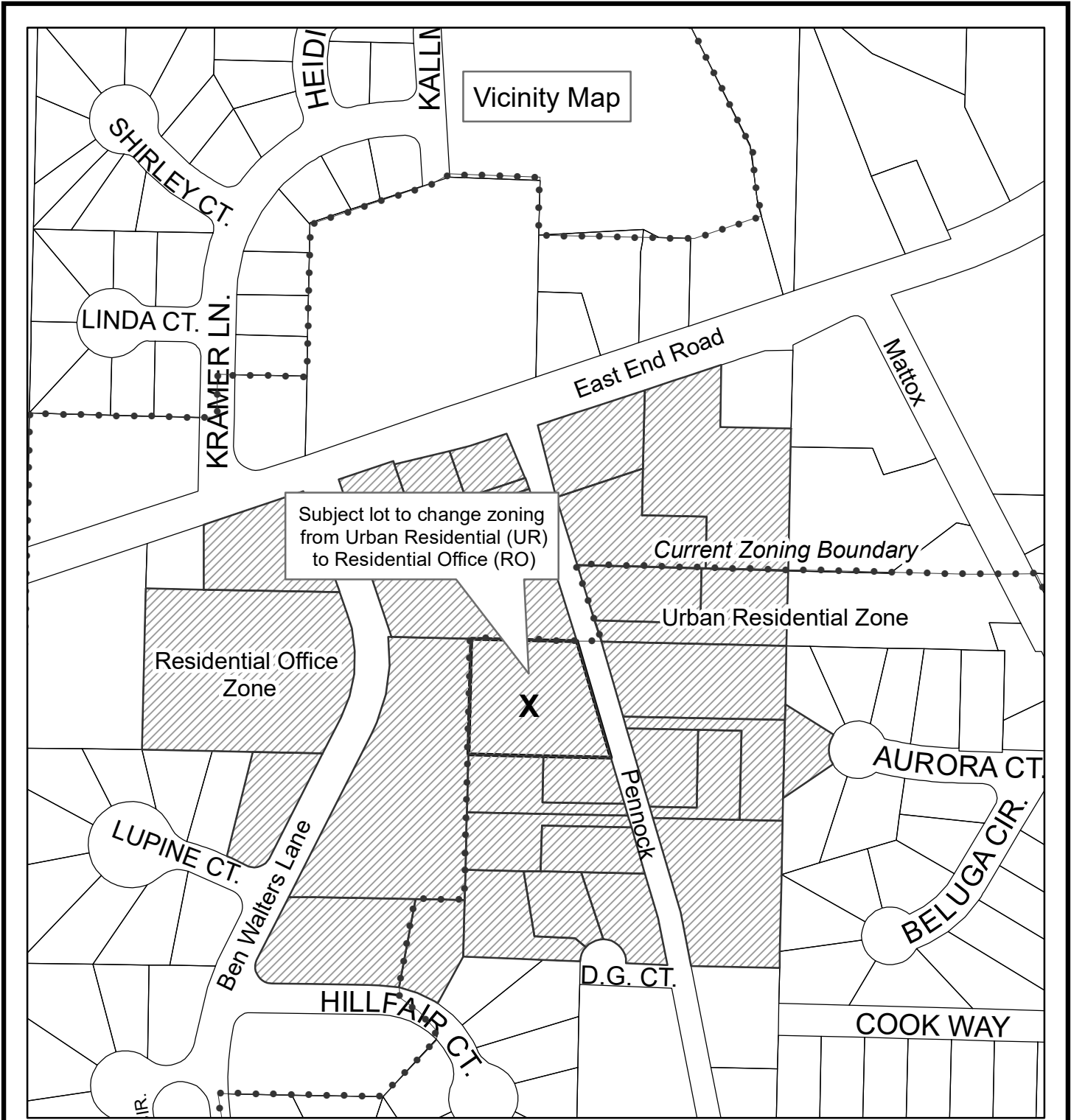
Visit the link above or call the City Clerk's Office to learn how to provide verbal testimony during the meeting via telephone or the Zoom online platform. Written comments can be emailed to planning@ci.homer.ak.us or mailed to Homer City Hall, 491 E. Pioneer Ave., Homer, AK, 99603. They may also be placed in the drop box at the Pioneer Ave. entrance to Homer City Hall at any time. Comments must be received by 4pm on the day of the meeting.

If you have questions or would like additional information about the proposal, please contact Travis Brown at the Planning and Zoning Office at 235-3106. If you have questions about how to participate in the virtual meeting, please contact the City Clerk's Office at 235-3130.


NOTICE TO BE SENT TO PROPERTY OWNERS WITHIN 300 FEET OF PROPERTY.

.....

VICINITY MAP ON REVERSE



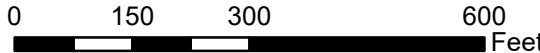
Subject lot to change zoning from Urban Residential (UR) to Residential Office (RO)




City of Homer
 Planning and Zoning Department
 6/24/2020

Request to Rezone

Marked lots are within 300 feet and property owners notified.




0 150 300 600
 Feet



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

Petition

<p>Proposed amendment:</p>	<p>The property at 4061 Pennock St is 1 acre. Currently the parcel is a part of the Urban Residential District. This request is to change the zoning of the entire property, LEGAL T 6S R 13W SEC 20 SEWARD MERIDIAN HM 0003995 A A MATTOX SUB 1958 ADDN 2 LOT 28 to the Residential Office District.</p>
<p>HCC 21.95.020 (e) (3) (a)</p>	<p>"Each person signing this petition represents that the signer is a record owner of the lot whose description accompanies the signature; that the signer is familiar with the proposed zoning map amendment and the current zoning district of the lot; and that the signer supports the City Council's approval of the amendment."</p>
<p>Statement of Justification</p>	<p>I have clients looking for Residential Office lots for clerical type office property and they are having a hard time finding available lots. This rezoning will help fill that need.</p>

Printed Name	Signature of Property Owner or Designated Representative	Legal Description	Tax parcel number
Jason Weisser		LEGAL T 6S R 13W SEC 20 SEWARD MERIDIAN HM 0003995 A A MATTOX SUB 1958 ADDN 2 LOT 28	17730281

MY SIGNATURE MEANS I AM IN FAVOR OF THIS AMENDMENT

**CITY OF HOMER
HOMER, ALASKA**

Planning

ORDINANCE 20-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HOMER, ALASKA, AMENDING THE HOMER CITY ZONING MAP TO REZONE A PORTION OF THE URBAN RESIDENTIAL (UR) ZONING DISTRICT TO RESIDENTIAL OFFICE (RO) ZONING DISTRICT

WHEREAS, Jason Weisser, land owner, filed a petition application seeking to amend the zoning map to rezone 4061 Pennock Street in Homer, Alaska, Legal Description T 6S R 13W SEC 20 SEWARD MERIDIAN HM 0003995 A A MATTOX SUB 1958 ADDN 2 LOT 28 from UR to RO; and

WHEREAS, the Homer Planning Department reviewed the petition, found that the petition application was complete and the criteria for amending the zoning map had been met; and

WHEREAS, the Homer Planning Commission held a public hearing on the amendment to the zoning map described herein on _____, 2020 as required by Homer City Code 21.95.060(c); and

WHEREAS, The Homer Planning Commission found that (i) the proposed amendment to the zoning map is consistent with the Homer Comprehensive Plan and will further specific goals and objectives of the Plan; (ii) the proposed amendment to the zoning map applies a zoning district that is better suited to the property that is the subject of the amendment than the districts that the amendment will replace; and (iii) the amendment to the zoning map is in the best interest of the public, considering the effect of development resulting from the amendment, and the cumulative effect of similar development, on property within and in the vicinity of the area subject to the amendment and on the community, including without limitation effects on the environment, transportation, public services and facilities, and land use patterns; and

WHEREAS, the City Council adopts the findings by the Homer Planning Commission and has determined that these findings are sound;

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The Homer Zoning Map is amended to transfer the parcel listed on the attached Exhibit A from UR zoning district to the RO zoning district as shown on the attached Exhibit B.

Section 2. The City Planner is authorized to note on the Homer Zoning Map the amendments enacted by this ordinance as required by Homer City Code 21.10.030(b).

Section 3. This is a non-Code ordinance of a permanent nature and shall be noted in the ordinance history of Homer City Code 21.10.030.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this ____ day of _____
2020.

CITY OF HOMER

Ken Castner, MAYOR

ATTEST:

Melissa Jacobsen, CMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

First Reading:

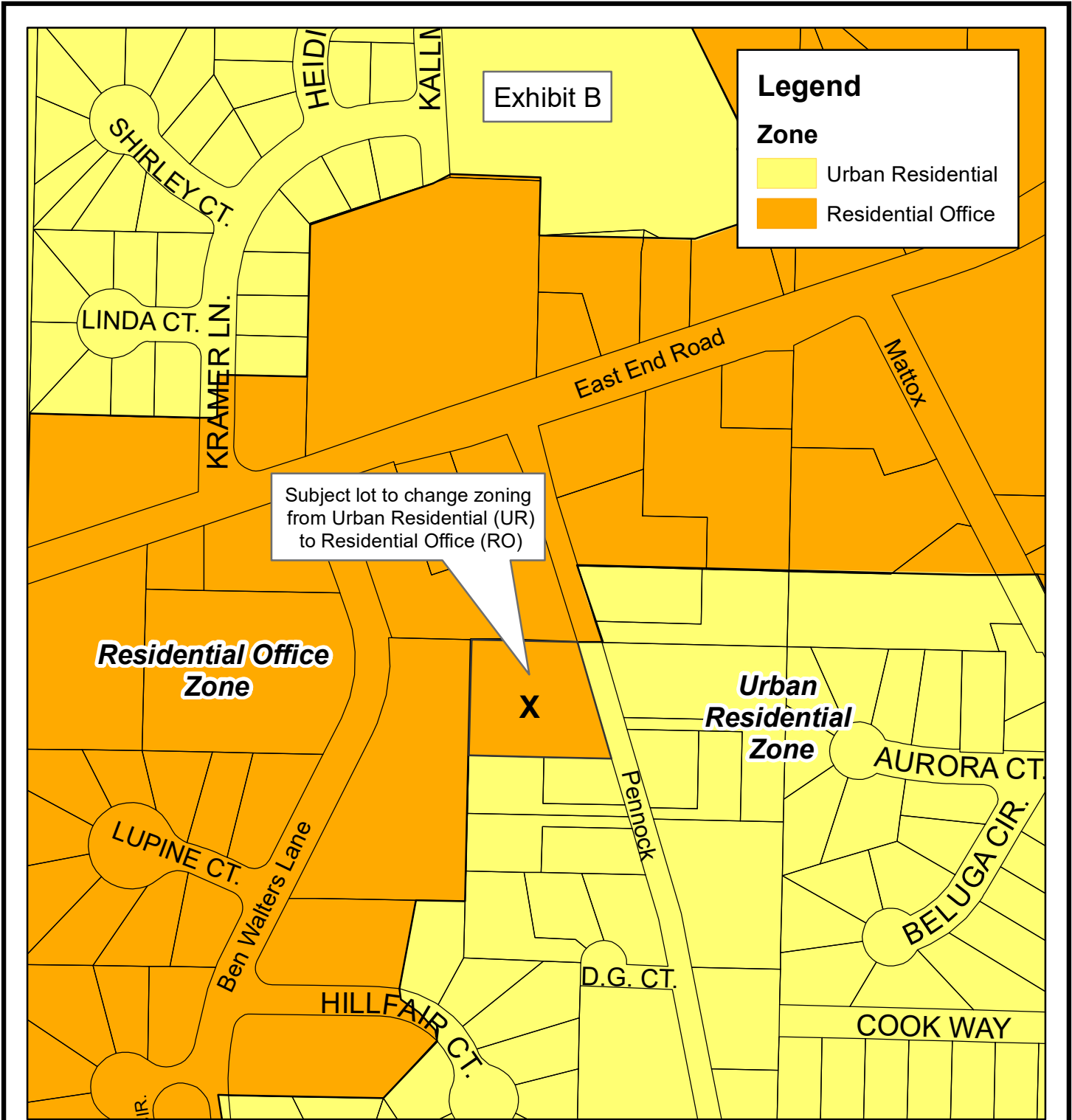
Public Hearing:

Second Reading:

Effective Date:

Exhibit A

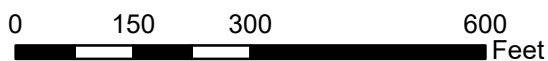
Tax Parcel 17730281. Rezone from Urban Residential District to Residential Office District.
Legal Description: T 6S R 13W SEC 20 SEWARD MERIDIAN HM 0003995 A A MATTOX
SUB 1958 ADDN 2 LOT 28



City of Homer
 Planning and Zoning Department

7/7/2020

Rezone of T 6S R 13W SEC 20
 SEWARD MERIDIAN HM 0003995
 A A MATTOX SUB
 1958 ADDN 2 LOT 28



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

Commissioner Venuti explained that he has provided services to the applicant but not in this matter and believes that he could render an unbiased opinion based on the information presented.

VOTE. NO. BARNWELL, HIGHLAND, DAVIS, BENTZ, PETSKA-RUBALCAVA.

Motion failed.

Acting City Planner Engebretsen stated the action requested by the applicant and outlined in Staff Report 20-43 and staff recommended approval by the Commission.

There was no applicant present.

Chair Venuti opened the Public Hearing, after confirming with the Clerk that there were no public signed up to provide testimony and no public wishing to provide testimony he closed the Public Hearing and opened the floor to questions from the Commission.

The Commission did not present any questions on the actions.

Chair Venuti requested a motion.

HIGHLAND/BENTZ MOVED TO ADOPT STAFF REPORT 20-43 AND RECOMMEND CITY COUNCIL APPROVE AMENDING THE OFFICIAL ZONING MAP BY EXPANDING THE RESIDENTIAL OFFICE DISTRICT TO INCLUDE ONE ACRE PARCEL AT 4061 PENNOCK STREET.

There was no discussion.

VOTE. YES. BENTZ, VENUTI, DAVIS, PETSKA-RUBALCAVA, HIGHLAND, BARNWELL.

Motion carried.

B. Staff Report, 20-44, Conditional Use Permit 20-09 to use an existing building for the production of wines and meads at 3657 & 3637 Main Street

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

HIGHLAND/BENTZ – MOVED THAT COMMISSIONER DAVIS HAD A CONFLICT.

Commissioner Davis declared that as the applicant and property owner he has a conflict.

VOTE. YES. VENUTI, HIGHLAND, BENTZ, PETSKA-RUBALCAVA, BARNWELL

Motion carried.

To: Mayor Castner and Homer City Council
From: Franco Venuti, Homer Planning Commissioner
Date: August 6, 2020
Subject: Planning Commission Report for City Council Meeting

The City of Homer Planning Commission last met virtually in a scheduled meeting via Zoom on August 5th. All members of the Commission, as well as the Deputy City Planner and Deputy City Clerk participated. The commission held a work session at 5:30. We discussed the Medical Zoning District Draft Ordinance as well as the Kenai Borough Proposed ordinance to amend KPB Chapter 2.40 Planning Commission, and Chapter 21.20 Hearings and Appeals.

At 6:30 we had our regular meeting and held one Public Hearing, as well as one Preliminary Plat. We also continued our discussion regarding the Medical Zoning District Draft Ordinance and the Kenai Borough proposed ordinance regarding KPB Chapter 2.40 & Chapter 21.20.

The first hearing was regarding a Conditional Use Permit for more than one building containing a permitted principal use at 4936 Clover Lane. This CUP was approved by unanimous consent.

The Commission also considered a Preliminary Plat for Kapingen Subdivision Unit 2 Lot 12 Block 2. This Preliminary Plat was approved by unanimous consent.

The Commission also held annual elections for a new Chairman & Vice Chairperson. Commissioner Scott Smith was elected Chair and Commissioner Kalie Petska-Rubalcava was elected Vice-Chair.

The Commission also discussed a correction to the decisions and findings for CUP 20-09 to produce wines and meads at 3657 & 3637 Main Street and agreed to make that correction.

Our next Planning Commission meeting will be held virtually by Zoom on August 19, 2020 at 6:30 p.m.

ORDINANCE REFERENCE SHEET
2020 ORDINANCE
ORDINANCE 20-42

An Ordinance of the City Council of Homer, Alaska Amending the Official Road Maintenance Map of the City of Homer by adding 2515 Lineal Feet (.48 miles) of Urban Road on Ternview Place, Kilokak Lane, and Virginia Lyn Way.

Sponsor: City Manager/Public Works Director

1. City Council Regular Meeting July 27, 2020 Introduction
 - a. Memorandum 20-103 from Public Works Inspector as backup

2. City Council regular Meeting August 10, 2020 Public Hearing and Second Reading
 - a. Memorandum 20-103 from Public Works Inspector as backup

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

3 City Manager/
4 Public Works Director

5 **ORDINANCE 20-42**

6
7 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
8 AMENDING THE OFFICIAL ROAD MAINTENANCE MAP OF THE CITY
9 OF HOMER BY ADDING 2515 LINEAL FEET (.48 MILES) OF URBAN
10 ROAD ON TERNVIEW PLACE, KILOKAK LANE, AND VIRGINIA LYN
11 WAY.
12

13 WHEREAS, The City of Homer has determined that it is necessary to provide minimum
14 standards to regulate design and construction of public streets, roads, and highways within
15 the City of Homer; and
16

17 WHEREAS, Ordinance 85-14, HCC 11.04.055, adopted July 2, 1985 provides appropriate
18 street design and construction standards as well as an official maintenance map to record
19 streets officially accepted for maintenance; and
20

21 WHEREAS, HCC 11.04.055 provides that the City shall not accept maintenance
22 responsibility for any road or street which is not constructed or reconstructed to the adopted
23 standards unless the road is shown on the Official Road Maintenance Map. As amended via
24 Ordinance 02-23(S), adopted June 10, 2002, of the City of Homer; and
25

26 WHEREAS, An additional 2515 lineal feet, or .48 miles have been duly inspected,
27 reviewed, approved by the Department of Public Works and recommended for acceptance by
28 the City of Homer as Urban Road.
29

30 NOW THEREFORE, The City of Homer Ordains:
31

32 Section 1: Section 11.04.055 Official Road Maintenance Map adopted is hereby
33 amended per provisions of sections (a) through (e) to include the following additional streets
34 as Urban Road by the City of Homer and recorded as amendment #41 on the New Official Road
35 Maintenance Map adopted: the following mileage calculation is to the nearest hundredth.
36

<u>AmendSubdivision</u>	<u>Roadway Name</u>	<u>Lineal Feet</u>	<u>Mile</u>	<u>Class</u>
Commercial Park	Ternview Place	635	.12	Urban
Commercial Park	Kilokak Lane	1320	.25	Urban
Virginia Lyn	Virginia Lyn Way	560	.11	Urban

41
42 Section 2: This is a non code ordinance and of a permanent nature.

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ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER THIS 10th DAY OF AUGUST,
2020

CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

First Reading:

Public Hearing:

Second Reading:

Effective Date:

Reviewed and approved as to form:

Rick Abboud, Interim City Manager

Michael Gatti, City Attorney

Date: _____

Date: _____



City of Homer

Jean Hughes, Inspector

Public Works
3575 Heath Street
Homer, AK 99603

Jhughes@ci.homer.ak.us

(p) 907-235-3170

(f) 907-235-3145

MEMORANDUM 20-103

To: Melissa Jacobsen, City Clerk

Through: Jan Keiser, PW Director *JK*

From: Jean Hughes, PW Inspector *JH*

Date: June 16, 2020

Subject: Street Improvements – Official Road Maintenance Map
Commercial Park Sub – Ternview Place and Kilokak Lane
Virginia Lyn Sub – Virginia Lyn Way

As part of Construction Agreements, road improvements were constructed for the Commercial Park Unit 1 Subdivision, Phase II, and for a portion of Virginia Lyn Way of Virginia Lyn Subdivision. These road improvements were finished in 2019 and this department has inspected and approved the construction.

The three streets are:

Commercial Park Subdivision

1. Ternview Place - 635 lineal feet
2. Kilokak Lane - 1320 lineal feet

Virginia Lyn Subdivision

1. Virginia Lyn Way – 560 lineal feet

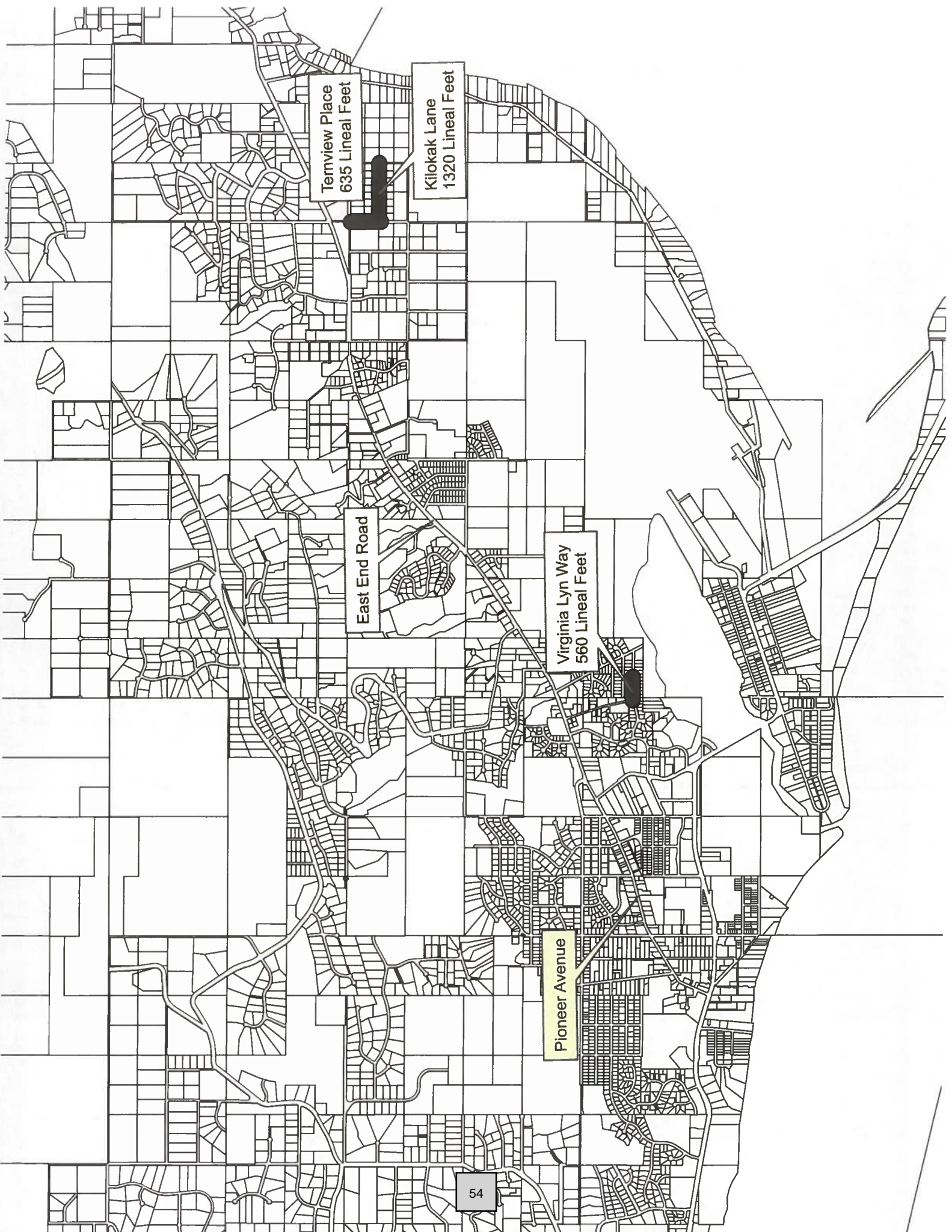
This is a total of 2515 lineal feet (.48 miles)

In accordance with Ordinance 85-13, Section 11.20.090, and Section 11.20.100, this Department requests that the City Council formally accept the street improvements for operation and maintenance. Upon the Council's approval, please add the additional .48 miles of road to the Official City Road Maintenance Map for year-round maintenance.

See attached map for location.

Fiscal Note – Annual maintenance costs for these improvements is estimated to be \$9300.

C: Jan Keiser, PW Director
Rick Abboud, Acting City Manager



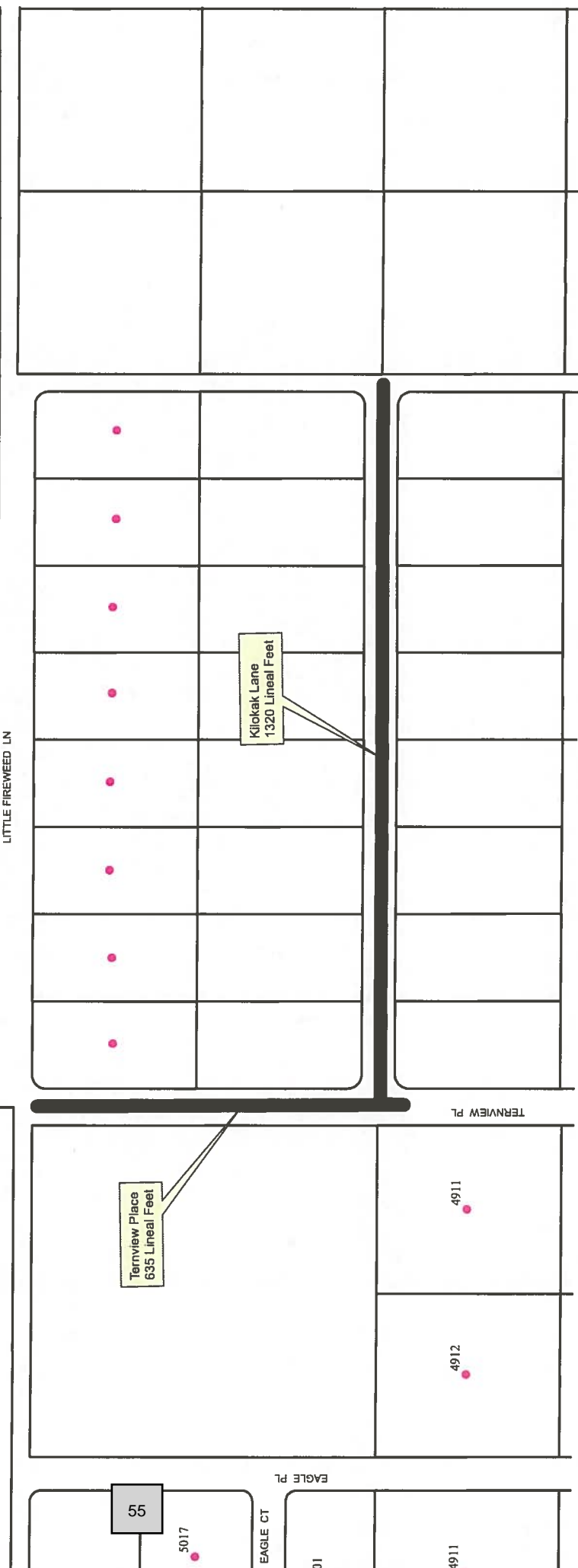
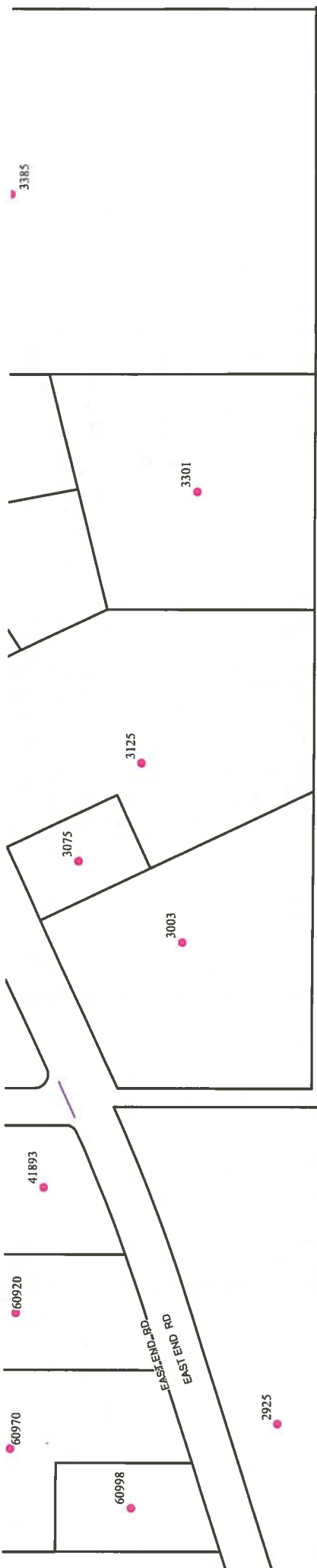
Ternview Place
635 Lineal Feet

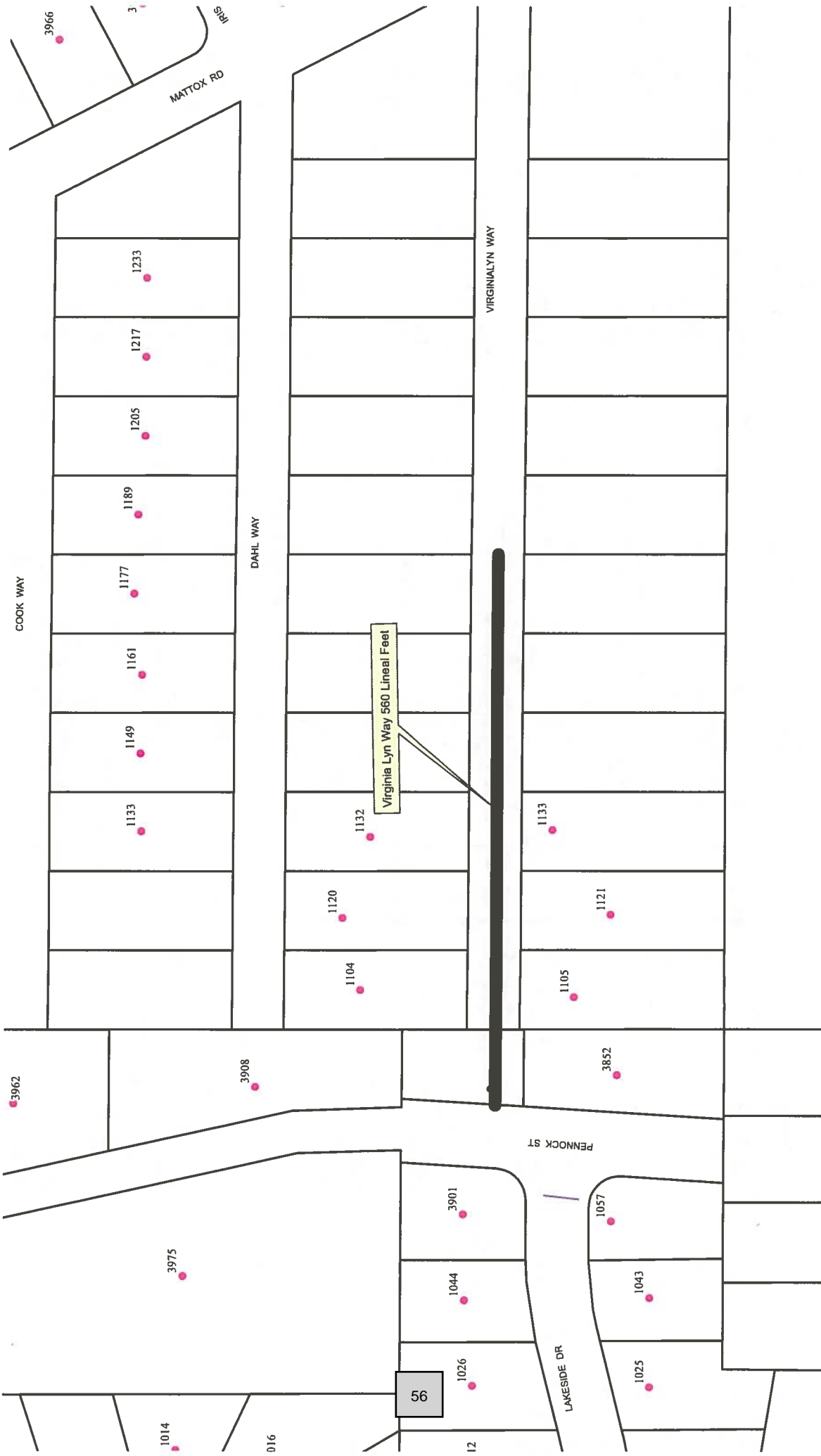
Kilokak Lane
1320 Lineal Feet

East End Road

Virginia Lyn Way
560 Lineal Feet

Pioneer Avenue





3966
3
MATTOX RD
RIS

COOK WAY

DAHL WAY

VIRGINIALYN WAY

Virginia Lyn Way 560 Lineal Feet

PENNOCK ST

LAKESIDE DR

3962

1014

3975

3908

016

56

12

3901

1044

1026

1120

1104

1132

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1205

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1177

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3852

1121

1105

1133

ORDINANCE REFERENCE SHEET
2020 ORDINANCE
ORDINANCE 20-43

An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Section 11.08.090 Driveways, Road Approaches-Property of City, Relating to Driveway Construction Permits.

Sponsor: City Manager/ Public Works Director

1. City Council Regular Meeting July 27, 2020 Introduction
 - a. Memorandum 20-104 from Public Works Director as backup

2. City Council Regular Meeting August 10, 2020 Public Hearing and Second Reading
 - a. Memorandum 20-104 from Public Works Director as backup

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

3 City Manager/
4 Public Works Director

5 **ORDINANCE 20-43**

6
7 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
8 AMENDING HOMER CITY CODE SECTION 11.08.090 DRIVEWAYS,
9 ROAD APPROACHES-PROPERTY OF CITY, RELATING TO DRIVEWAY
10 CONSTRUCTION PERMITS.

11
12 WHEREAS, Homer City Code Chapter 11.08 governs the design, construction and
13 maintenance of private driveways that exit onto dedicated City rights-of-way; and

14
15 WHEREAS, This regulation requires that property owners who desire access to a City
16 right-of-way obtain a permit and comply with City standards, stating, in HCC 11.08.040(b)
17 “...[C]ontrol of the location, construction and maintenance of driveways is under the supervision
18 of the City at all times and that in granting such permit the City waives none of its powers or rights
19 to direct the removal, relocation and/or property maintenance in the future of any driveway...”;
20 and

21
22 WHEREAS, One such standard, HCC 11.08.050(a)(4), is that the driveway may not
23 “impair the drainage within the street right of way...or materially alter drainage of the adjacent
24 areas...”, which usually means a culvert must be installed where the private driveway
25 intersects with the public road; and

26
27 WHEREAS, HCC 11.08.090 specifies that “...driveways...constructed under permit within
28 any road rights-of-way shall be the property of the City, but all cost and liability in connection
29 [with the original installation] therewith, [and] in connection with the maintenance thereof, shall
30 be at the sole expense of the owner of the property served...” HCC 11.08.090, which creates some
31 ambiguity; and

32
33 WHEREAS, As a practical matter, there are times when the City assists in the
34 maintenance of private driveway culverts, in the interests of the overall drainage system; and

35
36 WHEREAS, Some Homer citizens have experienced financial hardships due to the Covid-
37 19 emergency; and

38
39 WHEREAS, Citizens in the City of Homer contribute tax dollars to the City’s HART Fund;
40 and

42 WHEREAS, The City Council recently created a Small Works Drainage Improvement
43 Program, funded by the HART-Roads Fund, to address small drainage systems.

44
45 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

46
47 Section 1. The Homer City Code, Section 11.08.090 Driveways, road approaches-
48 Property of City, be amended to read as follows:

49
50 ~~All driveways or road approaches constructed under permit within any road rights of~~
51 ~~way shall be the property of the City, but all cost and liability in connection therewith,~~
52 ~~in connection with the maintenance thereof, shall be at the sole expense of the owner~~
53 ~~of the property served thereby.~~

54
55 **a. All cost and liability in connection with the construction or maintenance of any**
56 **private driveway or road approach constructed within any road right-of-way**
57 **shall be at the sole expense of the owner of the property served thereby, unless**
58 **the City, at its sole discretion, determines a culvert in a private driveway or**
59 **road approach impairs the broader road/drainage system, in which case the**
60 **City may replace the culvert, at City expense, or take other remedial measures**
61 **so long as said culvert was installed in accordance with this Chapter.**

62
63 **b. In the event such culvert was not installed in accordance with this Chapter, the**
64 **City may make remedial measures and charge the costs of the remedial**
65 **measures to the property owner.**

66
67 Section 2. Costs associated with repair of private driveway culverts will be funded by
68 the Small Works Drainage Improvement Program.

69
70 Section 3. This ordinance is of general and permanent nature and shall be included in
71 the City Code.

72
73
74 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this ___ day of _____, 2020.

75
76 CITY OF HOMER
77
78 _____
79 KEN CASTNER, MAYOR

80 ATTEST:
81
82 _____
83 MELISSA JACOBSEN, MMC, CITY CLERK

84 YES:

85 NO:

86 ABSTAIN:

87 ABSENT:

88

89

90 First Reading:

91 Public Hearing:

92 Second Reading:

93 Effective Date:

94

95 Reviewed and approved as to form:

96

97 _____

98 Rick Abboud, Interim City Manager

99

Michael Gatti, City Attorney

100 Date: _____

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 20-104

TO: City Council
THROUGH: Rick Abboud, Acting, City Manager
FROM: Jan Keiser, PE, JD, Director of Public Works
DATE: July 9, 2020
SUBJECT: Policy Regarding Private Driveway Culverts

Issue: Many aging private driveway culverts in the City are compromised due to corrosion, frost jacking or other natural causes. The City needs a consistent policy that authorizes City staff to replace the culverts at City expense.

Background: Homer City Code Chapter 11.08 governs the design, construction and maintenance of private driveways that exit onto dedicated City rights-of-way. This regulation requires that property owners who desire access to a City right-of-way obtain a permit and comply with City standards. *"...[C]ontrol of the location, construction and maintenance of driveways is under the supervision of the City at all times and that in granting such permit the City waives none of its powers or rights to direct the removal, relocation and/or property maintenance in the future of any driveway..."* HCC 11.08.040(b).

One such standard is that the driveway may not *"impair the drainage within the street right of way...or materially alter drainage of the adjacent areas..."* HCC 11.08.050(a)(4). This usually means a culvert must be installed where the private driveway intersects with the public road. City Code specifies that *"...driveways...constructed under permit within any road rights-of-way shall be the property of the City, but all cost and liability in connection [with the original installation] therewith, [and] in connection with the maintenance thereof, shall be at the sole expense of the owner of the property served..."* HCC 11.08.090. This language is ambiguous. On one hand it says the driveways/culverts in the ROW are City property but on the other hand, it says maintenance is the property owner's responsibility.

As a practical matter, there are times when the City assists in the maintenance of private driveways, in the interests of the overall system. For example, in the winter, we steam-thaw frozen private driveway culverts open to keep the drainage system flowing, throughout the broader neighborhood. In the summer, in the course of our regular ditch maintenance program, we encounter culverts that have been compromised by corrosion, frost jacking, and other factors. These culverts can be out of alignment, broken apart, or crushed in. Either way, they are obstructions in the City's overall drainage system.

When we encounter a privately-owned culvert that needs to be replaced, we usually ask the property owners to make arrangements with Spenard Builders Supply to pay for the cost of a replacement culvert. Then, we use City crews to pick up and install the new culvert as part of our normal ditch maintenance work. In some cases, we are able to dig out the private culvert and re-install it at the proper alignment. In a few cases, the City has provided the replacement culvert.

We propose to amend City Code so it gives the City authority to participate in private driveway maintenance where it is necessary for a broader benefit. Here's an example to illustrate the potential cost impact of this. Assume a private driveway culvert is a 20 foot long piece of 18-inch diameter corrugated, galvanized steel pipe, which costs approximately \$65 per foot, or \$1,300. We encounter, in the course of normal ditch maintenance work over a typical year, between 2-10 private driveway culverts that need to be repaired or replaced. If the City provided the culverts for ten driveways, the expense for the culvert materials would be \$13,000. We propose to pay for these culverts from the Small Works Drainage Improvement Program, the City Council recently created from the HART-Roads Fund.

This is one way the City can provide (1) financial relief to property owners during these difficult times and (1) demonstrate tangible benefits for the tax contributions property owners make to the HART funds.

Action Needed: That the City Council amend HCC 11.08.090 to read:

All cost and liability in connection with the construction or maintenance of any private driveway or road approach constructed within any road right-of-way shall be at the sole expense of the owner of the property served thereby, unless the City, at its sole discretion, determines a private driveway or road approach impairs the broader road/drainage system, in which case the City may undertake remedial efforts, at City expense.

ORDINANCE REFERENCE SHEET
2020 ORDINANCE
ORDINANCE 20-44

An Ordinance of the City Council of Homer, Alaska Amending the 2020-2021 Operating Budget to Appropriate Funds in the Amount of \$47,080 in the 2020 and \$99,670 in 2021 for a total of \$146,750 from General Fund Fund Balance to Fund Additional Finance Department Personnel.

Sponsor: Lord/Aderhold

1. City Council Regular Meeting July 27, 2020 Introduction

2. City Council Regular Meeting August 10, 2020 Public Hearing and Second Reading

**CITY OF HOMER
HOMER, ALASKA**

Lord/Aderhold

ORDINANCE 20-44

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
AMENDING THE 2020-2021 OPERATING BUDGET TO
APPROPRIATE FUNDS IN THE AMOUNT OF \$47,080 IN 2020 AND
\$99,670 IN 2021 FOR A TOTAL OF \$146,750 FROM GENERAL FUND
FUND BALANCE TO FUND ADDITIONAL FINANCE DEPARTMENT
PERSONNEL.

WHEREAS, The City of Homer Finance Department provides financial services to the City's administration, City Council, citizens, employees, and vendors and agencies outside of the organization; and

WHEREAS, Their services include accounts receivables, accounts payable, payroll, financial management/analysis, budget reporting, and grant management; and

WHEREAS, After the City implemented their Emergency Operations Center in response to the COVID-19 pandemic, the demands on the department have increased and will continue as the pandemic continues and into the future as agencies begin auditing expenditures to the City; and

WHEREAS, Funding an additional permanent full-time position for the Finance Department will allow the department to modify the current Accounting Supervisor position to Controller and create the new position of General Ledger Accountant; and

WHEREAS, The Controller position will provide for a dedicated staff person responsible for keeping financial statements current throughout the year and for managing audit needs throughout year; and

WHEREAS, The new position of General Ledger Accountant will oversee all Accounts Payable/Accounts Receivable functions and develop procedures to improve communications on capital projects; and

WHEREAS, The two positions, Controller and General Ledger Accountant, will split the supervisory roles as a way to better manage finance staff, develop efficiencies and improve workflows.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

85 ATTEST:

86

87 _____

88 MELISSA JACOBSEN, MMC, CITY CLERK

89

90 YES:

91 NO:

92 ABSTAIN:

93 ABSENT:

94

95 Introduction:

96 Public Hearing:

97 Second Reading:

98 Effective Date:

99

100

101 Reviewed and approved as to form:

102

103

104 _____

105 Rick Abboud, Interim City Manager

106

107 Date: _____

108

Michael Gatti, Attorney

Date: _____

ORDINANCE REFERENCE SHEET
2020 ORDINANCE
ORDINANCE 20-45

An Ordinance of the City Council of Homer, Alaska Appropriating \$4,031,326.50 in CARES Act Funds from the State of Alaska and Providing for Administrative Flexibility in the Management of these Funds.

Sponsor: Lord/Aderhold

1. City Council Regular Meeting July 27, 2020 Introduction
 - a. Memorandum 20-110 from Interim City Manager as backup

2. City Council Regular Meeting August 10, 2020 Public Hearing and Second Reading
 - a. Memorandum 20-110 from Interim City Manager as backup

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

Lord/Aderhold

3
4 **ORDINANCE 20-45**

5
6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
7 APPROPRIATING \$4,031,326.50 IN CARES ACT FUNDS FROM THE
8 STATE OF ALASKA AND PROVIDING FOR ADMINISTRATIVE
9 FLEXIBILITY IN THE MANAGEMENT OF THESE FUNDS.
10

11 WHEREAS, The State of Alaska received over \$1.5 billion in federal funding under the
12 Coronavirus Aid, Relief, and Economic Security (CARES) Act, with \$562.5 million directed by the
13 Governor and the Alaska Legislature to Alaska's municipalities for direct relief designed to help
14 meet each community's unique needs and costs associated with coping with the novel
15 coronavirus, COVID-19; and
16

17 WHEREAS, The City of Homer's total allocation is \$7,899,085.29, which was authorized
18 for receipt under Resolution 20-051; and
19

20 WHEREAS, The funds allocated to the City of Homer will be distributed by the state in
21 three payments:

- 22 1) \$3,867,758.79
23 2) \$2,015,663.25 on or about July 1, 2020
24 3) \$2,015,663.25 on or about October 1, 2020; and
25

26 WHEREAS, The City of Homer must expend 80% of the first distribution (equal to
27 \$3,094,207) before the second portion of the allocation is distributed to the City and this
28 requirement is also applicable to the second distribution where the City must expend 80%
29 (equal to \$1,612,530.60) before the City receives its third and final distribution; and
30

31 WHEREAS, the first allotment of \$3,867,758.79 was appropriated via Ordinance 20-25(S)
32 on June 8, 2020, as follows:
33

- 34 A) \$3,000,000 is appropriated to the Small Business Economic Relief Grant Program
35 (SBERG), per the policy outlined in Resolution 20-057.
36 B) \$90,000 is appropriated to pay for the initial administrative costs, including additional
37 personnel and direct expenses (including public outreach), of the small business grant
38 program.
39 C) \$130,000 is appropriated to reimburse the City's advance of emergency funding that
40 was used to meet the demands of the first few weeks of COVID-19 response and altered
41 municipal operations.

- 42 D) \$445,000 is appropriated to repay the City for approved staffing expenses associated
43 with the COVID-19 state mandates and closures and operations of the City’s emergency
44 operations center and coordination with other agencies and organizations through a
45 unified command.
46 E) The balance is to be placed in a dedicated account to be kept ready for additional
47 COVID-19 related expenses through additional appropriation by the Homer City
48 Council.
49

50 WHEREAS, In addition to small businesses, Homer-based nonprofit organizations,
51 households within the City of Homer, nonprofits and businesses that provide social services to
52 Homer residents related to the pandemic, childcare providers in the City of Homer, and South
53 Peninsula Hospital are in immediate need of fiscal relief due to the COVID-19 pandemic and
54 actions taken as a result to protect public health; and
55

56 WHEREAS, CARES Act funds may be used for expenses associated with the provision of
57 economic support in connection with the COVID-19 health emergency, including expenditures
58 related to the provision of grants to businesses, nonprofits, households, and hospitals that
59 suffered negative impacts as a result of public health mandates related to COVID-19; and
60

61 WHEREAS, South Peninsula Hospital (SPH), a critical care hospital that operates in the
62 City of Homer, has partnered with the City of Homer during the COVID-19 pandemic response
63 including participating in the City’s Unified Command and has been financially impacted
64 through measures such as temporarily closing many hospital services in response to statewide
65 health mandates, preparing to safely receive Covid-19 patients through modifications to the
66 building and equipping staff with personal protective equipment, and conducting COVID-19
67 testing at the hospital and at pop-up locations on the Homer spit and elsewhere on the
68 southern Kenai Peninsula at the hospital’s expense; and
69

70 WHEREAS, SPH has expended funds to prepare for pandemic response while
71 simultaneously losing revenue due to temporarily stopping services; and
72

73 WHEREAS, The Alaska Municipal League (AML) is a non-profit of which the City is a
74 member and, as outlined in Ordinance 20-39(A), has also been impacted by the pandemic;
75

76 WHEREAS, CARES Act funds may also be used to reimburse the City for expenses related
77 to municipal operations such as material and service costs including capital expenses and
78 personnel costs that are a direct result of the COVID-19 response, including the added
79 administrative costs associated with substantial associated financial management and
80 oversight; and
81

82 WHEREAS, The City Manager will present Homer City Council with a resolution or
83 resolutions detailing how CARES Act funds allocated to the City will be used for municipal
84 operations that are a direct result of the COVID-19 response and mitigation; and
85 WHEREAS, The Homer City Council established the Small Business Economic Relief Grant
86 (SBERG) Program policy through Resolution 20-057; and

87
88 WHEREAS, Resolution 20-0XX establishes policies for a Nonprofit Economic Relief Grant
89 Program (NERG), Household Economic Relief Grant Program (HERG), Social Services Economic
90 Relief Grant Program (SoSERG), and Childcare Business Economic Relief Grant Program
91 (CBERG); and

92
93 WHEREAS, The expenses associated with these additional COVID-19 economic relief
94 programs were not accounted for in the FY20-21 budget, but the City needs to respond
95 financially to the economic hardships caused by the COVID-19 health mandates during the
96 period March 2020 to December 2020.

97
98 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:
99

100 Section 1. The Homer City Council hereby accepts and appropriates the second and
101 third payments of municipal CARES Act funding in the amount of \$4,031,326.50, at the time
102 that the funds become available from the State of Alaska and the City has expended 80% of
103 previous distributions, to be used as follows:

- 104
- 105 A) \$222,537 is appropriated to pay for City material and service expenses including
106 capital expenses that qualify for reimbursement under the CARES Act and are
107 approved by the Homer City Council projected for the next 60 days.
 - 108 B) \$108,312 is appropriated to fund COVID-19 related personnel costs projected over
109 the next 60 days. The additional personnel and direct expenses (including public
110 outreach) of the grant programs outlined in this ordinance have been approved and
111 funded under Section 1. B. of Ord. 20-25(S).
 - 112 C) \$1,000,000 is appropriated to the Household Economic Relief Grant Program per the
113 policy outlined in Resolution 20-071.
 - 114 D) \$1,250,000 is appropriated to the Nonprofit Economic Relief Grant Program per the
115 policy outlined in Resolution 20-071.
 - 116 E) \$200,000 is appropriated to the Social Services Economic Relief Grant Program per
117 the policy outlined in Resolution 20-071.
 - 118 F) \$150,000 is appropriated to the Childcare Business Economic Relief Grant Program
119 per the policy outlined in Resolution 20-071.
 - 120 G) \$200,000 is appropriated to South Peninsula Hospital for expenses incurred in
121 response to the COVID-19 pandemic.

- 122 H) \$20,680 is appropriated to Alaska Municipal League for expenses incurred and
123 anticipated in response to the COVID-19 pandemic.
124 I) The balance is to be placed in a dedicated account to be kept available for
125 additional Covid-19 related expenses such as municipal operations through
126 additional appropriation by the Homer City Council.

127
128 Revenue:

129

130	<u>Description</u>	<u>Amount</u>
131	FY 2020 CARES Act Municipal Assistance	\$2,015,663.25
132	FY 2020 CARES Act Municipal Assistance	\$2,015,663.25

133

134 Transfer:

135

136	<u>Description</u>	<u>Amount</u>
137	COVID 19 Response Fund	\$2,015,663.25
138	COVID 19 Response Fund	\$2,015,663.25

139

140 Section 2. Unspent funds appropriated from the first distribution (\$3,867,758.79) may
141 be reallocated to the uses outlined in Section 1 to allow the City to expend 80% of the first
142 distribution to attain eligibility for the second distribution through this administrative
143 flexibility.

144
145 Section 3. A \$50,000 portion of the \$90,000 appropriated from the first distribution
146 under Ordinance 20-25(S) to pay for the initial administrative costs, including additional
147 personnel and direct expenses (including public outreach) of the small business grant program
148 has been reallocated for the purpose of hiring a CARES Act Program Coordinator.

149
150 Section 4. This ordinance is a budget ordinance only, is not permanent in nature and
151 shall not be codified.

152
153 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this ___ day of _____, 2020.

154
155 CITY OF HOMER

156
157 _____
158 KEN CASTNER, MAYOR

159
160 ATTEST:
161 _____
162

163 MELISSA JACOBSEN, MMC, CITY CLERK

164

165 YES:

166 NO:

167 ABSTAIN:

168 ABSENT:

169

170 First Reading:

171 Public Hearing:

172 Second Reading:

173 Effective Date:

174

175 Reviewed and approved as to form.

176

177

178 _____
Rick Abboud, Interim City Manager

179

180 Date: _____

181

Michael Gatti, City Attorney

Date: _____



City of Homer

www.cityofhomer-ak.gov

Office of the City Manager

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Homer, Alaska 99603

citymanager@cityofhomer-ak.gov

(p) 907-235-8121 x2222

(f) 907-235-3148

Memorandum 20-110

TO: Mayor Castner and Homer City Council
FROM: Rick Abboud, Interim City Manager
DATE: July 23, 2020
SUBJECT: Funding allocations of Ord. 20-45

Through Ord. 20-25(S), \$3,665,000 of the first distribution of CARES Act dollars was appropriated. This left a remaining balance of \$202,758.79 that can be used for additional COVID-19 related expenses. The ordinance currently before Council appropriates \$ 3,151,529 from the second and third disbursements, leaving a remaining balance of \$879,797.50 that can be used for additional COVID-19 related expenses.

I recommend leaving the combined balance of \$1,082,556.29 unencumbered and moving forward with the proposed allocations listed under Section 1 of Ordinance 20-45. Municipal operations including materials, services, and personnel costs have been projected for the next 60 days, however there will be costs that can be recovered with Cares Act funds after this time period. Additionally, all new economic relief grant programs will have a designated application period for community members to apply for funding. Keeping a shorter timeline for applications to be received will help the City assess if additional funding is needed due to high demand for a particular program. In which case, Council can either appropriate the unencumbered balance or Administration can flex any remaining funds from the first disbursement to assist the City in expending 80% so that the second disbursement may be received.

Addressing and responding to the pandemic requires flexibility for unforeseen circumstances, of which availability of funds is key.

ORDINANCE REFERENCE SHEET
2020 ORDINANCE
ORDINANCE 20-48

An Ordinance of the City Council of Homer, Alaska Amending the 2020 Operating Budget and Authorizing Expenditure of an Additional \$29,100 for Porta Potties and Hand Wash Stations, and Authorizing a Sole Source Contract.

Sponsor: City Manager/Public Works Director

1. City Council Regular Meeting July 27, 2020 Introduction
 - a. Memorandum 20-105 from Public Works Director as backup

2. City Council Regular Meeting August 10, 2020 Public Hearing and Second Reading
 - a. Memorandum 20-105 from Public Works Director as backup

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

3 City Manager/
4 Public Works Director

5 **ORDINANCE 20-48**

6
7 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
8 AMENDING THE 2020 OPERATING BUDGET AND AUTHORIZING
9 EXPENDITURE OF \$29,100 FROM THE GENERAL FUND FUND
10 BALANCE TO FUND ADDITIONAL PORTA POTTIES AND HAND
11 WASH STATIONS AND AUTHORIZING A SOLE SOURCE CONTRACT.
12

13 WHEREAS, The City of Homer provides and services multiple comfort stations for the
14 public to use when they need to relieve themselves while frequenting the City's parks and other
15 amenities, including: plumbed restrooms, porta potties and pit privies; and
16

17 WHEREAS, Some of the facilities are either in disrepair or insufficient to service the
18 public need; and
19

20 WHEREAS, The Covid-19 emergency has created an increased need for, and awareness
21 of, measures necessary to protect the public health and welfare, including measures to
22 promote cleanliness and sanitation; and
23

24 WHEREAS, The current 2020 budget for the Parks-Cemetery, Professional Services,
25 includes \$27,500 for ten porta potties; and
26

27 WHEREAS, The current cost estimate for the number and frequency of servicing of the
28 twenty-one porta potties, which are expected to be needed, as well as hand wash stations, at
29 some of the porta potties, exceeds the current budget by \$29,100; and
30

31 WHEREAS, Of that amount, \$24,300 may be an eligible COVID-19 related expense; and
32

33 WHEREAS, there is only one company in Homer, which furnishes and services porta
34 potties and hand wash stations, Moore & Moore Services, Inc.
35

36 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:
37

38 Section 1. The City Manager is authorized to execute a sole source contract to Moore
39 & Moore Services, Inc., in an amount not to exceed \$56,100, which includes the equipment
40 expenses originally planned as well as expenses associated with the hand wash stations and
41 increased number of porta potties needed for the 2020 season.
42

84 Second Reading:

85 Effective Date:

86

87 Reviewed and approved as to form:

88

89 _____

90 Rick Abboud, Interim City Manager

91

92 Date: _____

Michael Gatti, City Attorney

Date: _____



City of Homer

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Public Works

3575 Heath Street
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publicworks@cityofhomer-ak.gov

(p) 907- 235-3170

(f) 907-235-3145

Memorandum 20-105

TO: City Council
THROUGH: Rick Abboud, Acting, City Manager
FROM: Jan Keiser, PE, JD, Director of Public Works
DATE: July 6, 2020
SUBJECT: Proposal for Sole Source Contract for Porta Potty Services

Issue: The City uses porta potties in areas where plumbed restrooms are not available. There is one vendor in the City of Homer that provides and services porta potties, Moore & Moore Services, Inc. We have dispatched more portable units within City parks and campgrounds to increase opportunities for social distancing, provide hand washing capability, and address maintenance issues. We need an increased appropriation to cover the extra expenses as well as authorization to issue a sole source contract to Moore & Moore Services, Inc.

Background: We've relied on porta potties in the past to service areas where plumbed restrooms are not available. In 2019, we had 10 porta potties, distributed around City parks and other public spaces. Moore & Moore dispatched these units, as-needed, when called upon by City staff and then, serviced them on either a one-two times/week schedule.

For a variety of reasons, we currently have 20 porta potties dispatched around the City, some of which are serviced at least three times a week. Further, some of the porta potties are accompanied by portable water-operated hand wash stations, which the City has not used before. We have taken these measures to improve the City's response to public health and welfare in City parks.

One reason we have taken extra measures is that we are seeing heavier use in some of our open spaces this year than we did last year. Generally, the day use, which we don't keep records on but observe anecdotally, has significantly increased from 2019 to 2020, particularly at Mariner Park and Bishop's Beach. While our camping attendance records for June 2020 show the number of campers is about 25% less than it was for June 2019, our camping numbers for the first week of July have already caught up with the rate for 2019. We expect this to continue through the rest of July and into August.

Another reason we geared up is to provide opportunities for hand washing. We tried to provide hand sanitizer, but it kept getting used up or stolen. We could not supply enough of it. The hand wash stations give people a way to wash their hands where there is no plumbing.

Another reason we like the plastic porta potties is that they are easier to keep sanitary than the wood-sided pit privies. We've received numerous complaints about the City's pit privies at the Baycrest

Overlook Site, the Karen Hornaday Campground and Bishop's Beach. First, one of the toilet seats at Bishop's Beach is broken, leaving a sharp edge at the seat level. You can't simply replace the seat, you have to replace the entire riser that sits above the vault. We have permanently closed that privy.

Second, it is very difficult to keep the pit privies clean, and smelling like anything except what they are, outhouses, so we closed them and dispatched porta potties as replacements until we can create a better solution. The usage exceeded our expectations over the July 4th weekend so we need to either add more units or increase the pump out frequency, either of which increases the cost. We would like to add the portable hand wash stations to those locations as well, so people have way to wash their hands.

Further, the plumbed restrooms at the Fish Hook Restroom are out of service because there is a broken toilet in one of the stalls. Unfortunately, that one broken toilet necessitates putting the entire restroom out of order because of the way the restroom is plumbed. We have ordered another toilet and hope to have the restroom back in service as soon as we receive it and can get it installed. In the meantime, we dispatched three porta potties to that site. This was not enough to accommodate the July 4th traffic. We need to either add more units or increase the frequency of pump out; either way, the cost will increase.

The 2020 budget included \$27,000 for porta potties, to be furnished and serviced by the sole-source vendor, Moore & Moore Services, Inc. Throughout the entire 2020 season, we expect to need \$56,100, which will cover the equipment we had originally planned, as well as the extra porta potties and the hand wash stations. This creates a shortfall of \$29,000. We believe \$24,300 of this extra cost, is a Covid-19-related expense.

Action Recommended: That the City Council pass the proposed ordinance authorizing (1) an increase to the budget line item 100-0175-5210, Parks – Cemetery, Professional Services, to cover extra, mostly Covid-related, expenses for porta potties and hand wash stations for 2020 and (2) a sole source contract to Moore & Moore Services, Inc., in an amount not to exceed \$56,100.

ORDINANCE REFERENCE SHEET
2020 ORDINANCE
ORDINANCE 20-46

An Ordinance of the City Council of Homer, Alaska Promoting Natural Gas as a Cleaner Heating Fuel and Amending Homer City Code Title 7 Vehicles and Traffic, Chapter 7.16 Operating, Stopping or Parking of Motor Vehicles in Beach Areas Prohibited-Exceptions, by Deleting Section 7.16.020(b).

Sponsor: Evensen

1. City Council Regular Meeting July 27, 2020 Introduction – Postponed
 - a. Memorandum 20-109 from Interim City Manager as backup
2. City Council Regular Meeting August 10, 2020 Introduction
 - a. Memorandum 20-109 from Interim City Manager as backup

**CITY OF HOMER
HOMER, ALASKA**

Evensen

ORDINANCE 20-46

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
PROMOTING NATURAL GAS AS A CLEANER HEATING FUEL AND
AMENDING HOMER CITY CODE TITLE 7 VEHICLES AND TRAFFIC,
CHAPTER 7.16 OPERATING, STOPPING OR PARKING OF MOTOR
VEHICLES IN BEACH AREAS PROHIBITED – EXCEPTIONS, BY
DELETING SECTION 7.16.020(b)

WHEREAS, Bishop’s Beach Park and Bishop’s Beach Parking Lot were updated with infrastructure in 2002, 2014 and 2016 to provide ample parking, trail, and facility support to a centrally located beach access; and

WHEREAS, Much of the tourism economy of Homer is associated with ecologically rich resources of Kachemak Bay, which include the Bishop’s Beach system and its attractions; and

WHEREAS, Despite restrictions of HCC 19.08.030 unauthorized overnight camping at Bishop’s Beach and associated destruction to driftwood-bearing berms has recently occurred with neither enforcement nor penalty; and

WHEREAS, Vehicular accidents and those involving ATVs have taken place along Bishop’s Beach, resulting in injury and even death; and

WHEREAS, Trend of increased vehicular traffic upon and heavy usage of the Bishop’s Beach system has led to a decline in its intertidal resources; and alarming reductions to natural habitat and biodiversity have occurred; and

WHEREAS, Historically Bishop’s has also been one of several beaches in the area where residents may gather coal for heating; and

WHEREAS, With intentions of coal gathering, Ordinance 16-13 amended HCC Title 7 to allow motor vehicles to freely access and otherwise operate upon this beach going westward from the Bishop’s Beach Parking Lot; and

WHEREAS, City of Homer has gone to great lengths to bring in and establish natural gas as a City-wide utility, which offers new benefit to citizens via a cleaner, more efficient form of heating fuel; and

42 WHEREAS, Comparatively bituminous coals of Lower Cook Inlet offer an outdated and
43 “dirty” form of heating fuel; these coals may contain naturally high contents of uranium and
44 mercury; and burning of coals may release toxin-infused ash and vapors; and

45
46 WHEREAS, Availability of coal at nearby Mariner Beach offers public access by motor
47 vehicle to gather unrestricted quantities of coal and negates the need for duplicate access at
48 Bishop’s Beach; and

49
50 WHEREAS, Encouragement of natural gas usage, as a highly efficient form of heating
51 fuel, should be promoted not only by utility infrastructure but also by policy; and

52
53 WHEREAS, Unintended consequences of motor vehicles to the Bishop’s Beach system
54 have been realized and the decline of natural resources that are critical to Homer’s economy
55 should be reversed, if possible; and

56
57 WHEREAS, Open beach access that promotes usage in safe and sustainable ways is
58 desirable for citizens and stakeholders.

59
60
61 NOW, THEREFORE, The City of Homer Ordains:

62
63 Section 1. Homer City Code Section 7.16.020 Operating, stopping or parking of motor
64 vehicles in beach areas prohibited – Exceptions is hereby amended to delete item b. as follows:

65
66 7.16.020 Operating, stopping or parking of motor vehicles in beach areas prohibited –
67 Exceptions.

68 a. Except as provided in subsections (b) through (d) of this section, no person
69 may operate, stop or park a motor vehicle within or upon any beach area.

70
71 ~~b. A person may operate, stop or park a motor vehicle within and upon the beach~~
72 ~~area east of a line extending south from the southern end of a line extending~~
73 ~~south from the southern end of the vacated easement formally known as~~
74 ~~Shirlene Circle, and within and upon the beach area west of Bishops Beach Park~~
75 ~~Access.~~

76
77 **b.** A person may operate, stop or park a motor vehicle within and upon the
78 beach area between the south end of Mariner Park beach to the east end of the
79 seawall from October 1st through March 31st solely for the purpose of gathering
80 sand and coal.

81
82 ~~d~~ **c.** An owner of property immediately adjacent to a beach area may operate,
83 stop and park a motor vehicle within or upon a beach area as is reasonably

84 necessary to maintain the owner’s property, in accordance with the terms of a
85 permit issued for that purpose by the Chief of Police.

86
87 e **d.** Nothing in this section permits a person to operate, stop or park a motor
88 vehicle within or upon privately owned property in a beach area without the
89 permission of the property owner.

90
91 Section 2. This ordinance is of a permanent and general character and shall be included
92 in Homer City Code.

93
94 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this ___ day of _____,
95 2020.

96
97 CITY OF HOMER
98
99 _____
100 KEN CASTNER, MAYOR

101 ATTEST:
102
103 _____
104 MELISSA JACOBSEN, MMC, CITY CLERK

105
106 YES:
107 NO:
108 ABSTAIN:
109 ABSENT:
110
111 First Reading:
112 Public Hearing:
113 Second Reading:
114 Effective Date:

115
116 Reviewed and approved as to form.

117
118 _____
119 Rick Abboud, Interim City Manager
120
121 Date: _____

118 _____
119 Michael Gatti, City Attorney
120
121 Date: _____



City of Homer

www.cityofhomer-ak.gov

Office of the City Manager

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Memorandum 20-109

TO: Mayor Castner and Homer City Council
FROM: Rick Abboud, Interim City Manager
DATE: July 17, 2020
SUBJECT: Backup Information Concerning the City's Beach Policy

PARCAC reviews the City of Homer's Beach Policy every two years as part of their Commission activities. The next scheduled review of the document is November 2020. Should Council wish to revisit vehicular use on Homer beaches either sooner than what is scheduled or with a new management approach, a resolution of the City Council providing direction to PARCAC would be appropriate. Under *HCC 2.60.040 Duties and responsibilities of the Commission*, the Commission acts in an advisory capacity on matters involving public beaches. The City's Beach Policy currently in effect can be found online here: https://www.cityofhomer-ak.gov/sites/default/files/fileattachments/city_clerk039s_office/page/6550/beach_policy_042516.pdf. This policy was developed in consultation with PARCAC; an abbreviated history of how this policy came to be is provided below.

History:

In June 2001, the Beach Policy Task Force made final recommendations to the City. These recommendations included limitations on where vehicles could travel on Homer's beaches, recognition of the importance of beach and storm berms, and new rules about driftwood harvesting. At the time, these were very large changes for public beach use and behavior. The recommendations were formatted into a Beach Policy document adopted by Council under Resolution 2001-44(A). Other actions included amending Homer City Code Title 7 regarding vehicles on beach areas, definitions, and the harvest of driftwood.

The 2001 policy was then reviewed in 2005 by PARCAC. From 2014 to 2016 under Council's direction, PARCAC again reviewed and made revisions to the beach policy in a yearlong public process. There was general public consensus that coal gathering was important, so Mariner Park Beach is open in the winter (only) for coal gathering.



Red = No vehicles

Yellow = Vehicles only under the terms of HCC 7.16,
Seasonal coal gathering



There was also consensus that if the eastern portion of Bishops' Beach were to be closed, then the western portion should be open both for coal gathering and to provide the ability to drive to Anchor Point or out the beach (as people have done here since the mining and homestead era). A gate was installed to block cars from traveling east to Beluga Slough.

Vehicles are allowed west from Bishop's Beach Park access, and prohibited to the east.

For the Kachemak Drive Area, it is still legal to drive on the beach, but there are no public access points. The state placed a gate at the top of the airport, and a key is available for land owners by request. Using the state access point also entails trespass on private property. It is not often used.



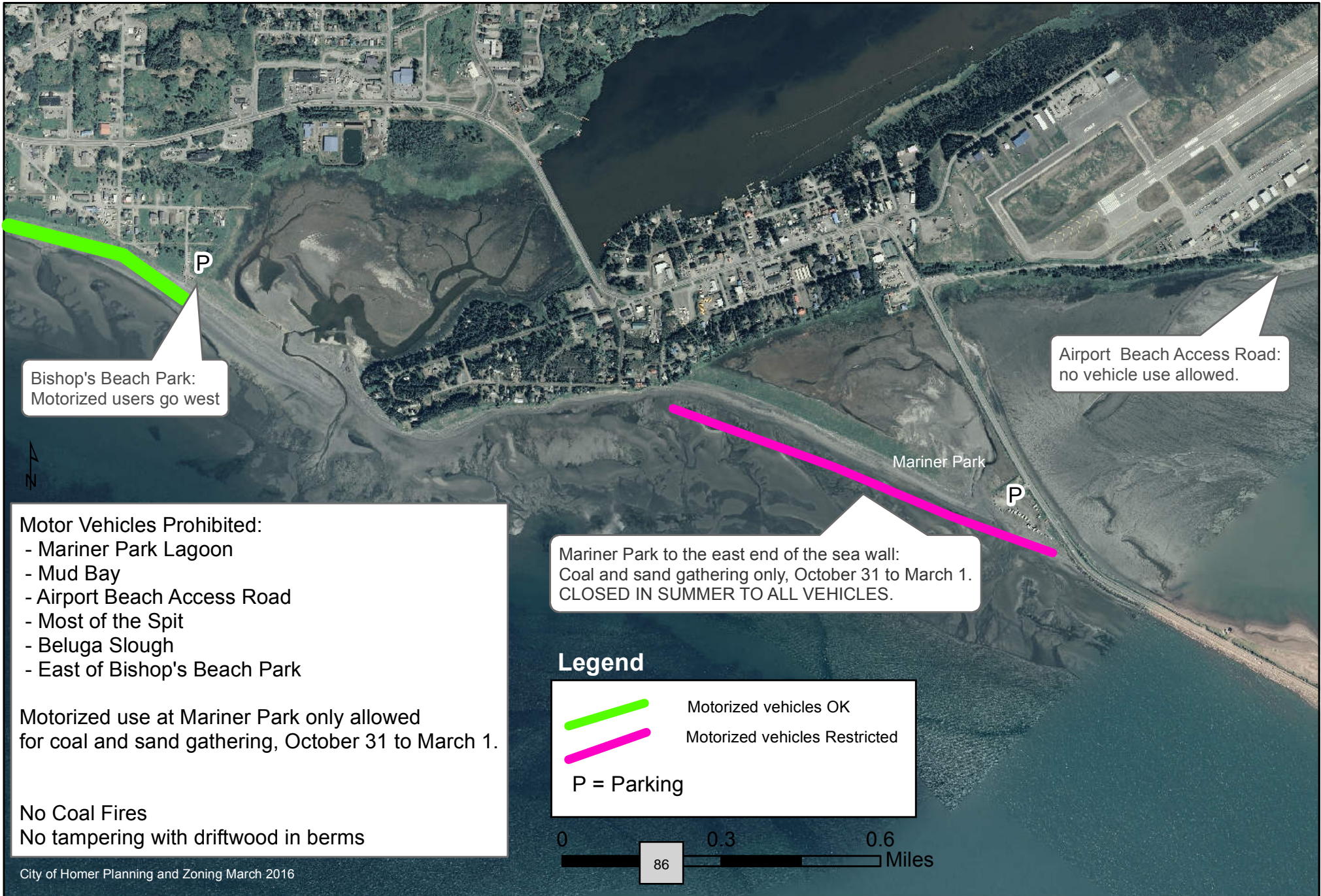
Below is a selected history of the 2014-2016 process.

https://www.cityofhomer-ak.gov/sites/default/files/fileattachments/memo/4851/memo_15-102_beach_policy.pdf

https://www.cityofhomer-ak.gov/sites/default/files/fileattachments/memo/8904/memo_16-031_beach_policy_kbcha_legal_memo.pdf

Where Can I Drive?

**Problems? Call Homer Police Dept at 235-3150.
Violators can be fined.**



ORDINANCE REFERENCE SHEET
2020 ORDINANCE
ORDINANCE 20-50

An Ordinance of the City Council of Homer, Alaska Appropriating \$60,000 in CARES Act Funds from the State of Alaska for the Homer Chamber of Commerce to Continue Operations during the Pandemic.

Sponsor: Evensen/Mayor

1. City Council Regular Meeting August 10, 2020 Introduction

**CITY OF HOMER
HOMER, ALASKA**

Evensen/Mayor

ORDINANCE 20-xx

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
APPROPRIATING \$60,000 IN CARES ACT FUNDS FROM THE STATE
OF ALASKA FOR THE HOMER CHAMBER OF COMMERCE TO
CONTINUE OPERATIONS DURING THE PANDEMIC

WHEREAS, The Homer Chamber of Commerce has worked tirelessly since the onset of the COVID-19 Pandemic in a leadership role that has connected citizens and businesses of Homer to critical sources of funding; and

WHEREAS, Early effort and insight by the Chamber, as well as their working partnership with Kenai Peninsula Economic Development Group (KPED) and the City of Homer, has uniquely and positively influenced the funding available to all Homer citizens and business entities; and

WHEREAS, Large amount of work hours and volunteer-based effort donated by the Chamber to counter the negative economic effects of the pandemic has also depleted the non-profit organization of its resources, including temporary and permanent staff, which have been lost; and

WHEREAS, Ordinance 20-45 outlines usage of unspent funds from the first distribution of CARES monies for CARES-specific needs; and

WHEREAS, Because the Chamber generously helps and facilities our entire community, it is in the interest of the City and our citizens to appropriate special funding from the CARES Act to sustain the Chamber through operational hardship stemming from COVID.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The Homer City Council hereby appropriates \$60,000 to Homer Chamber of Commerce for expenses incurred in response to the COVID-19 pandemic including replacement for permanent losses in staff.

Revenue:

<u>Description</u>	<u>Amount</u>
FY 2020 CARES Act Municipal Assistance	\$60,000

44 Transfer:

45

46	<u>Description</u>	<u>Amount</u>
47	COVID 19 Response Fund	\$60,000

48

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

51

52 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this ___ day of _____,
53 2020.

54

55 CITY OF HOMER

56

57 _____
58 KEN CASTNER, MAYOR

59 ATTEST:

60

61 _____
62 MELISSA JACOBSEN, MMC, CITY CLERK

63

64 YES:

65 NO:

66 ABSTAIN:

67 ABSENT:

68

69 First Reading:

70 Public Hearing:

71 Second Reading:

72 Effective Date:

73

74 Reviewed and approved as to form.

75

76 _____
77 Rick Abboud, Interim City Manager

78

Michael Gatti, City Attorney

79 Date: _____

Date: _____



Memorandum

TO: Mayor Castner and Homer City Council
FROM: Rick Abboud, Interim City Manager
DATE: August 5, 2020
SUBJECT: City Manager's Report for August 10 City Council Meeting

Administrative Flexibility

Per Finance Director Walton, the intent of council to add flexibility to the appropriations in the proposed CARES Act Ord 20-45 meets the general framework of accounting standards and this flexibility should pose no concern during our annual audit. That being said, we are in uncharted territories and the future is unknown. The financial guidelines could change by the time we are working on the 2020 audit. Administration will be in consultation with Finance on how best to apply COVID-19 expenses to the CARES Act disbursements given this feedback from BDO.

Cloth Face Mask Use in City Facilities

Please see the enclosed memo concerning the requirement that cloth face masks be used in City facilities. Councilmembers should have been provided masks in their inboxes at the Clerk's Office and the EOC/Department Heads have been distributing masks to their team members. Please let me know if you are in need of a cloth face mask. The issuance of this memo does not mean all City facilities are reopening but instead is a preparatory measure for if that day comes and COVID-19 is still present in our community. So far, City services have been provided to the public with limited to no interruption and staff have still been able to effectively meet the needs of our constituents with little to no risk. Port and Harbor has retrofitted its lobby at the Harbormaster's Office to potentially allow for foot traffic so as to more continentally serve the 900 or so customers who will need to renew their stall leases. Safety Officer Berry is working with Harbormaster Hawkins to address safety concerns and more information will be provided regarding this opening on the Port and Harbor website. The Library has been requiring the use of face masks by patrons for some time and providing masks to those who do not have one available.

Proposed Uses of Water and Sewer Depreciation Reserve Account Funds

Public Works Director Keiser has identified maintenance and equipment needs in order to rehabilitate and upgrade the City's water and sewer systems. These critical infrastructure needs have either been deferred or are recommendations made by staff and are found in the 2006 Water and Sewer Master Plan. Director Keiser plans to bring before Council two documents for adoption: a Water Capital Improvement Plan and a Sewer Capital Improvement Plan. These documents will demonstrate the current and future needs specifically for the City's water and sewer systems and will be adopted as part of the City's budget cycle. Through the most recent Council retreat, Council identified "Water and Sewer policy" and "Reserve Funding (water and sewer)" as the top two Policy Focused priorities. The documents associated with these priorities are enclosed for reference.

New Police Station Move, Virtual Tour

In order for HPD to move into the new police station, Motorola must first set up Dispatch's equipment. Chief Robl worked out a date for the move with Motorola, which will occur the week of September 21st. There may be a need that requires the use of the new jail before then however. HPD has been very busy lately and had the jail overflowing last week. HPD has enough camera online in the new jail that they will be able to use the cells if needed with a staff member present on site while a cell is occupied. Once staff are fully moved into the building, HPD will work on providing the public with a virtual tour of the building that can be hosted through a platform like HPD'S Facebook. The hope is the video will also be able to provide educational messaging on the green design components that went into the building's construction. In the future once the COVID-19 pandemic has subsided, HPD can host an in-person facility tour of the new police station then.

Teshio Art Display at Homer Public Library

As reported in the January 27, 2020 Manager's Report, the City Manager's office had reached out to Library Director Berry to see if the generous, ornate gifts provided by the City of Teshio could be put on display. Per Library Director Berry, there is the option to host the objects for three months in the fireplace lounge as part of the Art in the Library exhibit, which normally features the work of local artists on a rotating basis. As the library has limited use as a result of COVID-19, this effort will be delayed until more patrons can access the space.

Small Works Drainage Improvement Program

The City Council authorized the creation of a Small Works Drainage Improvement Program, funded by the HART-Roads Fund. The purpose of this Program was to enable Public Works to purchase materials necessary to make small, but critical repairs, to the City's storm drain system as well as cross culverts. For example, so far, Public Works has replaced seven storm drain laterals on the Main Street Storm Drain Line, comprising 185 LF of heavily eroded corrugated pipe, and plans to do eight more installations, comprising another 370 LF, in August.

Main Street Sidewalk Project

Through Ordinance 20-32, City Council authorized Public Works to proceed with the design of the Main Street Sidewalk Project for a Total Project Cost for this phase of the work of \$98,000. So far Public Works has executed a contract for the design work with HDL Engineering Consultants, LLC, in the amount of \$47,480, as well as a contract for the survey work with Ability Surveys, in the amount of \$9,950.

Tsunami Warning 7.21.20

What would have been regarded as a major event in the past has become a familiar exercise that occurred without major fanfare. The EOC was set up in response and we were very successful in getting an estimated 90% plus response to the evacuation quickly initiated by the Police Department. We continue to learn lessons to apply to future events and I am particularly pleased with the staff who were/are currently involved with the COVID-19 emergency and then responded to the tsunami warning. Things went smoothly while going down the depth chart of personnel in the incident command team.

Enclosures:

1. August Employee Anniversaries
2. Council Retreat Documents regarding "Water and Sewer policy" and "Reserve Funding (water and sewer)"
3. SBERG Update as of August 3, 2020
4. July 20, 2020 CM Memo regarding the Use of Cloth Face Coverings in City of Homer Facilities

5. July 30, 2020 Lt. Governor Meyer Letter regarding Hosting 2024 Arctic Winter Games
6. Memorandum from City Engineer Re: Seawall Tiered Benefit Explanation



City of Homer

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Memorandum

TO: MAYOR CASTNER AND CITY COUNCIL
FROM: Andrea Browning
DATE: August 10, 2020
SUBJECT: August Employee Anniversaries

I would like to take the time to thank the following employees for the dedication, commitment and service they have provided the City and taxpayers of Homer over the years.

Dan Gardner,	Public Works	29	Years
Carey Meyer,	Public Works	21	Years
Joe Inglis,	Public Works	9	Years
Eve Dickmann,	Police	8	Years
Staci LaPlante,	Public Works	6	Years
Shawn Krause	Public Works	1	Year
Kellen Stock	Police	1	Year

Medium, Policy Focus-1st priority

City of Homer Council-Initiated 2020 Priorities

Water and Sewer Policy

Champions: Lord, Aderhold

Council-Initiated Proposals Submitted at Retreat:

- Strategic plan for the water/sewer utility, including smart use of HAWSP (Lord)

COUNCIL-INITIATED PROPOSAL

CITY OF HOMER ALASKA

A proposal is a brief summary of your council-initiated project that can be used to introduce a project to the City Manager, Mayor, and Homer City Council. It serves as a tool for clarifying ideas, scoping the project, and communicating about the benefits of this project with council and administration. Please complete this proposal form by tabbing through the table and submit to the City Manager.

Title of Proposed Project (descriptive title)	Strategic plan for the water/sewer utility, including smart use of HAWSP
Date + Champion (date and who is submitting)	1/6/2020 Rachel Lord
Type of Project (e.g., capital/physical, policy, program, design/engineering, plan/study)	Plan & Policy
Conceptual Goal of Project (one sentence of benefits to City/Homer citizens)	A strategic examination of our water and sewer system to provide a roadmap for expansion and operations that work to reduce rates and provide excellent service, while establishing guidelines and policies for HAWSP projects that benefit the taxpayers and ratepayers.
Needs Statement (why does the community need this?)	Homer's water and sewer system is expensive. The extensive infrastructure coupled with a relatively low population density results in high rates to cover the cost of operations. In order to benefit all customers to the highest amount possible, Council should prioritize strategically examining the water/sewer system to look at opportunities, costs, and benefits to expansion, incentivizing infill, long-term maintenance costs, and other relevant issues facing the utility.
Proposed Outcomes (tangible, concrete, specific end results)	A policy that re-opens HAWSP, taking into account the overall system; policy suggestions for incentivizing infill; a reserve policy for the utility; a map of the City with goals for expanding services over time in a way that doesn't negatively impact rates.
Activities Scope (which steps are needed to complete project?)	Possible Task Force, or series of Council work sessions to ask questions/discuss. RFP for a consultant? Establish funding sources for planning work. Use policy questions raised in 2016 re: HAWSP to begin Council-level discussions again, ask what would be "ideal" utility rates

	(help with business recruitment, housing costs, etc), how do different scenarios pencil out using our current rate formula (i.e. with different levels of infill, with system expansion, with both infill & expansion, with increased consumption), how are utility reserves utilized, what big projects are on the horizon and how will they possibly be funded, how might climate change & increased summer drought potential possibly impact water storage at the reservoir? Etc.
City Resources (preliminary estimate of resources needed)	Water/Sewer and Finance staff time, \$\$
Size Category (estimate) (large, medium, small)	Large

City of Homer Council-Initiated 2020 Priorities

Reserve Funding (Water and Sewer)

Champions: Castner and Lord

Council-Initiated Proposals Submitted at Retreat:

- Responsibility of the water and sewer customers in funding an unsubstantiated tariff increase to fund a reserve that has no established guidelines for expenditures (Castner)
- Fund Policies (Lord)
- Establish a well founded, responsible, attainable, and sustainable reserve (Smith)

Mayor Castner

In 2020 I would like to get resolution on the responsibility of the water and sewer customers in funding an unsubstantiated tariff increase to fund a reserve that has no established guidelines for expenditures.

COUNCIL-INITIATED PROPOSAL

CITY OF HOMER ALASKA

A proposal is a brief summary of your council-initiated project that can be used to introduce a project to the City Manager, Mayor, and Homer City Council. It serves as a tool for clarifying ideas, scoping the project, and communicating about the benefits of this project with council and administration. Please complete this proposal form by tabbing through the table and submit to the City Manager.

Title of Proposed Project (descriptive title)	Fund Policies
Date + Champion (date and who is submitting)	1/6/2020 Rachel Lord
Type of Project (e.g., capital/physical, policy, program, design/engineering, plan/study)	Policy
Conceptual Goal of Project (one sentence of benefits to City/Homer citizens)	Establish policies surrounding fund balance, CARMA, CIP, and reserve accounts vetted by the community and established in code.
Needs Statement (why does the community need this?)	In 2019, the Mayor led Council and staff towards not only a 2-year budget but also a reorganization of City accounts. Additionally, ongoing questions exist regarding the appropriate size and use of different reserve accounts. While some work has happened (primarily with the GF fund balance), there are still many outstanding policy questions for Council to address. Having publically vetted sideboards to the City's financial pots of money is critical for a transparent and responsible government.
Proposed Outcomes (tangible, concrete, specific end results)	Policies surrounding the following accounts, which outline the purpose, any specific restrictions or requirements of that account, and the target floor/ceiling amounts in each: GF CARMA, GF CIP, GF Reserves, Utility Reserve, Port/Harbor Reserve,
Activities Scope (which steps are needed to complete project?)	Summaries of each pot of money, how it's currently used, how much is in it, possible history of its balance brought to Council along with a suite of questions to work through on each? A series of worksessions for Council to plug through, with Port & Harbor Commission input on the Harbor

	accounts, followed by Ordinances (or a single ordinance?) introduced for public hearing(s) before a final vote(s) and codification prior to our FY2022-24 budget cycle.
City Resources (preliminary estimate of resources needed)	Finance, City Managers office, Public Works Director (W/S), Port & Harbor Director
Size Category (estimate) (large, medium, small)	Large

Establish a well founded, responsible, attainable, and sustainable reserve.

- This needs to be resolved.
- The city's residents have an expectation that we maximize the utility of their tax dollars to the benefit of the community at large. Reasonable reserve ceilings/floors must be established as to not create any “dead money” or create conditions unfavorable to providing acceptable service standards.



City of Homer

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Memorandum

TO: Mayor Castner and Homer City Council
FROM: Rick Abboud, Interim City Manager
DATE: August 5, 2020
SUBJECT: Small Business Economic Relief Program (SBERG) Program Update -8/3/20

The City Manager's office is currently reviewing 12 appeals made to the SBERG program.

The below information is provided by Jody Mastey, CARES Act Local Implementation Manager.

As of August 3, 2020:

281 TOTAL APPLICATIONS

202 online

79 paper

126 TOTAL APPROVED APPLICATIONS - \$378,000 TOTAL GRANTS AWARDED

07.06.20 68 applications have been approved and turned into the Finance Department

07.13.20 58 applications have been approved and turned into the Finance Department

07.20.20 38 applications have been approved and turned into the Finance Department

07.27.20 36 applications have been approved and turned into the Finance Department

08.03.20 31 applications have been approved and turned into the Finance Department

\$693,000 TOTAL GRANTS AWARDED

14 APPLICATIONS PENDING

Reasons pending: Not on KPB list of registered businesses (3); Charter Boat Business - Claims slip for Physical address on Application and Business License records business outside City Limits (2); W9's need current date, signed or provided with application (3); General Questions on Application (3); Not on KPB list of registered businesses but provided filing with "Request to pre-file No Sales tax" box checked (2); Business License records business outside City Limits (4)

21 APPLICATIONS DENIED

Reasons denied: Reports non-taxable sales to KPB (5); Not on KPB registered business lists (3); New business (1); Business part of larger organization outside City limits (1); Outside City limits (7)

15 APPLICATIONS VOIDED

Voids due to duplicate application or incorrect information on application

NOTES:

Resolution 20-070 provided further insight to the council's intent with regards to physical location of business.

APPEALS PROCESS

Denied applicants were notified about the appeals process.

BUSINESS WHO ARE NOT ON THE KENAI PENINSULA BOROUGH PROVIDED LIST

It is Ms. Mastey's understanding that businesses who are actively working with the Borough regarding sales tax collection should be eligible for the SBERG Grant. She currently does not have a method of verifying this information. It would be helpful to have a contact person with the KPB sales tax division to verify provided sales tax reports from businesses or authorization to accept and approve any business who provides documentation.

NEED TO VERIFY

- 1) Businesses who state they collect sales but report yearly. New business starting in 1st quarter of 2020 will have collected sales tax but will not file till 4th quarter 2020
- 2) Businesses who claim they are working with the Borough and do not need to collect or report sales tax
- 3) Business who provide documents with non-taxable sales with request to "pre-file no sales"
- 4) Business who physically located in Homer City Limits but only collect Borough sales tax

RESCINDING AWARDED GRANTS

Is there a process for rescinding awarded SBERG Grants. An applicant who applied for SBERG on 07.02 before he went out fishing, qualified, was approved and cashed the check. Now he is back from fishing and is looking into State of Alaska CARES Act options and realized he might have disqualified his business from other CARES Act funding.

REISSUING CHECKS

5 checks were resubmitted for reissue.



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(f) 907-235-3148

Memorandum

TO: Department Heads
FROM: Rick Abboud, Interim City Manager *RA*
DATE: July 29, 2020
SUBJECT: Use of Cloth Face Coverings in City of Homer Facilities

The City of Homer has a Declaration of a Local Emergency in place in response to the COVID-19 pandemic. COVID-19 is a respiratory disease that can result in serious illness or death and is easily transmittable person to person. The Center for Disease Control and the State of Alaska (Health Alert 10) recommend everyone wear a cloth face covering when in a public setting where other social distancing measures are difficult to maintain, especially in areas of significant community-based transmission. Homer and the Southern Kenai Peninsula were identified by State Epidemiology as community-based transmission hot spots in June.

Masks and face coverings help prevent the spread of the virus by containing respiratory droplets that transmit the virus. Masks are especially important since many people can be contagious when not exhibiting symptoms and unknowingly transmit the disease to others.

The City Manager has the authority to require the use of cloth face coverings (that cover an individual's nose and mouth). To protect the health of City employees and the public during this time of heightened community transmission, the use of cloth face coverings is required in all indoor facilities owned by the City. I will work with Department Heads to identify and conspicuously post notices for those public facilities or areas of public facilities in which people are required to wear a cloth face covering. For members of the public who cannot afford or cannot locate a face covering, the City shall make a face covering available to them. Any person who chooses not to comply with this requirement or who has been denied a City service because of this requirement may contact the Manager's Office and seek a reasonable accommodation such as meeting outside or interacting with City staff over the phone or computer. A person violating this requirement is prohibited from entering, occupying, or remaining in the indoor City of Homer facility or area of an indoor facility. City employees, when stationary at their desks, are not required to wear a cloth face covering unless approached by another person unable to maintain a six foot distance. City employees are required to wear a cloth face covering when moving through the facility, or when stationary in common areas of indoor City facilities yet are unable to maintain a six foot distance from other employees. Departments must provide employees with at minimum one cloth face mask covering.

Exceptions to this requirement include:

- (a) Any child aged two years or less;
- (b) Any child aged 12 years or less unless a parent or guardian supervise the use of the face covering;

- (c) Any individual who has a physical disability that prevents wearing or removing of a face covering;
- (d) Any individual who is deaf and uses facial and mouth movements to communicate;
- (e) Any individual who has been advised by a medical professional that wearing a face covering may pose an unreasonable risk; and
- (f) Any individual who has trouble breathing or is otherwise unable to remove a face covering without assistance.
- (g) During a special circumstance/event when wearing a face mask in a City facility may not be feasible (ie. in-person voting, recreational activities) as determined by the City Manager.

This requirement will remain in place until the City of Homer's Emergency Operations Center and Incident Command Team deem it unnecessary to wear cloth face coverings in public settings.

In addition to wearing a cloth face covering over the nose and mouth, other effective ways to flatten the COVID-19 curve include:

- Washing your hands often with soap and water; if not available, use hand sanitizer.
- Avoid touching your eyes, nose, or mouth with unwashed hands.
- Clean high touch surfaces frequently.
- Avoid contact with people who are sick; keep a physical distance of 6 feet from non-household members when out in public.
- If you're sick, stay home and avoid close contact with others and cover your mouth and nose with a tissue or sleeve when coughing or sneezing.

Please, if you feel sick or have a sudden onset of a new symptom, even if mild, go home or stay home and get a COVID-19 test. In addition to face masks, this is an important measure to protect our workplaces from COVID-19 spread.



Lieutenant Governor Kevin Meyer
STATE OF ALASKA

July 30, 2020

Rick Abboud
City Manager
City of Homer
Homer City Hall
491 East Pioneer Ave
Homer, AK 99603

2024 Arctic Winter Games – Alaska Hosting

Dear Mr. Abboud,

The State of Alaska is scheduled to host the Arctic Winter Games in March of 2024. As the premier multi-sport and cultural event for youth across the circumpolar world, the Arctic Winter Games International Committee is now in a position to begin the host site bid selection process. Accordingly, we are asking interested communities to submit an ‘Expression of Interest to Host’ no later than September 10, 2020. Letters are to be submitted to:

Lt. Governor Kevin Meyer
550 West 7th Avenue, Suite 1700
Anchorage, AK., 99501

Each community expressing an interest in bidding will then be invited to an information/planning session, either in person or by virtual meeting hosted by the AWGIC. Following that session, the interested communities will be required to submit a formal bid package, by November 30, 2020, prepared in accordance with the attached Bid Manual.

Bid packages are to be submitted electronically to the President of the AWGIC and the Operations Coordinator to dlandry@arcticwintergames.org, (emailed, OneDrive or other shared media). Once received, the International Committee reviews the bids, visits the communities if necessary, and selects a host site.

- Information Session for interested communities to be held Mid-September 2020;
- Bids submitted and received by the Arctic Winter Games International Committee by November 30, 2020;
- International Committee Directors will do site selection tour of bidding communities in January or February of 2021, if required.
- Successful bidder and selected hosting community for the 2024 Games formally announced in March 2021.

Further details on hosting an Arctic Winter Games can be found in the Staging Manual available on the International Committee website (www.arcticwintergames.org). Questions may be directed to the AWGIC Operations Coordinator at dlandry@arcticwintergames.org.

Both Arctic Winter Games International Committee Alaska directors, are also available to answer questions:

Mr. John Rodda, Vice President/Treasurer of the AWGIC by email at johnawg@gmail.com or by telephone at 907-317-7436.

And Mr. John Estle by email at sportalaska@gci.net.

Sincerely,



Kevin Meyer
Lieutenant Governor
State of Alaska

Attachment: Bid Manual

cc: AWGIC Directors via dlandry@arcticwintergames.org



City of Homer

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Public Works

3575 Heath Street
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publicworks@cityofhomer-ak.gov

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(f) 907-235-3145

Memorandum

TO: Rick Abboud, Acting City Manager
THRU: Janette Keiser, Public Works Director
FROM: Carey Meyer, City Engineer
DATE: August 5, 2020
SUBJECT: **Proposed Seawall SAD
Tiered Benefit Calculation Explanation**

On July 23, a neighborhood meeting was held to introduce the property owners (who potentially benefitted from the proposed seawall armor rock improvement) to the SAD creation process, listen to concerns, and answer questions. Much of the discussion focused on how to fairly spread the cost of the improvements across the benefitted lots.

Public Works has recommended an assessment methodology, but it is the City Council that will decide what is fair.

As a result of the meeting, the City Clerk prepared a preliminary assessment roll, with estimated assessments for each potentially benefitted lot, based on the recommendations of the Public Works Department. Public Works recommends the use of the “Tiered Benefit” method. This method allows for lots not directly behind the seawall to be assessed based on their level of benefit.

This memo and the map and table attached documents how the assessments were estimated by Public Works for the preliminary assessment role.

The Map shows the bluff line in 2020 and the projected bluff line in 2054. We acknowledge that the projected bluff line (and the erosion rates it is based on) cannot be completely verified and are subject to criticism. No one can tell us what the world will look like in 30 years. Warming climate, sea level rise, major earthquakes, etc. can dramatically increase or decrease erosion rates. The projected 2054 bluff line (as determined by the 2004 Coastal Erosion Study, prepared by the Kachemak Bay Research Reserve) represents the best “science” available to us.

The bluff line “contours” were plotted (between the 2020 and 2054 bluff lines) to show their locations in approximately 7 year increments. Using this map, it was determined when lots not directly behind the seawall would be impacted by erosion and when they begin to receive benefit from the wall and the proposed improvements.

Lots O, P, Q, and R (at the end of Sea Breeze Court) begin to receive benefit when erosion starts to affect Krueth Way (see pink dot labeled “R”). The only access to lots O, P, Q, and R is via Krueth Way. Water and sewer mains in Krueth Way provide service to these lots. Based on the erosion rate contours, benefit begins in 2035. In the 34-year period between 2020 and 2054, these lots benefit 19 of the 34 years. 19 divided by 34 equals 56% benefit.

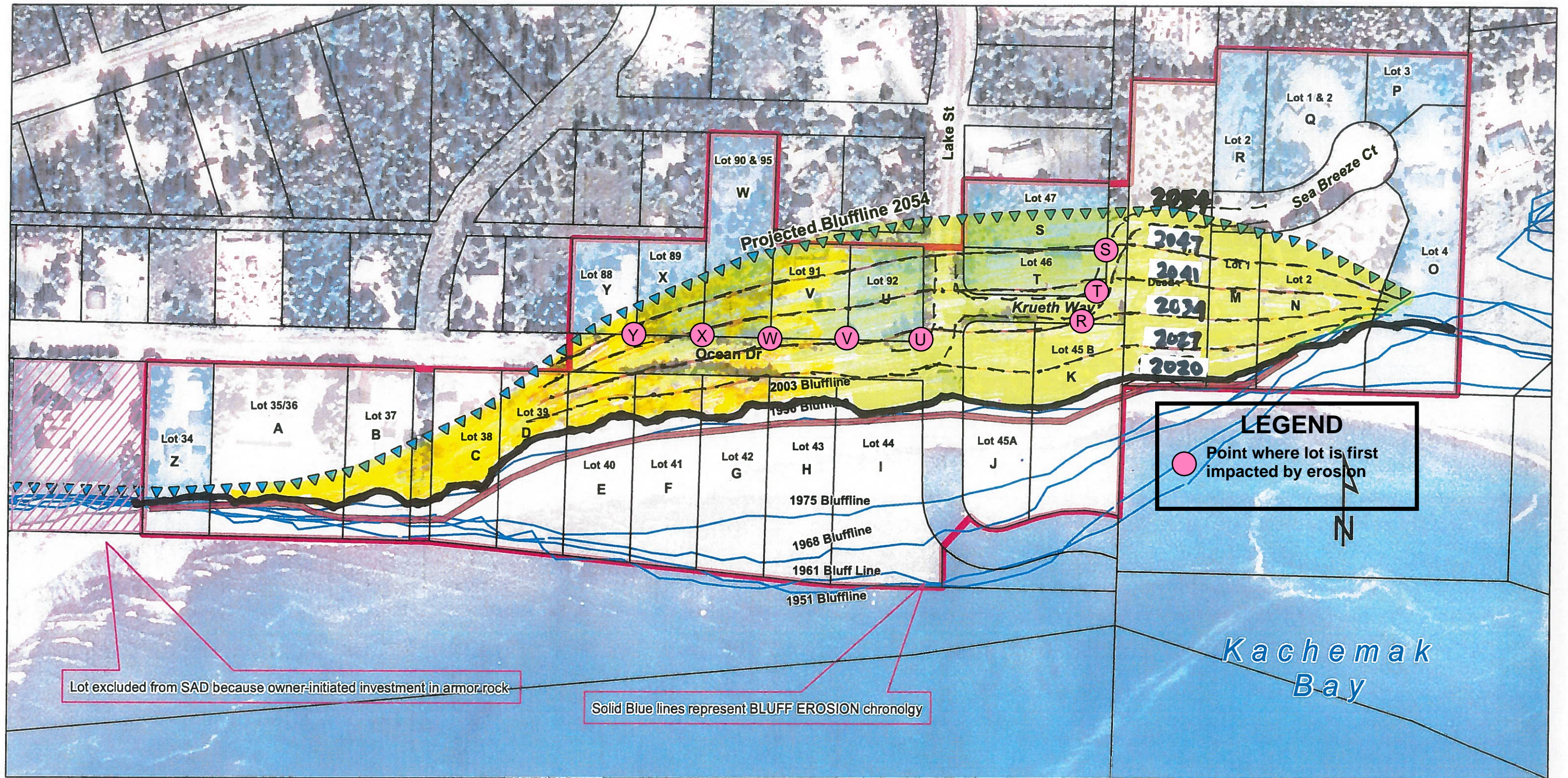
Lots S, T, U, V, W, X, and Y (all the other lots not directly behind the seawall) were evaluated in the same way (see pink dots) and the year in which benefit begins was established and the percent benefit was calculated.

The Table attached documents these calculations and estimates the total assessment amount and the average annual payment (based on a 30 year, 1.5 % financing) for all benefitted lots.

Two other lots deserve further discussion. At the bottom of the table are Lots Z and AA.

Regarding Lot Z, Public Works recommends that this lot (previously removed from the current Special Service Area (SSA) be included in the SAD/SSA, but at less than 100 % benefit. The map suggested that of all the lots directly behind the seawall, Lot Z benefits the least. On the other hand, there is benefit; the lot to the west recently placed armor rock to eliminate erosion that was occurring. We established the percent benefit for this lot at 21% (the lowest rate paid by those lots not immediately behind the seawall).

Regarding Lot AA, Public Works recommends that an equivalent of a lot be created within the assessment methodology to represent the City right-of-way directly behind the seawall. This right-of-way is the 60’ wide Lake Street right-of-way (between Lots I and J) and the 30’ wide pedestrian access corridor (between lots B and C).



Legend

- ▲▲▲ Projected Bluffline 2054
- Seawall - Sheet Pile
- Original Construction LID
- Other Parcels Benefiting
- Potential SAD District Boundary

**POTENTIAL SEAWALL
 SPECIAL ASSESSMENT DISTRICT (SAD)/
 SPECIAL SERVICE AREA (SSA) MAP**



DEPT OF PUBLIC WORKS
 March 11, 2020

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

ESTIMATED ASSESSMENTS - PROPOSED SEAWALL SPECIAL ASSESSMENT DISTRICT (SAD) - ARMORED TOE IMPROVEMENT

ARMOR ROCK IMPROVEMENT COST = \$1,474,824

ASSUMPTIONS:

- 1) Properties receiving an assessment are shown on the proposed assessment district boundary map. (the equivalent of 27 lots).
- 2) Assessments are prorated, based on the period of time (between 2020 and 2054) that each lot benefits from the improvement (as the result of projected erosion rates).
- 3) City obtains a ADEC/EPA loan (1.5%, 30 years)

PARCEL ID	KPB PARCEL_ID	LOT ADDRESS	OWNER	% TIERED BENEFIT	YEAR FIRST EROSION IMPACT	YEARS OF IMPACT (Between 2020-2054)	ESTIMATED ASSESSMENT	ESTIMATED AVERAGE ANNUAL PAYMENT
							TIERED BENEFIT	1.5% INTEREST
A	17718019	829 OCEAN DRIVE LOOP	NEWBY REVOCABLE TRUST	100	2020	34	\$71,248	\$2,967
B	17718016	869 OCEAN DRIVE LOOP	SZAJKOWSKI JOHN J & JANET L	100	2020	34	\$71,248	\$2,967
C	17717701	895 OCEAN DRIVE LOOP	HUEPER MARILYN	100	2020	34	\$71,248	\$2,967
D	17717702	917 OCEAN DRIVE LOOP	NORMAN W SCHUMACHER TRUST	100	2020	34	\$71,248	\$2,967
E	17717703	939 OCEAN DRIVE LOOP	IRWIN PATRICK L	100	2020	34	\$71,248	\$2,967
F	17717704	957 OCEAN DRIVE LOOP	PFEFFER MARK E REVOCABLE TRUST	100	2020	34	\$71,248	\$2,967
G	17717705	979 OCEAN DRIVE LOOP	ABBOTT FINDLAY	100	2020	34	\$71,248	\$2,967
H	17717706	997 OCEAN DRIVE LOOP	HOMER CITY OF	100	2020	34	\$71,248	\$2,967
I	17717707	1017 OCEAN DRIVE LOOP	HOMER CITY OF	100	2020	34	\$71,248	\$2,967
J	17717904	3102 LAKE ST	JUMP CHARLENE A	100	2020	34	\$71,248	\$2,967
K	17717903	1065 KRUETH WAY	GOODE LARRY JACK LIVING TRUST	100	2020	34	\$71,248	\$2,967
L	17923036	1103 KRUETH WAY	KING LAWRENCE A	100	2020	34	\$71,248	\$2,967
M	17923026	1121 SEA BREEZE CT	FRANKLIN CAMARRON JAY	100	2020	34	\$71,248	\$2,967
N	17923028	1137 SEA BREEZE CT	LAWER DAVID A	100	2020	34	\$71,248	\$2,967
O	17923029	1143 SEA BREEZE CT	LAWER DAVID A & BETSY	56	2035	19	\$39,899	\$1,661
P	17923030		LAWER CHILDRENS TRUST	56	2035	19	\$39,899	\$1,661
Q	17923033	1136 SEA BREEZE CT	LAWER SARAH 2012 TRUST	56	2035	19	\$39,899	\$1,661
R	17923027	1120 SEA BREEZE CT	LAWER SARAH 2012 TRUST	56	2035	19	\$39,899	\$1,661
S	17717807		SCHEFFEL TIM	27	2045	9	\$19,237	\$801
T	17717808	1054 KRUETH WAY	MATTHEWS KELLY E	47	2038	16	\$33,486	\$1,394
U	17717614	3119 LAKE ST	TALBOTT JOSEPH C	71	2030	24	\$50,586	\$2,106
V	17717615	1002 OCEAN DRIVE LOOP	JAMES HARRY W	56	2035	19	\$39,899	\$1,661
W	17717616	984 OCEAN DRIVE LOOP	SOTELO ED	50	2037	17	\$35,624	\$1,483
X	17717610	964 OCEAN DRIVE LOOP	O'CONNOR ABIGAIL	41	2040	14	\$29,211	\$1,216
Y	17717611	946 OCEAN DRIVE LOOP	HAAS ANDREW H	27	2045	9	\$19,237	\$801
Z	17718013	811 OCEAN DRIVE LOOP	RENNER MARTIN	27	2045	9	\$19,237	\$801
AA		RIGHT-OF-WAY/EASEMENT	CITY OF HOMER	100	100	34	\$71,248	\$2,967
							\$1,474,824	\$58,445

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

3 Lord/Aderhold/Venuti

4 **RESOLUTION 20-071**

5
6 A RESOLUTION OF THE CITY COUNCIL OF HOMER ESTABLISHING
7 THE NONPROFIT ECONOMIC RELIEF GRANT PROGRAM (NERG),
8 HOUSEHOLD ECONOMIC RELIEF GRANT PROGRAM (HERG),
9 SOCIAL SERVICES ECONOMIC RELIEF GRANT PROGRAM (SoSERG),
10 AND CHILDCARE BUSINESS ECONOMIC RELIEF GRANT PROGRAM
11 (CBERG) IN RESPONSE TO THE ECONOMIC DOWNFALL CAUSED BY
12 MEASURES TAKEN TO ASSURE PUBLIC SAFETY IN THE FACE OF
13 THE COVID-19 PANDEMIC.
14

15 WHEREAS, On January 31, 2020, the United States Department of Public Health and
16 Human Services Secretary, Alex Azar, declared a public emergency for the novel coronavirus
17 (COVID-19) beginning on January 27, 2020; and
18

19 WHEREAS, On March 11, 2020, Governor Mike Dunleavy signed a Public Health Disaster
20 Emergency Declaration that provided for health mandates to be issued when deemed
21 necessary by the Alaska Department of Health and Social Services, the Alaska Chief Medical
22 Officer, the Alaska Division of Public Health, and the Office of the Governor; and
23

24 WHEREAS, On March 17, 2020, Governor Dunleavy, in recognition of the tremendous
25 negative economic consequences of imposing social and business restrictions to avoid a rapid
26 spread of the virus effects, created the Alaska Economic Stabilization Team, a bipartisan group
27 of leaders working with the Dunleavy administration on a plan to protect the state's economy
28 from the impacts of COVID-19 in Alaska; and
29

30 WHEREAS, On March 18, 2020, Ken Castner, Mayor of the City of Homer, issued a
31 Declaration of a Local Emergency, later ratified and extended by the Homer City Council
32 through Resolution 20-029, that found there to be "a wide-spread financial and public health
33 emergency that will require unexpected expenditures of public funds that should be separately
34 accounted, to perhaps be eligible for Emergency Disaster Relief"; and
35

36 WHEREAS, The Dunleavy administration issued a series of compulsory, and later
37 suggestive, directives and mandates that closed many businesses, placed restrictions on those
38 businesses that might remain open, ceased most interstate and intrastate travel, and generally
39 kept most citizenry isolated at home; and
40

41 WHEREAS, The Dunleavy administration issued a series of compulsory, and later
42 suggestive directives and mandates including "stay at home" orders, the banning of gatherings

43 of more than 10 people for social, spiritual, and recreational purposes, and further imposed
44 that any activities outside the home meet social distancing and personal safety requirements;
45 and

46
47 WHEREAS, The cumulative effects of the State mandates and restrictions have caused
48 significant negative economic impacts to individuals and households such as lost employment
49 and reduced work hours; have impacted the ability of nonprofit organizations to raise funds
50 needed to operate and provide services; have resulted in a greater local need for and to
51 support social services; and have compromised the ability of childcare service providers to
52 operate safely; and

53
54 WHEREAS, Supporting individuals and households during this period of economic
55 hardship is in the best interest of the City; and

56
57 WHEREAS, Nonprofits provide regular, ongoing essential services to City of Homer
58 residents and contribute to the fabric and culture of our thriving community while also
59 providing substantial positive economic impact and employment opportunities; and

60
61 WHEREAS, Nonprofits and businesses that provide social services to individuals and
62 households in the City of Homer are critical to support during a time of pandemic and
63 economic downturn; and

64
65 WHEREAS, Continued functioning of childcare services is critical for individuals and
66 households to return to work and childcare service providers struggle to remain viable while
67 following Centers for Disease Control (CDC) health guidelines in the face of COVID-19; and

68
69 WHEREAS, The State of Alaska received \$562.5 million in federal funding under the
70 Coronavirus Aid, Relief, and Economic Security Act (CARES Act) that is directed to Alaska's
71 municipalities for direct relief designed to help meet each community's unique needs and
72 costs associated with coping with COVID-19; and

73
74 WHEREAS, The City of Homer's total allocation is \$7,899,085.29: and

75
76 WHEREAS, On May 26, 2020, the Homer City Council passed Resolution 20-051
77 accepting the CARES Act grant and authorizing the City Manager to sign the grant agreement;
78 and

79
80 WHEREAS, The first distribution to the City, \$3,867,758.79, was appropriated via
81 Ordinance 20-25(S) on June 8, 2020; and

82

83 WHEREAS, Two subsequent distributions of \$2,015,663.25 will be available to the city
84 on or about July 1, 2020 and October 1, 2020 once the City has expended 80% of previous
85 distributions; and

86
87 WHEREAS, The City Council established the Small Business Economic Relief Grant
88 (SBERG) Program through Resolution 20-057 on June 8, 2020; and

89
90 WHEREAS, The COVID-19 pandemic and City actions taken as a result to protect public
91 health as described above have created immediate necessity for further economic relief
92 programs to the community in the form of grants to individuals and households residing in the
93 City of Homer and nonprofit organizations, social service nonprofits and businesses, and
94 childcare service providers providing services to City of Homer residents; and

95
96 WHEREAS, The expenses associated with these additional COVID-19 economic relief
97 programs were incurred during the period that begins on March 1, 2020 and ends on December
98 31, 2020 and are not accounted for in the FY20-21 budget.

99
100 NOW THEREFORE BE IT RESOLVED that the City of Homer establishes the following
101 programs to respond to the economic hardships caused by the COVID-19 pandemic and
102 associated health mandates:

- 103
104 a) Household Economic Relief Grant (HERG) Program
105 b) Nonprofit Economic Relief Grant (NERG) Program
106 c) Social Services Economic Relief Grant (SoSERG) Program
107 d) Childcare Business Economic Relief Grant (CBERG) Program

108
109 BE IT FURTHER RESOLVED that the City's ability to successfully run these programs is
110 contingent upon receiving CARES Act funding from the State of Alaska.

111
112 BE IT FURTHER RESOLVED that the parameters of the abovementioned programs are
113 adopted as the HERG, NERG, SoSERG, and CBERG program policies under this resolution.

114
115 BE IT FURTHER RESOLVED that the City of Homer will exercise best efforts to
116 communicate the opportunities for these programs throughout the community and provide
117 technical assistance to anyone who is working to submit successful applications to the grant
118 programs.

119
120 BE IT FURTHER RESOLVED that the City administration will provide regular reports to
121 the Homer City Council about the status of these programs including information such as the
122 number of applications received, number of applications processed, issues encountered, and
123 account balances of program funds.

124

125 BE IT FURTHER RESOLVED that these programs will be issued with a given application
126 period to assess whether additional funds for the programs are needed or to assess if unspent
127 funds allocated to these programs need to be reappropriated to meet other needs.

128
129 BE IT FURTHER RESOLVED that nothing in this Resolution shall preclude the Homer City
130 Council from creating additional distributions to the community that follow CARES Act
131 prescriptions, and that the provisions in this Resolution become effective upon adoption and
132 shall continue until further formal action of the Homer City Council or until the date that all
133 CARES Act funds must be expended on eligible costs by December 30, 2020.

134
135 PASSED AND ADOPTED by the City Council of Homer, Alaska, this ___ day of _____,
136 2020.

137

138 CITY OF HOMER

139

140

141

142

143

144 ATTEST:

145

146

147 _____
MELISSA JACOBSEN, MMC, CITY CLERK

148

149 Fiscal Note: N/A

KEN CASTNER, MAYOR



City of Homer

www.cityofhomer-ak.gov

Office of the City Manager

491 East Pioneer Avenue
Homer, Alaska 99603

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(p) 907-235-8121 x2222

(f) 907-235-3148

Memorandum 20-111

TO: Mayor Castner and Homer City Council
FROM: Rick Abboud, Interim City Manager
DATE: July 23, 2020
SUBJECT: Cares Act Programs

Administration has been working with Councilmembers Lord, Aderhold, and Venuti on producing several programs for the appropriation of CARES Act funds to the community. These include:

Nonprofit Economic Relief Grant Program (NERG)
Social Services Economic Relief Grant Program (SoSerg)
Childcare Business Economic Relief Grant Program (CBERG)
Household Economic Relief Grant Program (HERG)

The programs include eligibility criteria to qualify for the program, lists of eligible and ineligible expenses for which the funds may be applied, an application process, and expectation for reporting. Accompanying the resolution establishing the programs is a funding ordinance that creates funding 'buckets' assigning amount to be distributed to the various programs.

Most of my concerns revolve around verifying that applicants qualify for the program and spend the award within program parameters.

1. You must have been impacted by either loss of income or additional expenses due to COVID-19.
2. You must not apply for costs that have been paid for by other programs.
3. You must spend the funds in accordance with CARES Act guidelines.

Better documentation will decrease our exposure to liabilities. We have developed several options for our documentation:

1. The applicant, when documenting need will be asked for a proposed list of uses for the funds. We were thinking of listing common accepted uses with a range of funds to be spent (in case they don't have exact figures) with another box for unanticipated (other) items. It would be good to get to this level with everyone (and I do not believe that we could add retroactive requirements, as the grantee has already agreed to terms).
2. They could submit bills/invoices and we pay. – This seems like a bit much for us to accomplish.

3. They could provide a report of how the money was spent. – Would be a challenge to follow up with everyone after they spent the money even though the onus would be on the grantee to submit the reporting form once the awarded funds had been spent.
4. The applicant is required to retain receipts and records for 6 years, documenting of how the money was spent and may be selected on a random basis for program evaluation.

I recommend at least using options 1 and 4 above; the policy documents currently before Council incorporate options 1, 3, and 4.

These documents were produced in an expedited manner and I would expect that in consideration with the dynamic nature of the guidance for the CARES Act program, they may need future amendments. Out of the four programs, I am most secure with NERG and I have the most reservations with HERG.

I look forward to receiving Council's direction on which programs to adopt and establish at this time and any additional direction from the body on reporting requirements options or any other features.

1 **City of Homer Social Services Economic Relief Grant Program Policy Draft**

2 **Purpose**

3 The Social Services Relief Grant (SoSERG) Program provides funds for eligible
4 expenses incurred by organizations providing social services to residents within the City
5 of Homer in excess of any other award offered by or received from the City of Homer.
6 The City of Homer, using Coronavirus Aid, Relief, and Economic Security (CARES) Act
7 funding, has allocated \$200,000 to be distributed through this program in up to \$25,000
8 grants.

9 **Eligibility Criteria**

- 10 1. Grantees must meet eligibility criteria under the City’s Nonprofit Economic Relief
11 Grant (NERG) Program or the Small Business Economic Relief Grant (SBERG)
12 Program.
- 13 2. Must provide social services to the residents of the City of Homer. For the
14 purposes of the SoSERG program, “social services” includes mental health
15 services, child and family support services that are substantially different from
16 providing direct childcare (which is funded through the CBERG program),
17 substance use/misuse treatment and referral services, food/nutrition services, job
18 training services, and housing assistance. An explanation of these services and
19 the population served will be required for eligibility.
- 20 3. Must disclose, certify and document how the applicant suffered a loss of revenue
21 and/or has or will incur additional expenses either through expansion of services
22 or adaptation to serve the community or because of forced closure in the name of
23 public health between March 30, 2020 and December 30, 2020.
- 24 4. Grantees receiving grant funds through the SBERG or NERG may also be
25 eligible for SoSERG funds if:
26 a. all eligibility criteria are met and
27 b. eligible expenses incurred have not already been reimbursed by other
28 funding sources.
- 29 Receipt of SBERG or NERG funds is not a prerequisite to receive SoSERG
30 funds.
- 31 5. The funds cannot be used to reimburse an expense that was already covered by
32 or anticipated to be covered by another grant.
- 33 6. The City reserves the right to interpret the terms of this program.

34 **Grant funds are eligible for:**

- 35 1. Payment of rent or required monthly loan payments
36 2. Payments of essential wages, taxes, and normal benefits to employees

- 37 3. Normal operating expenses (utilities, insurance, professional services, etc.) that
38 remain unpaid as a result of loss of revenue from COVID-19.
- 39 4. Purchase of personal protective equipment and/or other measures
40 recommended by the CDC to enhance COVID-19 safety measures in the
41 workplace.
- 42 5. Expenses incurred to replenish inventory, necessary re-opening expenses,
43 temporary housing for quarantined employees, and hiring necessary additional
44 staff or other expenses related to changes in the way services are provided due
45 to the COVID-19 pandemic.

46 Please note: Grant proceeds are to be used for eligible Covid-19 emergency related
47 expenses, whether those expenses were previously paid by the grantee personally and
48 not through another loan/grant, are currently unpaid, or are held in arrears between
49 March 30, 2020 and December 30, 2020; additional guidance is provided in the “Grant
50 Funds Ineligible For” section.
51

52 **Grant funds ineligible for:**

- 53 1. Any expense considered ineligible under the State of Alaska CARES Act grant
54 program and any expense that would not be considered an eligible expense by
55 IRS rules.
- 56 2. Political contributions or lobbying.
- 57 3. Bonuses to employees or Directors.
- 58 4. Wages to any member of owner’s family who is not a bona fide employee.
- 59 5. Charitable contributions.
- 60 6. Gifts or events.
- 61 7. Draw or salary to employees that exceeded the amount that they were paid on a
62 weekly or monthly basis for the same period last year.
- 63 8. Pay down or pay off debt by more than required in underlying debt instrument.
- 64 9. Any expenses that have already been reimbursed by other funding sources.
65 Grantees will be required to keep payment records to show how the funds were
66 used.
- 67 10. Any other activity not listed under the ‘Grant Funds are Eligible for’ section.
68

69 **Application Process**

- 70 1. An authorized agent must fill out the application available online at the City of
71 Homer website or paper application available from the Clerk’s office. Applications
72 must be submitted within the advertised application period.
- 73 2. The application must be submitted with a W-9 form from the Internal Revenue
74 Service.

- 75 3. Upon completion of application and verification that the applicant meets the
76 eligibility requirements, a grant payment covering eligible, documented expenses
77 but not exceeding \$25,000 may be disbursed. Applicants will be notified via
78 email once their application has been approved.
- 79 4. Applicants who submit incomplete applications will be notified by email.
80 Applications may be amended before the deadline.
- 81 5. Applicants whose requests are denied will be notified via email. An applicant who
82 is denied may appeal (in writing) to the City Manager no later than 5PM the 10th
83 calendar day after the applicant receives notice from the City.
- 84 6. Information provided in the SoSERG application will be kept confidential to the
85 extent authorized by law.
- 86 7. Grant funds received must be fully expended by December 30, 2020. If funds
87 have not been expended, they must be returned to the City. Funds must be used
88 in accordance with the guidelines of this program.
- 89 8. An IRS 1099 Misc. income form will be issued by January 31, 2021.
- 90 9. It is incumbent upon the applicant to determine whether the receipt of a grant
91 under this program might preclude eligibility for any other grant or aid programs.

92 **Reporting**

93 In the application, grantees are required to provide a budget that documents how grant
94 funds are to be used to reimburse expenses associated with COVID-19. Grant funds
95 must be either fully expended or any unused portion returned to the City by December
96 30, 2020.

97 Grants received under this program are subject to audit and may be randomly selected
98 to produce documentation for program evaluation. This may include the completion of a
99 reporting form provided by the City documenting how the funds were used. Grantees
100 are required to maintain records and receipts for grant expenditures for a period of 6
101 years and make them available upon request.

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113 **City of Homer Nonprofit Economic Relief Grant Program Policy Draft**

114 **Purpose**

115 The Nonprofit Economic Relief Grant (NERG) Program is designed to provide economic
116 relief to the nonprofit sector operating within the City of Homer and/or providing ongoing
117 services within the City of Homer. All grantees must certify they have suffered loss of
118 revenue due to the novel coronavirus (Covid-19). The City of Homer, using Coronavirus
119 Aid, Relief, and Economic Security (CARES) Act funding, has allocated \$750,000 to be
120 distributed through this program in up to \$10,000 grants.

121 **Eligibility Criteria**

- 122 1. Must be a 501(c)(3), (c)(4), (c)(5), (c)(6), (c)(19), 501(e) or 501(k) designated
123 nonprofit entity under the Internal Revenue Service. Faith-based nonprofit
124 organizations are eligible to apply as long as they provide services available to the
125 general public regardless of religious affiliation.
126 Nonprofit organizations that are principally engaged in teaching, instructing,
127 counseling, or indoctrinating religion or religious beliefs, whether in a religious or
128 secular setting, or primarily engaged in political or lobbying activities are not
129 eligible (as per 13 CFR § 120.110(k) in the Code of Federal Regulations).
- 130 2. Must provide regular, ongoing services to the residents of the City of Homer,
131 however nonprofits are not required to have their main office physically located
132 within Homer.
- 133 3. Must have been in operation serving City of Homer residents since at least
134 January 1, 2020.
- 135 4. Must be directed by a voluntary board of directors or local advisory board whose
136 majority of members are residents of the state of Alaska. A local affiliate of a
137 national organization must have a local advisory or governing board.
- 138 5. Must be in good standing within the State of Alaska Corporations database, and,
139 unless Federally exempt, have a current or 2018 IRS Form 990 or a current year
140 filing extension on file with the IRS.
- 141 6. All applicants must disclose, certify, and document that the nonprofit suffered a
142 loss of revenue and/or incurred additional expenses either through rapid
143 expansion or adaptation to serve the community or because of forced closure in
144 the name of public health between March 30, 2020 and December 30, 2020.
- 145 7. Any misuse of funds or falsification in an application will result in repayment of the
146 funds and potential fines.
- 147 8. The City reserves the right to interpret the terms of this program.

148
149
150 **Grant funds are eligible for:**

- 151 1. Payment of rent or required monthly loan payments
- 152 2. Payments of essential wages, taxes, and normal benefits to employees
- 153 3. Normal operating expenses (utilities, insurance, professional services, etc.) that
- 154 remain unpaid as a result of loss of revenue from COVID-19.
- 155 4. Purchase of personal protective equipment and/or other measures
- 156 recommended by the CDC to enhance COVID-19 safety measures in the
- 157 workplace.
- 158 5. Expenses incurred to replenish inventory, necessary re-opening expenses,
- 159 temporary housing for quarantined employees, hiring necessary additional staff,
- 160 or responding to additional non-budgeted needs related to COVID responses not
- 161 paid for by another grant.

162 Please note: Grant proceeds are to be used for eligible Covid-19 emergency related
163 expenses, whether those expenses were previously paid by the grantee personally and
164 not through another loan/grant, are currently unpaid, or are held in arrears between
165 March 30, 2020 and December 30, 2020; additional guidance is provided in the “Grant
166 Funds Ineligible For” section.

167 **Grant funds ineligible for:**

- 168 1. Any expense considered ineligible under the State of Alaska CARES Act grant
- 169 program and any expense that would not be considered an eligible expense by
- 170 IRS rules.
- 171 2. Political contributions or lobbying.
- 172 3. Bonuses to employees or Directors.
- 173 4. Charitable contributions.
- 174 5. Gifts or events.
- 175 6. Draw or salary to employees that exceeded the amount that they were paid on a
- 176 weekly or monthly basis for the same period last year.
- 177 7. Pay down or pay off debt by more than required in underlying debt instrument.
- 178 8. Any expenses that have already been reimbursed by other funding sources.
- 179 Grantees will be required to keep payment records to show how the funds were
- 180 used.
- 181 9. Any other activity not listed under the ‘Grant Funds are Eligible for’ section.

182 **Application Process**

- 183 1. An authorized agent for the nonprofit must fill out the application available online
- 184 at the City of Homer website or paper application available from the Clerk’s
- 185 office. Applications must be submitted within the advertised application period.
- 186 2. The application must be submitted with a W-9 form from the Internal Revenue
- 187 Service.

- 188 3. Upon completion of application and verification that the applicant meets the
189 eligibility requirements, a grant payment covering eligible, documented expenses
190 but not exceeding up to \$10,000 may be disbursed. Payments may be dispersed
191 to eligible applicants on a rolling basis. Grantees will be notified via email once
192 their application has been approved.
- 193 4. Applicants who submit incomplete applications will be notified by email.
194 Applications may be amended before the deadline.
- 195 5. Applicants whose requests are denied will be notified via email. A grantee who is
196 denied may appeal (in writing) to the City Manager no later than 5PM the 10th
197 calendar day after the applicant receives notice from the City.
- 198 6. Information provided in the NERG application will be kept confidential to the
199 extent authorized by law.
- 200 7. Grant funds received must be fully expended by December 30, 2020. If funds
201 have not been expended, they must be returned to the City. Funds must be used
202 in accordance with the guidelines of this program.
- 203 8. An IRS 1099 Misc. income form will be issued by January 31, 2021.
- 204 9. It is incumbent upon the applicant to determine whether the receipt of a grant
205 under this program might preclude eligibility for any other grant or aid programs.

206 **Reporting**

207 In the application, grantees are required to provide a budget that documents how grant
208 funds are to be used to reimburse expenses associated with COVID-19. Grant funds
209 must be either fully expended or any unused portion returned to the City by December
210 30, 2020.

211 Grants received under this program are subject to audit and may be randomly selected
212 to produce documentation for program evaluation. This may include the completion of a
213 reporting form provided by the City documenting how the funds were used. Grantees
214 are required to maintain records and receipts for grant expenditures for a period of 6
215 years and make them available upon request.

216 **Matching Opportunities/Leveraging City Dollars**

217 The City is aware of at least one matching program to further leverage municipal
218 CARES Act dollars in the nonprofit sector. The City of Homer supports efforts to further
219 stabilize all sectors of the community, and will work in good faith with organizations to
220 assist to the extent possible with leveraging opportunities.

221
222
223
224

225 **City of Homer Childcare Business Economic Relief Grant Program Policy Draft**

226

227 **Purpose**
228 The Childcare Business Economic Relief Grant (CBERG) Program is designed to
229 provide additional economic relief to those organizations providing childcare services to
230 residents within the City of Homer. Grantees are expected to provide for ongoing
231 childcare services. For childcare providers to be successful, they will need some fiscal
232 certainty to remain operational as they work to stabilize their workforce and enrollment
233 for reasons including: not all families feel comfortable immediately bringing their children
234 to childcare and providers need time to work with families to determine if their childcare
235 spots should be held or if the child will not be reenrolled; additional staff may be needed
236 to assure appropriate social distancing measures are taken and to clean and sanitize
237 the childcare spaces; and childcare centers may anticipate a higher than normal need
238 for substitute staff since employees who might normally work through “a few sniffles” will
239 need to stay home until their symptoms clear up. Childcare facilities are necessary in
240 order to allow the economy to begin to return to normal. All grantees must certify they
241 have suffered economic hardship due to the novel coronavirus (Covid-19). The City of
242 Homer, using Coronavirus Aid, Relief, and Economic Security (CARES) Act funding,
243 has allocated \$150,000 to be distributed through this program in grants of varying
244 amounts for different types of businesses/nonprofits providing childcare services in the
245 City of Homer.

- 246
- 247 **Eligibility Criteria**
- 248 1. Businesses must meet the eligibility guidelines under the City’s Small Business
249 Economic Relief Grant program; nonprofits must meet eligibility guidelines under
250 the City’s Nonprofit Economic Relief Grant Program.
 - 251 2. An explanation of the applicants’ services and the population served are required
252 to demonstrate current or proposed operations.
 - 253 3. All grantees must disclose, certify, and document that they suffered a loss of
254 revenue and/or incurred additional expenses either through rapid expansion or
255 adaptation to serve the community or because of forced closure in the name of
256 public health between March 30, 2020 and December 30, 2020.
 - 257 4. Licensed Child Care Providers are eligible for grant funds up to \$30,000. A copy
258 of the active license must be provided in the application. Detailed descriptions
259 and backup information to justify requested amount needed will be required.
 - 260 5. Legally Exempt Providers are also eligible for grant funds up to \$5,000 and must
261 provide proof of approval to operate from the State of Alaska. Detailed
262 descriptions and backup information to justify requested amount needed will be
263 required.
 - 264 6. Businesses/Non-Profits providing afterschool services are eligible for up to
265 \$10,000 grants specific to this aspect of their operation. Detailed descriptions
266 and backup information to justify requested amount needed will be required.
 - 267 7. This is considered additional economic relief; grantees receiving grant funds
268 through the SBERG or NERG may still be eligible for CBERG funds if all eligibility
269 criteria are met.
 - 270 8. Any misuse of funds or falsification in an application will result in repayment of
271 the funds and potential fines.

- 272 9. The funds cannot be used to reimburse an expense that was already paid by or
273 anticipated to be paid by another grant.
274 10. The City reserves the right to interpret the terms of this program.

275
276

Grant funds are eligible for:

- 277 1. Payment of rent or required monthly loan payments
278 2. Payments of essential wages, taxes, and normal benefits to employees
279 3. Normal operating expenses (utilities, insurance, professional services, etc.) that
280 remain unpaid as a result of loss of revenue from COVID-19.
281 4. Purchase of personal protective equipment and/or other measures
282 recommended by the CDC to enhance COVID-19 safety measures in the
283 workplace.
284 5. Expenses incurred to replenish inventory, necessary re-opening expenses,
285 temporary housing for quarantined employees, hiring necessary additional staff,
286 other expenses related to changes in the way services are provided due to the
287 COVID-19 pandemic, or responding to additional non-budgeted needs related to
288 COVID responses not paid for by another grant.
289 6. Childcare organizations that are currently open/active or are in the process of
290 resuming operations.
291

292 Please note: Grant proceeds are to be used for eligible Covid-19 emergency related
293 expenses, whether those expenses were previously paid by the grantee personally and
294 not through another loan/grant, are currently unpaid, or are held in arrears between
295 March 30, 2020 and December 30, 2020; additional guidance is provided in the “Grant
296 Funds Ineligible For” section.

297
298

Grant funds ineligible for:

- 300 1. Any expense considered ineligible under the State of Alaska CARES Act grant
301 program and any expense that would not be considered an eligible expense by
302 IRS rules.
303 2. Political contributions or lobbying.
304 3. Bonuses to employees or Directors.
305 4. Wages to any member of owner’s family who is not a bona fide employee.
306 5. Charitable contributions.
307 6. Gifts or events.
308 7. Draw or salary to employees that exceeded the amount that they were paid on a
309 weekly or monthly basis for the same period last year.
310 8. Pay down or pay off debt by more than required in underlying debt instrument.

311 9. Any expenses that have already been reimbursed by other funding sources.
312 Grantees will be required to keep payment records to show how the funds were
313 used.

314 10. Any other activity not listed under the 'Grant Funds are Eligible for' section.
315

316 **Application Process**

317 1. An authorized agent for the business/non-profit must fill out the application
318 available online at the City of Homer website or paper application available from
319 the Clerk's office. Applications must be submitted within the advertised
320 application period.

321 2. The application must be submitted with a W-9 form from the Internal Revenue
322 Service.

323 3. Upon receipt of a complete application and verification that the applicant meets
324 the eligibility requirements, the grant payment covering eligible, documented
325 expenses may be disbursed. Payments may be dispersed to eligible applicants
326 on a rolling basis. Applicants will be notified via email once their application has
327 been approved.

328 4. Applicants who submit incomplete applications will be notified by email.
329 Applications may be amended before the deadline.

330 5. Applicants whose requests are denied will be notified via email. An applicant who
331 is denied may appeal (in writing) to the City Manager no later than 5PM the 10th
332 calendar day after the applicant receives notice from the City.

333 6. Information provided in the CBERG application will be kept confidential to the
334 extent authorized by law.

335 7. Grant funds received must be fully expended by December 30, 2020. If funds
336 have not been expended, they must be returned to the City. Funds must be used
337 in accordance with the guidelines of this program.

338 8. An IRS 1099 Misc. income form will be issued by January 31, 2021.

339 9. It is incumbent upon the applicant to determine whether the receipt of a grant
340 under this program might preclude eligibility for any other grant or aid programs.

341 **Reporting**

342 In the application, grantees are required to provide a budget that documents how grant
343 funds are to be used to reimburse expenses associated with COVID-19. Grant funds
344 must be either fully expended or any unused portion returned to the City by December
345 30, 2020.

346 Grants received under this program are subject to audit and may be randomly selected
347 to produce documentation for program evaluation. This may include the completion of a
348 reporting form provided by the City documenting how the funds were used. Grantees
349 are required to maintain records and receipts for grant expenditures for a period of 6
350 years and make them available upon request.
351

352 **City of Homer Household Economic Relief Grant Program Policy Draft**
353

354 **Purpose**

355 The Household Economic Relief Grant (HERG) Program is designed to provide
356 economic relief to households within the City of Homer that have suffered economic
357 hardship due to the novel coronavirus (Covid-19). The City of Homer, using Coronavirus
358 Aid, Relief, and Economic Security (CARES) Act funding, has allocated \$1,500,000 to
359 be distributed through this program in up to \$1,500 grants.
360

361 **Eligibility Criteria**

- 362 1. At least one adult member (18 or older) of the household must be a City of
363 Homer resident, permanently living within the City of Homer prior to March 18,
364 2020.
- 365 2. Only one grant is available per household. A household is defined as a social unit
366 composed of those living together in the same dwelling for a primary place of
367 residence. All members of the household over the age of 18 must be listed in the
368 application.
- 369 3. Must disclose, certify, and document how the household has experienced, or
370 continues to experience, economic hardship as a result of the Covid-19
371 pandemic, with hardship incurred between March 30, 2020 and December 30,
372 2020. The individual on behalf of the household must agree the household was/is
373 negatively impacted by the COVID pandemic. If it is determined the HERG funds
374 were used for an ineligible purpose, the applicant may be required to return those
375 funds back to the City.
- 376 4. The funds cannot be used to reimburse an expense that was already covered by
377 or anticipated to be covered by another grant.
- 378 5. Any misuse of funds or falsification in an application will result in repayment of
379 the funds and potential fines.
- 380 6. The City reserves the right to interpret the terms of this program.
381

382 **Grant funds are eligible for:**

- 383 1. Payment of rent or required monthly loan payments
- 384 2. Payment of utilities
- 385 3. Childcare fees
- 386 4. Groceries and/or food delivery
- 387 5. Other expenses that are necessary for household stability that are not covered
388 by current wages or other forms of support (i.e., unemployment, SNAP, etc).
- 389 6. Purchase of personal protective equipment and/or other measures
390 recommended by the CDC to enhance COVID-19 safety measures in the
391 workplace.
- 392 7. Medical bills incurred as a result of COVID-19 (ie. testing for COVID-19,
393 treatment/hospitalization as a result of COVID-19, medical supplies needed as a
394 result of COVID-19, doctor's visits as a result of COVID-19) not reimbursable by
395 insurance or other government programs.

396 Please note: Grant proceeds are to be used for eligible Covid-19 emergency related
397 expenses, whether those expenses were previously paid by the grantee personally and
398 not through another loan/grant, are currently unpaid, or are held in arrears between
399 March 30, 2020 and December 30, 2020; additional guidance is provided in the “Grant
400 Funds Ineligible For” section.

401

402 **Grant funds ineligible for:**

403 1. Any expense considered ineligible under the State of Alaska CARES Act grant
404 program and any expense that would not be considered an eligible expense by
405 IRS rules.

406 2. Political contributions

407 3. Expenses above and beyond those needed for household stability

408 4. Charitable contributions.

409 5. Gifts or events

410 6. Pay down or pay off debt by more than required in underlying debt instrument

411 7. Any expense considered ineligible under the State of Alaska CARES Act grant
412 program

413 8. Any expenses that have already been reimbursed by other funding sources.

414 Grantees will be required to keep payment records to show how the funds were
415 used.

416 9. Use of funds to support business operations/expenses.

417 10. Any other activity not listed under the ‘Grant Funds are Eligible for’ section.

418

419 **Application Process**

420 1. An individual 18 years of age or older application on behalf of the household
421 must fill out the application available online at the City of Homer website or paper
422 application available from the Clerk’s office. Applications must be submitted
423 within the advertised application period.

424 2. The application must be submitted with a W-9 form from the Internal Revenue
425 Service.

426 3. All household members over the age of 18 must be listed on the application.

427 4. Upon receipt of a complete application and verification that the applicant meets
428 the eligibility requirements, a grant payment covering eligible, documented
429 expenses but not exceeding \$1,500 may be dispersed. Payments may be
430 dispersed to eligible applicants on a rolling basis. Applicants will be notified via
431 email once their application has been approved.

432 5. Applicants who submit incomplete applications will be notified by email.

433 Applications may be amended before the deadline.

434 6. Applicants whose requests are denied will be notified via email. An applicant who
435 is denied may appeal (in writing) to the City Manager no later than 5PM the 10th
436 calendar day after the applicant receives notice from the City.

437 7. Household information provided in the HERG application will be kept confidential
438 to the extent authorized by law.

- 439 8. Grant funds received must be fully expended by December 30, 2020. If funds
440 have not been expended, they must be returned to the City. Funds must be used
441 in accordance with the guidelines of this program.
- 442 9. An IRS 1099 Misc. income form will be issued by January 31, 2021.
- 443 10. It is incumbent upon the applicant to determine the tax ramifications and/or
444 whether the receipt of a grant under this program might preclude eligibility for any
445 other grant or aid programs.

446 **Reporting**

447 In the application, grantees are required to provide a budget that documents how grant
448 funds are to be used to reimburse expenses associated with COVID-19. Grant funds
449 must be either fully expended or any unused portion returned to the City by December
450 30, 2020.

451 Grants received under this program are subject to audit and may be randomly selected
452 to produce documentation for program evaluation. This may include the completion of a
453 reporting form provided by the City documenting how the funds were used. Grantees
454 are required to maintain records and receipts for grant expenditures for a period of 6
455 years and make them available upon request.

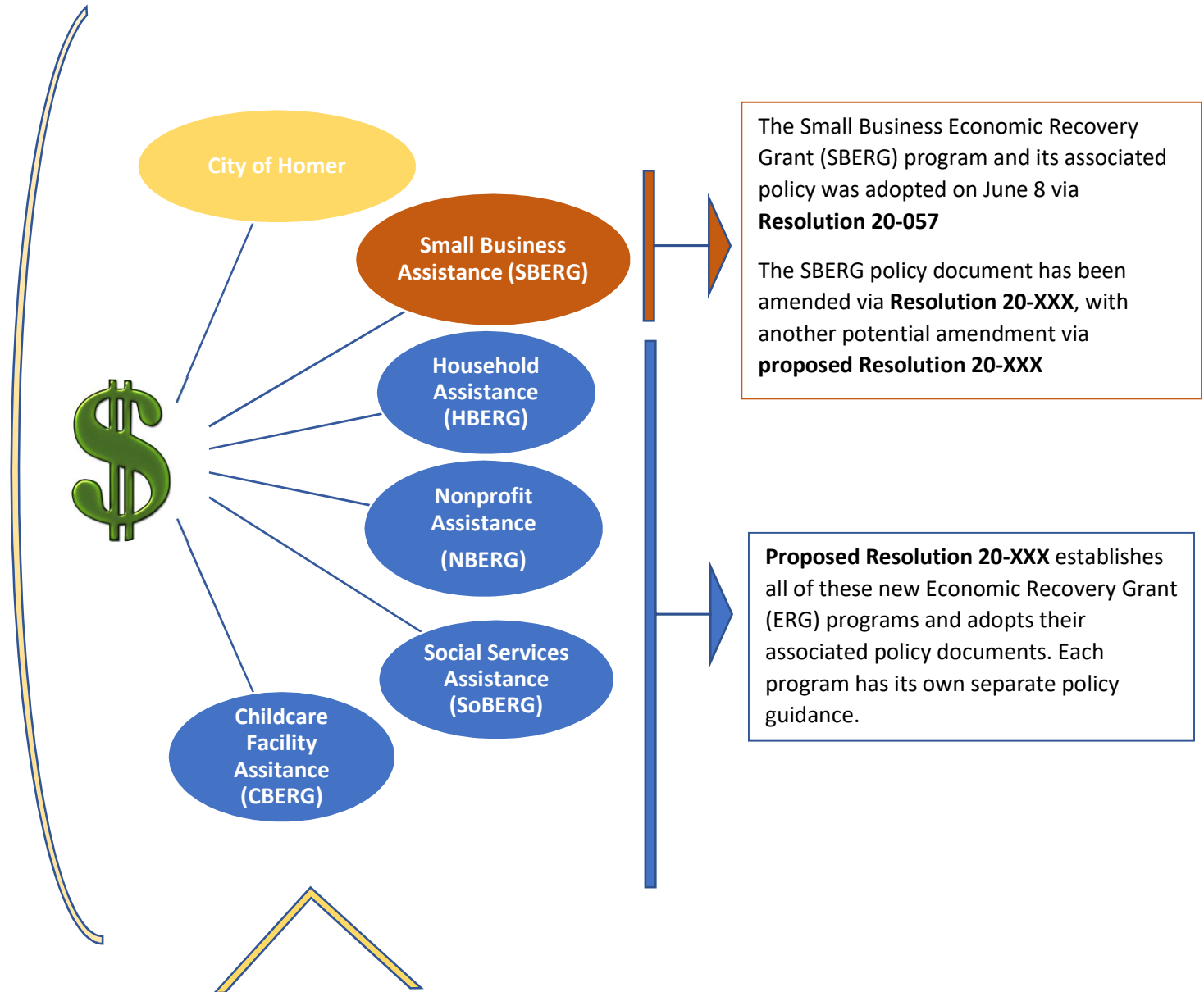
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City of Homer CARES Act Legislation

All CARES Act funds from the State of Alaska to the City of Homer were authorized for receipt under **Resolution 20-051**.

Ordinance 20-25(S) appropriated the first payment in June.

Proposed Ordinance 20-XXX provides appropriations for the remaining funds, and provides flexibility for spending between the approved buckets to ensure timely spending of funds.



Each bubble represents a “bucket” for identified by Council as a priority for appropriation of CARES Act funds