



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

City of Homer Agenda

City Council Regular Meeting

Monday, June 08, 2020 at 6:00 PM

City Hall Cowles Council Chambers via Zoom Webinar

Webinar ID: 205 093 973 Password: 610853

Dial 1-669-900- 6833 or 1-253-215 8782; (Toll Free) 888-788-0099 or 877- 853-5247

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

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

PUBLIC COMMENT ON MATTERS ALREADY ON THE AGENDA

RECONSIDERATION

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

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

Recommended dates Introduction June 8, 2020, Public Hearing and Second Reading June 22, 2020

Memorandum 20-075 from Library Director as backup

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

Memorandum 20-068 from Human Resources as backup

Memorandum 20-075 from Employee Committee as backup

- [f.](#) Resolution 20-053, A Resolution of the City Council of Homer, Alaska Supporting the Officers and Staff of the Homer Police Department in their Daily Job of Keeping the Citizens of Homer Safe and Secure while Treating all Citizens with Respect and Dignity. Venuti/Aderhold. Recommend adoption.

VISITORS

- a. Unified Command Update

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 20-25, An Ordinance of the City Council of Homer, Alaska Accepting and Appropriating the First Payment for COVID-19 Related Expenditures under the CARES Act in the Amount of \$3,854,686. Mayor/Smith. Recommended Dates Introduction May 26, 2020, Public Hearing and Second Reading June 8, 2020.

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

ORDINANCE(S)

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

Memorandum 20-071 from Public Works Director as backup

CITY MANAGER'S REPORT

- a. City Manager's Report

PENDING BUSINESS

NEW BUSINESS

RESOLUTIONS

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

Memorandum 20-069 from Mayor as backup

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

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

Memorandum 20-072 from City Engineer as backup

Memorandum 20-073 from City Engineer as backup

Memorandum 20-074 from City Manager as backup

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

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

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, June 22, 2020 at 6:00 p.m., Worksession 4:00 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 20-16 a Special Meeting of the Homer City Council was called to order on May 18, 2020 by Mayor Ken Castner at 4:00 p.m. at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska, via Zoom webinar and opened with the Pledge of Allegiance.

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

ABSENT: COUNCILMEMBER EVENSEN (excused)

STAFF: CITY MANAGER KOESTER
CITY CLERK JACOBSEN

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

The agenda was approve by consensus of the Council.

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

PENDING BUSINESS

NEW BUSINESS

- a. Ordinance 20-23, An Emergency Ordinance of the City Council of Homer, Alaska Extending the Allowance for Telephonic or Web Hosted Meetings for Homer City Council due to the COVID-19 Pandemic. City Manager.

LORD/VENUTI MOVED TO ADOPT ORDINANCE 20-23 BY READING OF TITLE ONLY.

There was brief discussion the first ordinance to hold teleconference meetings expires soon and they're still working through the teleconferencing ordinance.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- b. Memorandum 20-060 from City Clerk Re: Request for Executive Session Pursuant to AS 44.62.310(C)(1) Matters, the Immediate Knowledge of which would Clearly have an Adverse Effect upon the Finances of the Government Unit and Attorney Client Privilege (Legal Issues Regarding Seawall).

LORD/ADERHOLD MOVED TO APPROVE THE REQUEST AND ADJOURN INTO EXECUTIVE SESSION PURSUANT TO AS 44.62.310(C)(1) MATTERS, THE IMMEDIATE KNOWLEDGE OF WHICH WOULD CLEARLY HAVE AN ADVERSE EFFECT UPON THE FINANCES OF THE GOVERNMENT UNIT AND ATTORNEY CLIENT PRIVILEGE REGARDING LEGAL ISSUES REGARDING SEAWALL.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Council adjourned to executive session at 4:04 p.m. and reconvened at 4:45.

Councilmember Lord reported Council met to discuss legal issues regarding the seawall and give direction to the City Attorney.

COMMENTS OF THE AUDIENCE

ADJOURN

There being no further business to come before the Mayor Castner adjourned the meeting at 4:46 p.m. Next Regular Meeting is Tuesday, May 26, 2020, Committee of the Whole at 5:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska via Zoom webinar.

Melissa Jacobsen, MMC, City Clerk

Approved:_____

Session 20-17 a Regular Meeting of the Homer City Council was called to order on May 26, 2020 by Mayor Ken Castner at 6:00 p.m. at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska, and opened with the Pledge of Allegiance.

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

STAFF: CITY MANAGER YODER
CITY CLERK JACOBSEN

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** – Resolution 20-049 A Resolution of the City Council of Homer, Alaska Establishing a 2020 Mill Rate of 9.962541 Mills for the Ocean Drive Loop Special Service District. City Manager. Memorandum 20-067 from City Manager as backup; **Ordinances-** Ordinance 20-24, An Emergency Ordinance of the City Council of Homer, Alaska Amending the 2020 Budget by Appropriating Funds in the Amount of \$255,000 for the Purpose of Overtime, Emergency, and Standby Personnel Costs Associated with COVID-19 Preparation and Response. City Manager. Memorandum 20-068 from Finance Director as backup. Ordinance 20-25, An Ordinance of the City Council of Homer, Alaska Accepting and Appropriating the First Payment for COVID-19 Related Expenditures under the CARES Act in the Amount of \$3,854,686. Mayor/Smith. Memorandum 20-066 from Mayor as back up.

LORD/ADERHOLD MOVED TO APPROVE THE AGENDA AS AMENDED.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

MAYORAL PROCLAMATIONS AND RECOGNITIONS

- a. Mary Epperson Day, June 6, 2020

Mayor Castner announced Mary Epperson Day is Saturday, June 6th.

PUBLIC COMMENT ON MATTERS ALREADY ON THE AGENDA

RECONSIDERATION

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

- a. Homer City Council Unapproved Regular Meeting Minutes of May 11, 2020. City Clerk. Recommend adoption.
- b. Memorandum 20-061 from Special Projects and Communications Coordinator Carroll Re: 2021-2026 CIP; FY2022 Legislative Request Development Schedule. Recommend approval.
- c. Resolution 20-048 A Resolution of the Homer City Council Establishing the City of Homer Property Tax Mill Levy at 4.5 Mills for 2020. City Manager. Recommend adoption.
- d. Resolution 20-049 A Resolution of the City Council of Homer, Alaska Establishing a 2020 Mill Rate of 9.962541 Mills for the Ocean Drive Loop Special Service District. City Manager. Recommend adoption.

Moved to Resolutions item c. Aderhold.

Item d. moved to Resolutions item c. Aderhold.

City Clerk Jacobsen read the consent agenda and its recommendations.

LORD/VENUTI MOVED TO APPROVE THE RECOMMENDATIONS OF THE CONSENT AGENDA AS READ.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

VISITORS

- a. Unified Command Report (10 Minutes)

Lorne Carroll, Public Health Nurse, shared the a COVID-19 situational update, that currently there are 5.6 million confirmed cases and 350,000 deaths globally, surpassing H1N1 from 2009 by far. In the United States we're at 1.7 million reported cases reported and 100,000 reported deaths, and 380,000 recovered. In Alaska were at 411 reported cases, 88% have recovered, 45 hospitalizations, 10 deaths, and in the Kenia Peninsula 27 reported cases, 4 in Homer and all 4 have recovered. He noted these are known reported cases thus far. Mr. Carroll explained 80% of the known cases are very mild indicating there is a lot of activity we're unaware of. With fisheries opening up, mandates, and other seasonal work that comes with summer, and an increase access to asymptomatic testing we'll see more cases, resulting in more contact investigations, and more contact tracing. Asymptomatic could mean a case that never has symptoms throughout the course of the virus, that a person doesn't have signs or symptoms prior to the onset of the virus, or deny signs and symptoms of COVID. He also explained how

the State gear up their system if needed to train for working through increased cases and contact tracing.

Derotha Ferraro, South Peninsula Hospital (SPH) PIO, reported SPH has submitted 915 COVID-19 tests, 883 were negative, 6 positive, and 26 pending. They've sent 21 anti-body tests in with no positives to date. SPH is working toward increased testing capabilities to allow for more reliable rapid test processing on-site and the ability to provide reliable results within an hour. Services are opening up at the hospital and clinics with in person visits, telemedicine, or phone consult. Expect universal masking, advanced phone screenings before and upon arrival, defined waiting areas, reduced occupancy, and required COVID-19 testing prior to some specific processes. Drive up testing remains opens 24/7 with no charge to the individual.

Fire Chief Mark Kirko reported on the City's Emergency Operation Center "new normal" operational picture, reviewing some of the scaled back functions and continuation of others, primarily for the Public Information and Finance teams. Emergency disaster declarations are still in place and we still have active cases in the state and community, and we need to remain vigilant as we experience more travel and social interaction under the Governor's re-opening responsibly plan. He's continuing to review City of Homer re-opening plans provided by Department Heads are providing to ensure they reflect opening in a safe and measureable manner that meets the safety outlines and precautions of the mandates. He reported on other activities he's involved in related to incident command, and the continued efforts of the Public Information Officers Jenny Carroll and Rachel Tussey.

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

a. Committee of the Whole Report

Councilmember Lord reported Council discussed information regarding FEMA and CARES Act funding, and funding and reimbursement strategy for the City moving forward. The discussed CARES Act funding coming to the City through the State, and discussed the support for the Commissions and Board to continue to meet remotely at least through June, with more assessment to follow.

b. Worksession Report

City Manager Yoder reported Council reviewed the City Manager applications and will schedule telephonic interview with six applicants.

c. Mayor's Report

Mayor Castner reported he's been hearing complaints about both sides of masking related to the virus. He explained the businesses get to decide on how to address masking at their

establishment and encouraged respecting their decisions. The virus is still out there and with all the mixing around the state right now, so we'll see what's going to happen.

- d. Borough Report
- e. Library Advisory Board
 - i. Library Advisory Board Report

Marcia Kuzmaul, Library Advisory Board Chair, reported on the anticipated Library soft re-opening on June 8th, and that the Summer Reading Program, Food for Kids and Teens, and Bob the Bookmobile are getting started. The Board's next meeting is scheduled for August 8th and they're attempting to plan a worksession before then to discuss the Library Endowment Fund. They have two vacancies on the Board and also a seat for their Student Representative.

- f. Planning Commission
 - i. Planning Commission Report

PUBLIC HEARING(S)

- a. Ordinance 20-19, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Title 19 to add Chapter 19.01 Closures of Use Areas to Reflect the City Manager's Authority to Close City Parks, Campgrounds, and Public Places in an Emergency or other Exigent Circumstances. City Manager. Introduction April 13, 2020, Public Hearing and Second Reading April 27, 2020.

Memorandum 20-045 from Public Works Director as backup

Ordinance 20-19(S), An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Title 19 to add Chapter 19.01 Closures of **Public** Use Areas to Reflect the City Manager's Authority to Close City Parks, Campgrounds, and Public Places in an Emergency or other Exigent Circumstances **City Owned Public Use Areas upon Written Findings that it's in the Public's Interest to do so.** City Manager.

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

LORD/VENUTI MOVED TO ADOPT ORDINANCE 20-19 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

LORD/VENUTI MOVED TO SUBSTITUTE ORDINANCE 20-19(S) FOR 20-19.

It was noted the substitute clarifies public use areas that are city owned and clarifies the written findings.

VOTE (substitution): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

SMITH/LORD MOVED TO AMEND LINE 24 TO READ CLOSURE OF PUBLIC USE AREAS.

There was brief discussion if it should read city owned public use areas. No additional changes were proposed.

VOTE (amendment): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

SMITH/LORD MOVED TO AMEND LINE 27 TO ADD "IN ADDITION TO THE WRITTEN FINDINGS THE CITY MANAGER WILL PROVIDE THE CONDITIONS THAT MUST BE MET IN ORDER TO RE-OPEN ANY AREAS CLOSED AND A PROJECTED DATE OF RE-OPENING"

There was no discussion.

VOTE (amendment): 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.

- b. Ordinance 20-21, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code by Repealing 2.08.100 Teleconference Participation in Meetings, 2.08.110, Teleconference Procedures, 2.08.120 Teleconference Limitations, and Reenacting 2.08.100 Teleconference and Web-Hosted Meetings. City Clerk. Recommended dates: Introduction May 11, 2020, Public Hearing and Second Reading May 26, 2020

Ordinance 20-21(S), An Ordinance of the City Council of Homer, Alaska Amending Homer City Code by ~~Repealing~~ **Amending** 2.08.100 Teleconference Participation in Meetings, 2.08.110, Teleconference Procedures, 2.08.120 Teleconference Limitations, and ~~Reenacting 2.08.100 Teleconference and Web-Hosted Meetings~~ **to Allow for Exceptions in Emergency Circumstances and in Notification of Intent to Teleconference for Good Cause Shown. Lord/Venuti**

Memorandum 20-064 from City Clerk as backup
Memorandum 20-056 from City Clerk as backup

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

LORD/VENUTI MOVED TO ADOPT ORDINANCE 20-21 BY READING OF TITLE ONLY.

LORD/VENUTI MOVED TO SUBSTITUTE ORDINANCE 20-21(S) FOR 20-21.

Councilmember Lord shared the substitute keeps the vast majority of our current code. She identified the changes in the substitute that allow for all to participate in teleconference meetings when an emergency declaration is in place, and addresses shorter notice allowances that can be approved by vote of the Council.

VOTE (substitution): NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

Councilmember Aderhold noted the backup memorandum and its suggestions from the City Attorney regarding the Mayor presiding over the meeting and denying a member's participation.

Discussion ensued regarding variables where the Mayor may be participating by teleconference. Generally participating telephonically raises challenges for the Mayor presiding such as knowing when to call on members or guide a conversation, and it's not clear how a hybrid model will work when the Mayor may participate by a web based means. A general understanding was expressed that, per code, there are steps that can be taken if the connectivity is poor, or the Mayor or Council could address passing the gavel to the Mayor Pro Tem or member physically present in the chambers if needed.

ADERHOLD/VENUTI MOVED TO DELETE LINES 56-59 THAT READ D. IF THE MAYOR PARTICIPATES TELEPHONICALLY ~~BY TELECONFERENCE~~, THE MAYOR MAY VOTE TELEPHONICALLY TO BREAK A TIE AS PERMITTED IN HCC 2.08.040(H), BUT THE MAYOR PRO TEM, OR THE SENIOR COUNCIL MEMBER IN THE MAYOR PRO TEM'S ABSENCE, SHALL PRESIDE OVER AND PERFORM ALL OTHER FUNCTIONS OF THE MAYOR AT THE MEETING.

There was no discussion.

VOTE (amendment): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Councilmember Aderhold commented regarding the section on lines 143-147 that read "b. Participation by teleconference may be denied whenever the physical presence of the individual is considered essential to effective participation in the meeting or to the proper conduct of the business to be addressed at the meeting and c. If teleconferencing is denied the individual will be listed as absent." She shared her understanding, based on feedback from the City Attorney, that the seated council would be making a determination that the individual who is teleconferencing does not have the right to vote, and questions if it their right to do that.

The attorney is saying we're elected to vote and acting on this section of code takes away the member's right to do so by denying participation.

There were comments in support of removing the language.

VENUTI/EVENSEN MOVED TO DELETE LINES 143-147.

There was no discussion.

VOTE (amendment): NON OBJECTION: UNANIMOUS CONSENT.

There was brief discussion regarding line 100 and whether it should read Subsections a., b., and c., but it was confirmed that c. does not need to be included.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Mayor Castner asked for a break at 7:38 p.m. and reconvened the meeting at 7:45 p.m.

ORDINANCE(S)

- a. Ordinance 20-24, An Emergency Ordinance of the City Council of Homer, Alaska Amending the 2020 Budget by Appropriating Funds in the Amount of \$255,000 for the Purpose of Overtime, Emergency, and Standby Personnel Costs Associated with COVID-19 Preparation and Response. City Manager.

Memorandum 20-063 from City Manager as backup

Memorandum 20-065 from Finance Director as backup

LORD/VENUTI MOVED TO ADOPT EMERGENCY ORDINANCE 20-24 BY READING OF TITLE ONLY.

In response to questions, City Manager Yoder explained Ordinance 20-22 that passed at the last meeting was for \$80,000 in supplies. This ordinance addresses personnel costs outside of budgeted items that have been coded to a specific account to facilitate the reimbursable expenses. The ordinance identifies the amount spent and the projected amount anticipated for the next 60 days. He explained instances where personnel shifts had to be adjusted, and inability to use HVFD volunteers due to mandates and having two temporary emergency hires.

An explanation of the estimated COVID related personnel costs with a justification of the costs for the next 60 days was requested by Council.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- b. Ordinance 20-25, An Ordinance of the City Council of Homer, Alaska Accepting and Appropriating the First Payment for COVID-19 Related Expenditures under the CARES Act in the Amount of \$3,854,686. Mayor/Smith. Recommended Dates Introduction May 26, 2020, Public Hearing and Second Reading June 8, 2020.

LORD/ VENUTI MOVED TO INTRODUCE ORDINANCE 20-25 BY READING OF TITLE ONLY.

Councilmember Lord noted Council started discussion on this at Committee of the Whole and she'd like to work on a substitute for the next meeting. She agrees with the numbers but not comfortable appropriating without a responsible level of detail regarding the program that needs to be addressed as part of the ordinance. There also needs to be clarifying language that logically lays out the determination of necessity by the City.

Mayor Castner explained he modeled this after the City of Lacey, Washington that had an ordinance doing the appropriate and a resolution that lined out the details. He's happy to work her on that, rather than incorporating it into the ordinance.

Councilmember Aderhold agreed with Councilmember Lord on the need for detailed information on the program and how it will be administered, and if it's going to be detailed by resolution, it should be paired with and follow the ordinance. She's willing to work on it also.

Councilmember Evensen brought up the idea of Homer Bucks which was brought up at their May 6th worksession. He likes that they are purchased and used locally so there is a direct benefit to the community.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

CITY MANAGER'S REPORT

- a. City Manager's Report

City manager Yoder commented regarding the seawall worksession and an issue that came up is if something catastrophic did happen to the seawall it would impact more than just the current owners and whether we should expand it. We believe there's a way forward to do something similar assessing the repairs on an area-wide basis.

Councilmember Aderhold asked he could provide an update on the demolition study for the HERC at their next meeting.

PENDING BUSINESS

NEW BUSINESS

RESOLUTIONS

- a. Resolution 20-050, A Resolution of the City Council of Homer, Alaska Delaying Certain Non-Critical Capital Projects and Encouraging Conservative Operational Spending with the Intent to Reassess Capital and Operating Expenses after the First and Second Fiscal Quarters with Developing Financial Scenarios for FY2020 and FY2021. Lord/Smith.

LORD/VENUTI MOVED TO ADOPT RESOLUTION 20-050 BY READING OF TITLE ONLY.

Councilmember Lord commented she and Councilmember Smith have been thinking about ways to encourage conservative spending and put a pause on capital expenses that aren't necessary or fiscally prudent for the next couple of quarters. As noted in the resolution the Borough is within their budget period and the Borough Mayor has estimated reduction in sales taxes and property taxes, and this resolution is proactively encouraging prudent conservative fiscal activities, and requesting a worksession for their first meeting in June with updates on our finances.

Councilmember Smith added there may be some encouraging signs with the economy after this weekend, but it's about a period of time when we talk about the 2nd and 3rd quarters so we can look back and assess, rather than look back and wish we'd done something different.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- b. Resolution 20-051, A Resolution of the City Council of Homer, Alaska Authorizing Acceptance of Coronavirus Relief Funds in the Amount of \$7,899,085.29 for Costs that are Necessary Expenditures Incurred due to the Public Health Emergency with Respect to the Coronavirus Disease 2019 (COVID-19), from the Alaska Department of Commerce, Community, and Economic Development, and Authorizing the City Manager to Execute the Grant Agreement. City Manager.

Memorandum 20-062 from City Manager as backup

LORD/ADERHOLD MOVED TO ADOPT RESOLUTION 20-051 BY READING OF TITLE ONLY.

There was brief discussion regarding verbiage in section 3 of the agreement that reads "The Grantee may only use the funds provided under this Agreement for expenses that were not accounted for in its most recently approved budget as of March 27, 2020". City Manager Yoder referenced a document that reads you can use the funds for budgeted money if the use is substantially different from any expected use of the fund. It was requested the City Manager discuss section three with the Alaska Department of Commerce, Community, and Economic Development and get clarification on this and to be in communication with AML and other municipalities through this process.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- b. Resolution 20-049 A Resolution of the City Council of Homer, Alaska Establishing a 2020 Mill Rate of 9.962541 Mills for the Ocean Drive Loop Special Service District. City Manager.

LORD/ADERHOLD MOVED TO ADOPT RESOLUTION 20-049 BY READING OF TITLE ONLY.

Councilmember Aderhold commented Council has been discussion whether this mill rate will allow for future maintenance of the seawall and her understanding is that it will, if the armor rock work is completed this year, but if it's not done this year the fund will become empty.

City Manager Yoder explained the City Engineer thinks some damage may not have to be repaired this year if put in armor rock and we need to address how to move forward with this major project. If we don't get armor rock placed more money will be needed next year for repairs.

Councilmember Evensen suggested a more economical approach may be using cement blocks up to 75% or more volume in volume and finish with the armor rock.

Councilmember Lord noted the report from HDR gives a couple of options, but if we want to pursue any of them, the next step of work to refining the numbers needs to be addressed. In terms of moving forward she looks forward to that conversation.

Mayor Castner added walking from the spit down toward the boat yard there are a lot of different methods used and the cement blocks just get moved around to easily with the ocean power, and the large dense rock is necessary.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

COMMENTS OF THE AUDIENCE

COMMENTS OF THE CITY ATTORNEY

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

COMMENTS OF THE CITY MANAGER

City Manager Yoder said it's been an interesting meeting, he has a full page of notes for things he needs to get working on before the next meeting.

COMMENTS OF THE MAYOR

Mayor Castner commented that it was a good meeting.

COMMENTS OF THE CITY COUNCIL

Councilmember Smith recognized National EMS Appreciate Week and Memorial Day. Last year he and a few others had the opportunity to fly out to the USS Roosevelt, and he shared his respect for those who currently serve, have served, and those who died in the service of our Country.

Councilmember Hansen-Cavasos commented the community was amazing for high school graduation, it was one of the better ones and there was great community support.

Councilmember Venuti thanked the Mayor for recognizing Mary Epperson Day on June 6th and recognized her contributions our community. She thanked the businesses along Pioneer Avenue for their patience through a long winter and now the road work going on. She appreciates KBBI for their continued service in broadcasting meeting and encouraged the public to continue attending and providing feedback on agenda items.

Councilmember Aderhold said she walked over and watched graduation and it was the best. Watching the graduates drive by was wonderful and it was so nice to get out and celebrate something. Kudos to the School District and everyone who helped plan the graduation. The Cook Inletkeeper and Kachemak Bay Conservation Society and other groups are reading the book *Drawdown* and looking at climate solution that the Homer Community can implement. Information to participate is the Cook Inletkeeper website. On Memorial Day she spent time reflecting on what it means, and also our response to the pandemic. We're approaching 100,000 who have died in the country from COVID-19, more than the number of people who died in the Viet Nam and Korean Wars combined over just a few months. The New York Times had an online article where they touched on a number of people who have died, with their names, where they're from, and one line about who they were. She encouraged looking at it and taking it seriously. In Alaska we implemented health measures early which has made a lot of difference and we need to continue to keep up with washing hands, wearing masks, and maintaining physical distance, even though some of the mandates have been lifted.

Councilmember Lord followed those same thoughts and implore us all to try and be kind and patient. She's seen kindness and also some rude interactions in stores around town. She feels for everyone working a job where it's not their choice or decision, but their boss who's telling them what to enforce. We can all be kind to the extent possible and have grace and patience

for those around us. If you feel sick stay home. The Governor has put onus on all of us to make responsible choices for ourselves and our community. She shared the Farmer's Market is opening up with some changes to the look and feel, and she's excited about the Summer Reading Program starting up.

Councilmember Evensen thanked everyone for their thoughtful comments. Spring fever coming of a long after a long winter and COVID. He reminded everyone doing projects to call 811 before you dig, it's a small step for safety.

ADJOURN

There being no further business to come before the Council Mayor Castner adjourned the meeting at 8:49 p.m. The next Regular Meeting is Monday, June 8, 2020 at 6:00 p.m., Worksession 4:00 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.

Melissa Jacobsen, MMC, City Clerk

Approved: _____



City of Homer

www.cityofhomer-ak.gov

Office of the City Clerk

491 East Pioneer Avenue
Homer, Alaska 99603

clerk@cityofhomer-ak.gov

(p) 907-235-3130

(f) 907-235-3143

Memorandum 20-066

TO: MAYOR CASTNER AND HOMER CITY COUNCIL

FROM: RENEE KRAUSE, MMC, DEPUTY CITY CLERK

DATE: JUNE 8, 2020

SUBJECT: NEW LIQUOR LICENSE APPLICATIONS FOR ODIN MEAD AND SWEETGALE WINES

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

License Type: Winery
License #: 5907
DBA Name: Odin Mead
Service Location: 5290 Davis Street, Homer, AK 99603
Licensee: Odin, Inc.
Contact Person: Grady Avant

License Type: Winery
License #: 5909
DBA Name: Sweetgale Wines
Service Location: 3657 Main Street, Homer, AK 99603
Licensee: Sweetgale Wines, LLC
Contact Person: Jason Davis

RECOMMENDATION

Voice non-objection and approval for these new liquor license applications.

Fiscal Note: Revenues



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

What is this form?

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

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

Section 1 – Establishment and Contact Information

Enter information for the business seeking to be licensed.

Licensee:	Odin, Inc.		
License Type:	Winery	Statutory Reference:	AS 04.11.140
Doing Business As:	Odin Mead		
Premises Address:	5290 Davis Street		
City:	Homer	State:	AK
		ZIP:	99603
Local Governing Body:	City of Homer		
Community Council:	Homer City Council		

Mailing Address:	PO Box 3601		
City:	Homer	State:	AK
		ZIP:	99603

Designated Licensee:	Grady Avant		
Contact Phone:	907-299-7477	Business Phone:	907-299-7477
Contact Email:	grady.avant@gmail.com		

Seasonal License? Yes No **If "Yes", write your six-month operating period:** _____

OFFICE USE ONLY			
Complete Date:		License Years:	License #: 5907
Board Meeting Date:		Transaction #:	1265484
Issue Date:		BRE:	



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

Section 2 – Premises Information

Premises to be licensed is:

- an existing facility a new building a proposed building

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

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

0.9 Miles - Tiny Trees Forest School

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

1.0 Miles - The Church of Jesus Christ of Latter-Day Saints

Section 3 – Sole Proprietor Ownership Information

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

This individual is an: applicant affiliate

Name:	N/A				
Address:	N/A				
City:	N/A	State:	N/A	ZIP:	N/A

This individual is an: applicant affiliate

Name:	N/A				
Address:	N/A				
City:	N/A	State:	N/A	ZIP:	N/A

MAR 13 2020



Alaska Alcoholic Beverage Control Board

Form AB-00: New License Application

Section 4 – Entity Ownership Information

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

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

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

Entity Official:	Grady Avant				
Title(s):	President	Vice President, and Secretary	Phone:	907-299-7477	% Owned: 100
Address:	PO Box 3601				
City:	Homer	State:	AK	ZIP:	99603

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

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

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



Alaska Alcoholic Beverage Control Board

Form AB-00: New License Application

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

DOC Entity #:	10116861	AK Formed Date:	11/4/19	Home State:	AK
Registered Agent:	Grady Avant		Agent's Phone:	907-299-7477	
Agent's Mailing Address:	PO Box 3601				
City:	Homer	State:	AK	ZIP:	99603

Residency of Agent: Yes No

Is your corporation or LLC's registered agent an individual resident of the state of Alaska?

Section 5 - Other Licenses

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

Does any representative or owner named in this application have any direct or indirect financial interest in any other alcoholic beverage business that does business in or is licensed in Alaska?

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

Section 6 - Authorization

Communication with AMCO staff: Yes No

Does any person other than a licensee named in this application have authority to discuss this license with AMCO staff?

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



Alaska Alcoholic Beverage Control Board

Form AB-00: New License Application

Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
alcohol.licensing@alaska.gov
https://www.commerce.alaska.gov/web/amco
Phone: 907.269.0350

Section 7 - Certifications

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

Initials

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

[Handwritten initials in box]

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

[Handwritten initials in box]

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

[Handwritten initials in box]

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

[Handwritten initials in box]

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

[Handwritten initials in box]

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

[Handwritten signature of licensee]

Signature of licensee

Grady Avant

Printed name of licensee

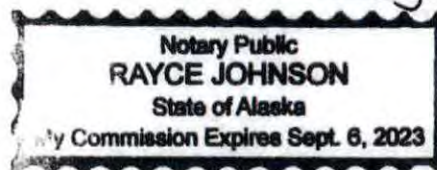
[Handwritten signature of Notary Public]

Signature of Notary Public

Notary Public in and for the State of Alaska

My commission expires: 09/06/2023

Subscribed and sworn to before me this 13th day of January, 2020.





Alaska Alcoholic Beverage Control Board

Form AB-02: Premises Diagram

What is this form?

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

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

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

Yes No

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

Section 1 - Establishment Information

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

Licensee:	Odin, Inc.	License Number:	5907		
License Type:	Winery				
Doing Business As:	Odin Mead				
Premises Address:	5290 Davis Street				
City:	Homer	State:	AK	ZIP:	99603



Alcohol and Marijuana Control Office

550 W 7th Avenue, Suite 1600

Anchorage, AK 99501

alcohol.licensing@alaska.gov

<https://www.commerce.alaska.gov/web/amco>

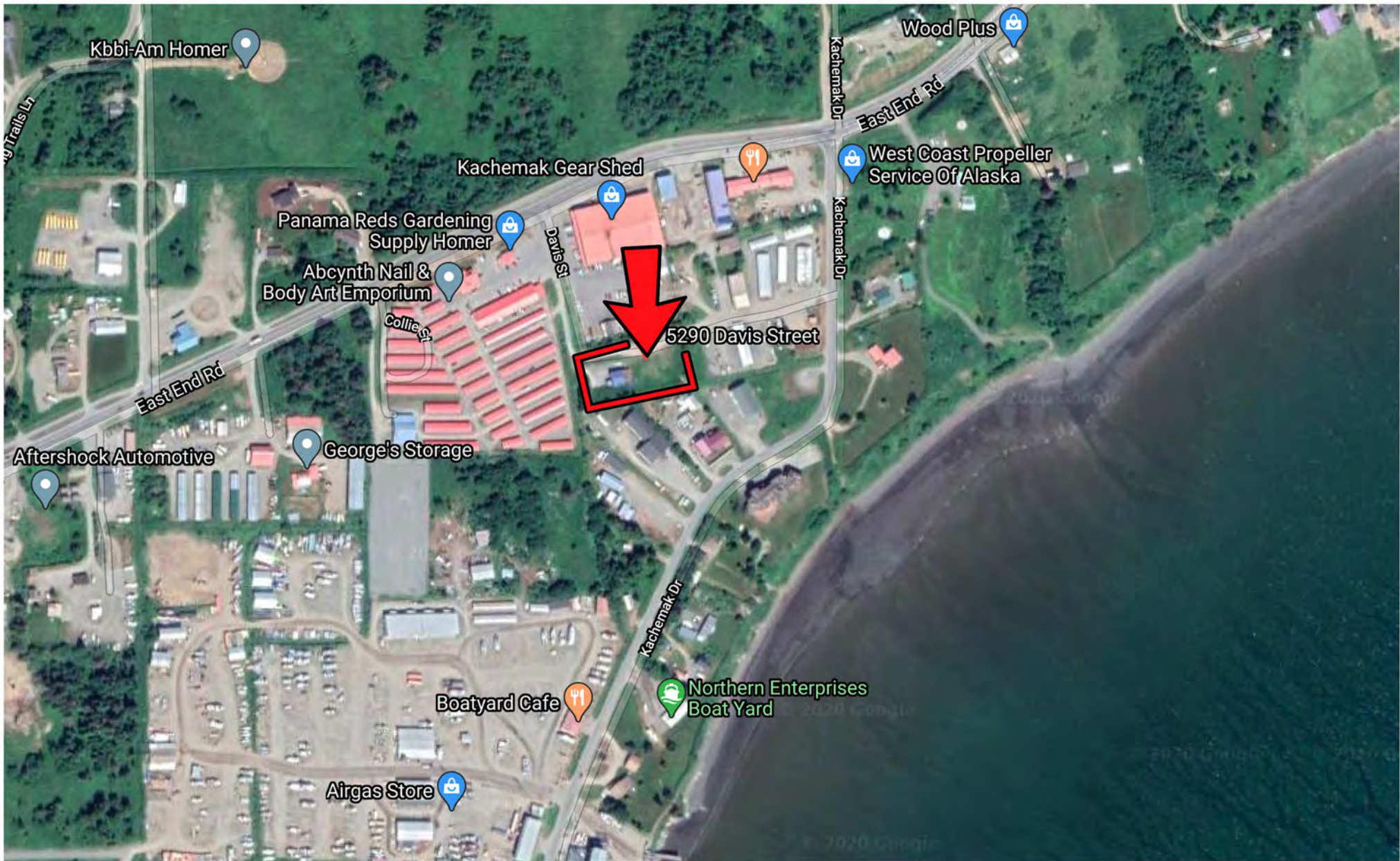
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Form AB-02: Premises Diagram

Section 2 – Detailed Premises Diagram

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



ODIN INC
ODIN MEAD
LICENSE # 5907

CROSS STREETS AND POINTS OF REFERENCE

5290 Davis Street - Located ~ 300ft SSE of East End Road and Davis Street intersection.

EAST END MINI STORAGE

DAVIS STREET

DEAD END

142.1' WEST PROPERTY BOUNDARY

Slip dimension	298.52ft x 160ft
Stall area	SEE
Stall length	80ft
Stall width	100ft
No. stalls	5

GRAVEL PARKING AREA

PRIVATE PARKING AREA



20' STORAGE CONTAINER

PORCH

GATED ENTRY WITH FENCED OUTDOOR WALKWAY 16' X 16'

30' X 6'

FENCED OUTDOOR WALKWAY 30' X 6'

OUTDOOR SEATING AREA FENCED & COVERED 24' X 30'

330' SOUTH PROPERTY BOUNDARY

BEACHY CONSTRUCTION AND PRIVATE RESIDENCE

KACHEMAK GEAR SHED
LFSI Commercial and
Recreational Marine Supplies

300.6' NORTH PROPERTY BOUNDARY



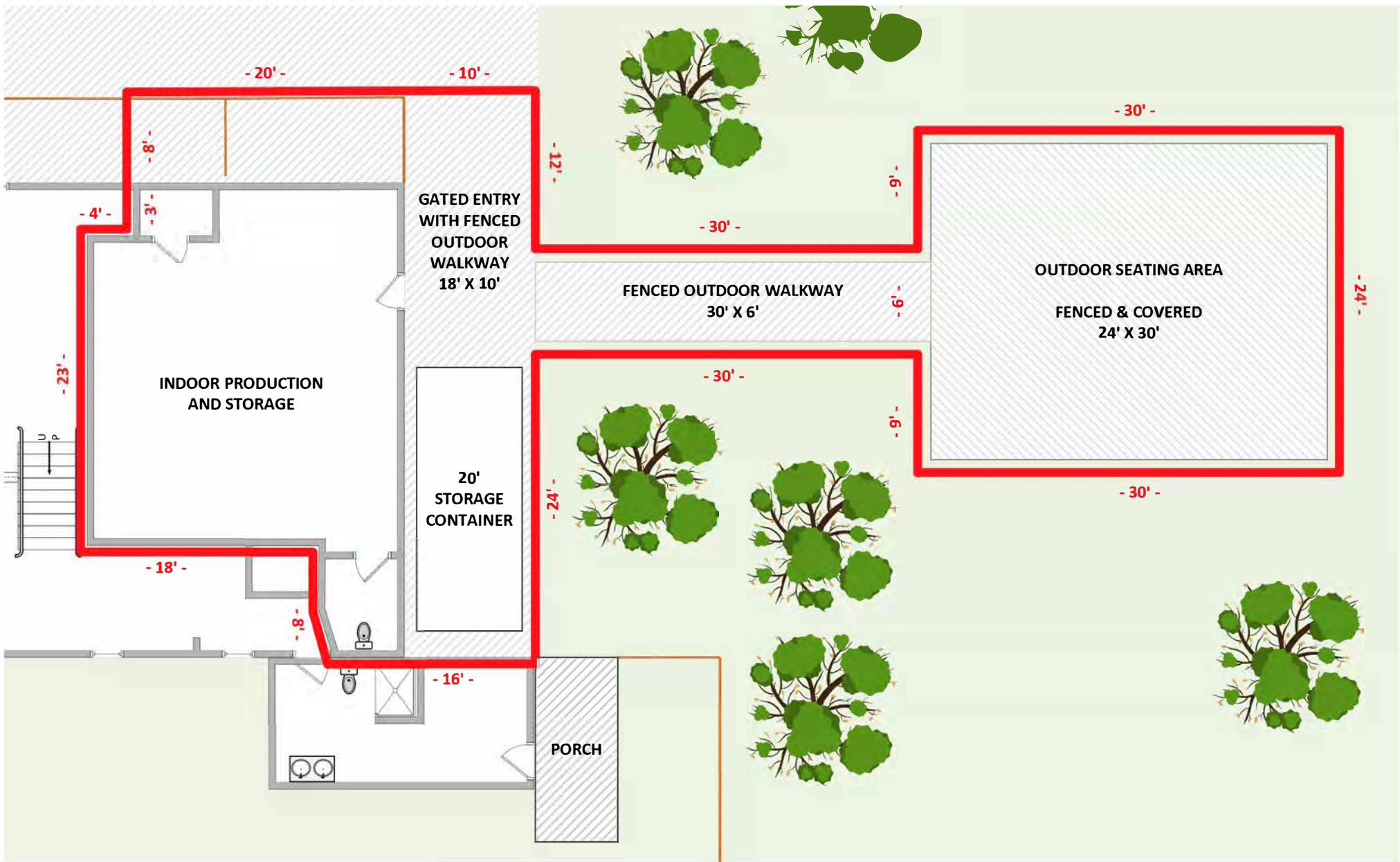
161.75' EAST PROPERTY BOUNDARY

ALASKA MINI STORAGE

ODIN INC
ODIN MEAD
LICENSE # 5907

PROPERTY BOUNDARIES AND NEIGHBOURING PROPERTIES

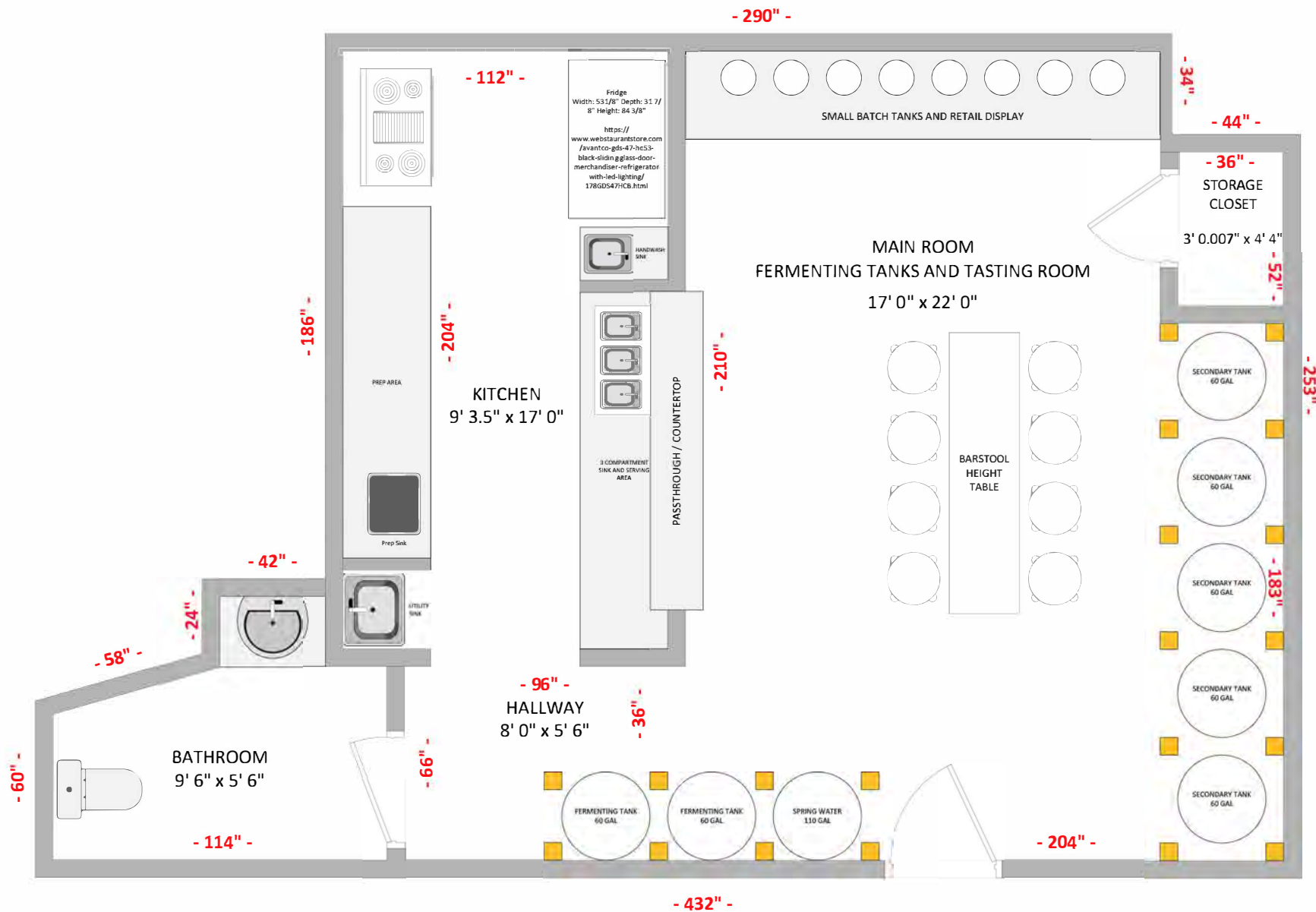
5290 Davis Street is located at the end of Davis Street, a dead end road that makes up the eastern border of the property. The remaining borders are neighbored by commercial and mixed-use properties. The area in red denotes the proposed contiguous licensed premises.



ODIN INC
 ODIN MEAD
 LICENSE # 5907

PROPOSED LICENSED PREMISES

The area in red denotes the proposed contiguous licensed premises. Patrons will enter the premises through a gate. Once inside the premises, the boundary of the licensed premise will be enclosed by the building's interior walls, or exterior fencing.



ODIN INC
 ODIN MEAD
 LICENSE # 5907

INTERIOR LAYOUT OF ENCLOSED PREMISES

Layout showing purpose of each defined area, interior measurements, and perimeter measurements.



May 29, 2020

City of Homer
Kenai Peninsula Borough

VIA Email: clerk@cityofhomer-ak.gov ; jblankenship@kpb.us ; Dhenry@kpb.us ; JRodgers@kpb.us ;
SNess@kpb.us ; joanne@borough.kenai.ak.us ; tshassetz@kpb.us

License Type:	Winery	License Number:	5909
Licensee:	Sweetgale Wines LLC		
Doing Business As:	Sweetgale Wines		
Premises Address:	3657 Main Street		

- New Application**
 Transfer of Ownership Application
 Transfer of Location Application
 Transfer of Controlling Interest Application

We have received a completed application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under AS 04.11.480.

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable. To protest the application referenced above, please submit your protest within 60 days and show proof of service upon the applicant.

AS 04.11.491 – AS 04.11.509 provide that the board will deny a license application if the board finds that the license is prohibited under as a result of an election conducted under AS 04.11.507.

AS 04.11.420 provides that the board will not issue a license when a local governing body protests an application on the grounds that the applicant’s proposed licensed premises are located in a place within the local government where a local zoning ordinance prohibits the alcohol establishment, unless the local government has approved a variance from the local ordinance.

Sincerely,

Glen Klinkhart, Interim Director
amco.localgovernmentonly@alaska.gov



Alaska Alcoholic Beverage Control Board

Form AB-00: New License Application

What is this form?

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

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

Section 1 – Establishment and Contact Information

Enter information for the business seeking to be licensed.

Licensee:	Sweetgale Wines, LLC		
License Type:	Winery	Statutory Reference:	AS04.11.140
Doing Business As:	Sweetgale Wines		
Premises Address:	3657 Main Street		
City:	Homer	State:	AK
		ZIP:	99603
Local Governing Body:	City of Homer		
Community Council:	City of Homer		

Mailing Address:	3657 Main Street		
City:	Homer	State:	AK
		ZIP:	99603

Designated Licensee:	Jason Davis		
Contact Phone:	907 690 1786	Business Phone:	907 690 1786
Contact Email:	jasondavis63@gmail.com		

Seasonal License? Yes No If "Yes", write your six-month operating period: _____

OFFICE USE ONLY					
Complete Date:	5/29/20	License Years:	2020-2021	License #:	5909
Board Meeting Date:	AUGUST 2020		Transaction #:	1270119	
Issue Date:		BRE:	OMF		



Alaska Alcoholic Beverage Control Board

Form AB-00: New License Application

Section 2 – Premises Information

Premises to be licensed is:

an existing facility a new building a proposed building

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

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

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

Section 3 – Sole Proprietor Ownership Information

This section must be completed by any sole proprietor who is applying for a license. Entities should skip to Section 4.

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

The following information must be completed for each licensee and each affiliate (spouse).

This individual is an: applicant affiliate

Name:					
Address:					
City:		State:		ZIP:	

This individual is an: applicant affiliate

Name:					
Address:					
City:		State:		ZIP:	



Alaska Alcoholic Beverage Control Board

Form AB-00: New License Application

AMCO
 5/20/20

Section 4 – Entity Ownership Information

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

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

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

Entity Official:	Jason Davis				
Title(s):	Member	Phone:	907 690 1786	% Owned:	100%
Address:	693 Rangeview Ave				
City:	Homer	State:	AK	ZIP:	99603

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

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

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



AMCO
5/20/20

Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501

alcohol.licensing@alaska.gov

<https://www.commerce.alaska.gov/web/amco>

Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Form AB-00: New License Application

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

DOC Entity #:	10089245	AK Formed Date:	08/06/2018	Home State:	Alaska
Registered Agent:	Jason Davis		Agent's Phone:	907 690 1786	
Agent's Mailing Address:	693 Rangeview Ave				
City:	Homer	State:	AK	ZIP:	99603

Residency of Agent:

Yes No

Is your corporation or LLC's registered agent an individual resident of the state of Alaska?

Section 5 – Other Licenses

Ownership and financial interest in other alcoholic beverage businesses:

Yes No

Does any representative or owner named in this application have any direct or indirect financial interest in any other alcoholic beverage business that does business in or is licensed in Alaska?

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

Section 6 – Authorization

Communication with AMCO staff:

Yes No

Does any person other than a licensee named in this application have authority to discuss this license with AMCO staff?

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



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

Section 7 – Certifications

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

Initials

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

JD

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

JD

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

JD

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

JD

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

JD

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

Jason Davis
Signature of licensee

Jason Davis

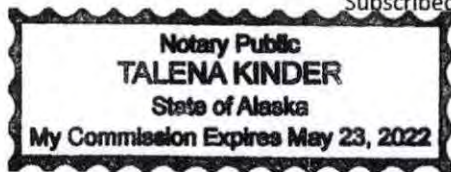
Printed name of licensee

Talena Kinder
Signature of Notary Public

Notary Public in and for the State of Alaska

My commission expires: May 23 2022

Subscribed and sworn to before me this 1st day of April, 2020





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

What is this form?

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

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

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

Yes No

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

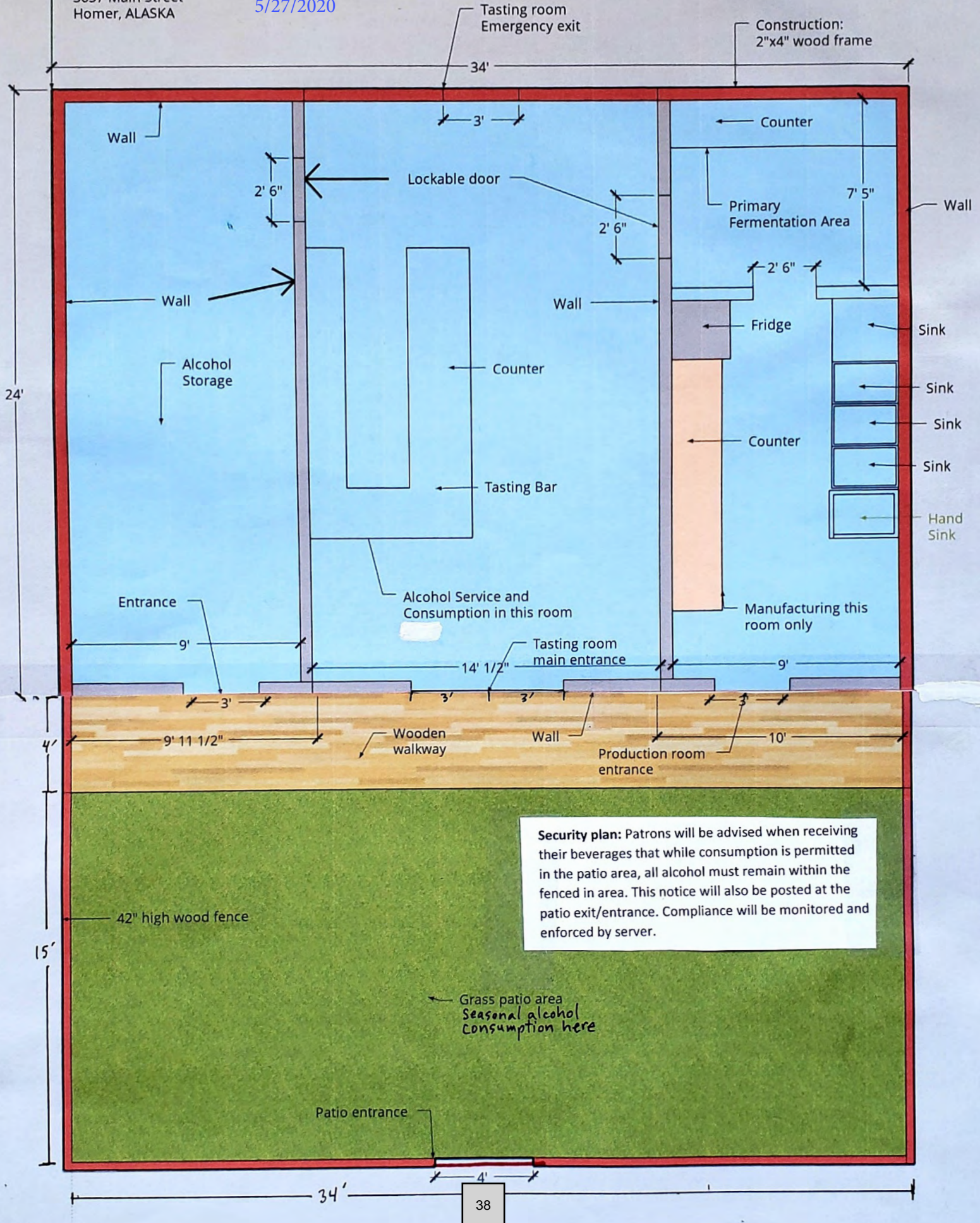
Section 1 – Establishment Information

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

Licensee:	Sweetgale Wines, LLC	License Number:	
License Type:	Winery		
Doing Business As:	Sweetgale Wines		
Premises Address:	3657 Main Street		
City:	Homer	State:	AK
		ZIP:	99603

SWEETGALE WINES
3657 Main Street
Homer, ALASKA

AMCO
5/27/2020



Security plan: Patrons will be advised when receiving their beverages that while consumption is permitted in the patio area, all alcohol must remain within the fenced in area. This notice will also be posted at the patio exit/entrance. Compliance will be monitored and enforced by server.



City of Homer

www.cityofhomer-ak.gov

Police Department

4060 Heath Street
Homer, Alaska 99603

police@cityofhomer-ak.gov

(p) 907-235-3150

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

Memorandum

TO: RENE KRAUSE, MMC, DEPUTY CITY CLERK
FROM: MARK ROBL, POLICE CHIEF
DATE: MAY 28, 2020
SUBJECT: LIQUOR LICENSE APPLICATION FOR WINERY - ODIN MEAD

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

License Type:	Winery
License #:	5907
DBA Name:	Odin Mead
Service Location:	5290 Davis Street, Homer, AK 99603
Licensee:	Grady Avant
Contact Person:	Grady Avant, 907-299-7477



City of Homer

www.cityofhomer-ak.gov

Police Department

4060 Heath Street
Homer, Alaska 99603

police@cityofhomer-ak.gov

(p) 907-235-3150

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

Memorandum

TO: RENE KRAUSE, MMC, DEPUTY CITY CLERK
CC: LISA LINEGAR, COMMUNICATIONS SUPERVISOR
FROM: MARK ROBL, POLICE CHIEF
DATE: JUNE 3, 2020
SUBJECT: LIQUOR LICENSE APPLICATION FOR WINERY - SWEETGALE WINES, LLC

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

License Type:	Winery
License #:	5909
DBA Name:	Sweetgale Wines
Service Location:	3657 Main Street, Homer, AK 99603
Licensee:	Jason Davis
Contact Person:	Jason Davis, 907-690-1786



City of Homer

www.cityofhomer-ak.gov

Office of the City Clerk

491 East Pioneer Avenue
Homer, Alaska 99603

clerk@cityofhomer-ak.gov

(p) 907-235-3130

(f) 907-235-3143

Memorandum

TO: MARK ROBL, POLICE CHIEF
FROM: RENEE KRAUSE, MMC, DEPUTY CITY CLERK
DATE: MAY 28, 2020
SUBJECT: LIQUOR LICENSE APPLICATION FOR WINERY - ODIN MEAD

The City Clerk's Office has been notified by the ABC Board of a Liquor License Application within the City of Homer for the following business:

License Type:	Winery
License #:	5907
DBA Name:	Odin Mead
Service Location:	5290 Davis Street, Homer, AK 99603
Licensee:	Grady Avant
Contact Person:	Grady Avant, 907-299-7477

This matter is scheduled for the June 8, 2020 City Council Regular Meeting. Please respond in a memorandum to the City Clerk's Office with objections/non-objections to this liquor license application no later than **Tuesday, June 2, 2020**.

Thank you for your assistance.



City of Homer

www.cityofhomer-ak.gov

Office of the City Clerk

491 East Pioneer Avenue
Homer, Alaska 99603

clerk@cityofhomer-ak.gov

(p) 907-235-3130

(f) 907-235-3143

Memorandum

TO: MARK ROBL, POLICE CHIEF

CC: LISA LINEGAR, COMMUNICATIONS SUPERVISOR

FROM: RENEE KRAUSE, MMC, DEPUTY CITY CLERK

DATE: JUNE 1, 2020

SUBJECT: LIQUOR LICENSE APPLICATION FOR WINERY - SWEETGALE WINES, LLC

The City Clerk's Office has been notified by the ABC Board of a Liquor License Application within the City of Homer for the following business:

License Type:	Winery
License #:	5909
DBA Name:	Sweetgale Wines
Service Location:	3657 Main Street, Homer, AK 99603
Licensee:	Jason Davis
Contact Person:	Jason Davis, 907-690-1786

This matter is scheduled for the June 8, 2020 City Council Regular Meeting. Please respond in a memorandum to the City Clerk's Office with objections/non-objections to this liquor license application no later than **Wednesday, June 3, 2020**.

Thank you for your assistance.



City of Homer

www.cityofhomer-ak.gov

Office of the City Clerk

491 East Pioneer Avenue
Homer, Alaska 99603

clerk@cityofhomer-ak.gov

(p) 907-235-3130

(f) 907-235-3143

Memorandum 20-067

TO: MAYOR CASTNER AND HOMER CITY COUNCIL

FROM: MELISSA JACOBSEN, MMC, CITY CLERK

DATE: JUNE 1, 2020

SUBJECT: VACATION OF THE NORTH 5 FEET OF THE 10 FOOT UTILITY EASEMENT ADJOINING THE BOUNDARY OF LOT 36-A BUNNELL'S SUBDIVISION NO. 17 (HM-86-44) GRANTED BY BUNNELL'S SUBDIVISION NO. 17 (HM-86-44) IN SE1/4 NE1/4 SECTION 19, TOWNSHIP 6 SOUTH, RANGE 13 WEST, SEWARD MERIDIAN, ALASKA WITHIN THE KENAI PENINSULA BOROUGH

At their May 11, 2020 meeting, the Kenai Peninsula Borough Planning Commission approved the vacation of the north 5 feet of the 10 foot utility easement adjoining the boundary of Lot 36-A Bunnell's Subdivision No. 17 (HM-86-44) granted by Bunnell's Subdivision No. 17 (HM-86-44) in SE1/4 NE1/4 Section 19, Township 6 South, Range 13 West, Seward Meridian, Alaska within the Kenai Peninsula Borough. KPB File 2020-36V.

Per AS 29.40.140, no vacation of a City right-of-way and/or easement may be made without the consent of the City Council.

The City Council has thirty days from May 11, 2020 in which to veto the decision of the Kenai Peninsula Borough Planning Commission.

The Homer Planning Commission expressed non-objection regarding this vacation as reflected in the April 29, 2020 minutes from regular meeting.

RECOMMENDATION:

Voice non objection and consent to the vacation of the North 5 feet of the 10 foot utility easement adjoining the boundary of Lot 36-A Bunnell's Subdivision No. 17 (HM-86-44) granted by Bunnell's Subdivision No. 17 (HM-86-44) in SE1/4 NE1/4 Section 19, Township 6 South, Range 13 West, Seward Meridian, Alaska within the Kenai Peninsula Borough. KPB File 2020-36V.



Planning Department

144 N. Binkley Street, Soldotna, Alaska 99669 • (907) 714-2200 • (907) 714-2378 Fax

Charlie Pierce
Borough Mayor

May 14, 2020

Homer City Council
491 East Pioneer Avenue
Homer, AK 99603-7645

RE: Utility Easement Vacation
Vacate the north 5 feet of the 10-foot utility easement, adjoining the south boundary of Lot 36-A, Bunnell's Subd. No. 17 (HM 86-44), granted by Bunnell's Subd. No. 17 (HM 86-44); in SE1/4 NE1/4 Section 19, Township 6 South, Range 13 West, Seward Meridian, Alaska, within the Kenai Peninsula Borough. KPB File 2020-036V

Dear Homer City Council Members:

In accordance with AS 29.40.140, no vacation of a city right-of-way and/or easement may be made without the consent of the city council. The KPB Planning Commission approved the referenced right-of-way vacation during their regularly scheduled meeting of May 11, 2020. This petition is being sent to you for your consideration and action.

The City Council has 30 days from May 11, 2020 in which to veto the decision of the Planning Commission. If no veto is received from the Council within the 30-day period, the decision of the Planning Commission will stand.

Attached are draft, unapproved minutes of the pertinent portion of the meeting and other related material.

Sincerely,

Marcus A. Mueller
Interim Planning Director

Encl.
5-11-20 Meeting Packet Materials
5-11-20 Draft PC Meeting Minutes

PUBLIC HEARINGS**C6. Utility Easement Vacation**

- a. Vacate the north 5 feet of the 10-foot utility easement, adjoining the south boundary of Lot 36-A, Bunnell's Subd. No. 17 (HM 86-44), granted by Bunnell's Subd. No. 17 (HM 86-44); in SE1/4 NE1/4 Section 19, Township 6 South, Range 13 West, Seward Meridian, Alaska, within the Kenai Peninsula Borough. KPB File 2020-036V

Staff report given by Scott Huff

PC Meeting: May 11, 2020

Purpose as stated in petition: Vacating the north 5 feet of the 10 foot utility easement, adjoining the south boundary of Lot 36-A, Bunnell's Subd. No. 17 (HM 86-44), will save trees on the lot by moving the building south. This will also allow better use of this small lot (0.28 acres). HEA has no objection to this vacation and it helps make the entrance, which is set in stone, usable.

Petitioners: HOMER PROFESSIONAL OFFICE BUILDING LLC of HOMER, AK

Location: on Bartlett Street, Off West Pioneer Avenue, City of Homer.

Notification: Notice of vacation mailings were sent by regular mail to 15 owners of property within 300 feet. Notice of the proposed vacation was emailed to 9 agencies and interested parties.

The public notice was posted on the Planning Department's bulletin board at the KPB Administration Building.

Staff Comments: Staff mistakenly thought that there was a 15' utility easement adjoining Bartlett Street right of way and requested that this portion not be vacated. After further research it was determined that there is not a 15' utility easement adjoining Bartlett Street right of way. The applicants request to vacate the entire portion of the north 5 feet of the 10-foot utility easement is correct. All utilities reviewed the correct petition.

Comments Received:

ACS: No objection.

ENSTAR Natural Gas: No objection.

GCI: No objection.

HEA: No objection.

Petitioner Findings:

1. The utility easement proposed to be vacated is not in use by a utility company.
2. The vacation will allow the building to move south and will save trees.
3. This will allow better use of this small lot (0.28 acres).
4. Makes the entrance, which is set in stone, usable.

Staff Findings:

5. ACS, ENSTAR, GCI, HEA, provided written non-objection to the vacation of the north 5' portion of the south 10' wide utility easement.
6. No objection from the Traffic, Safety & Utilities Section of State of Alaska DOT&PF.
7. Bunnell's Subd. No. 17, Plat HM 86-44, granted a 20' wide utility easement adjoining the common lot line between Lot 36-A and former Lot 36B, (now Lot 36-B1, Plat HM 90-41).
8. A 10' wide utility easement remains on Lot 36-B1, HM 90-41.
9. KPB GIS information shows an electric line is located within the 10' utility easement on Lot 36-B1.
10. No surrounding properties will be denied utilities.

11. Petition to vacate will be heard by the City of Homer on April 29, 2020.

Based upon the above findings, **staff recommends** granting the vacation as petitioned, subject to:

1. Provide a sketch clearly indicating the portion of the utility easement being vacated to be recorded with KPB Planning Commission Resolution 2020-10, becoming Page 2 of 2.
2. The Planning Department is responsible for filing the Planning Commission resolution.
3. The applicants will provide the recording fee for the resolution and its attachment to the Planning Department.
4. Approval of the vacation by the City of Homer.

NOTE: Action after denial of vacation (KPB 20.70.120)

- A. Denial of a vacation petition is a final act for which no further consideration shall be given by the Kenai Peninsula Borough.
- B. Upon denial by the planning commission, no reapplication or petition concerning the same vacation may be filed within one calendar year of the date of the final denial action except in the case where new evidence or circumstances exist that were not available or present when the original petition was filed.

END OF STAFF REPORT

Mr. Huff add that there were two comments in the desk packet. The comments were from two neighbors who expressed concerns regarding possible drainage issues on their property due to the proposed location of the applicant's new building. Mr. Huff stated that this was a utility easement that was available for utility company use and that the drainage issue was separate and could be addressed by the City of Homer.

Chairman Martin asked if anyone from the public wished to comment on this item. Seeing and hearing no one wishing to comment, Chairman Martin closed public comment and opened discussion among the Commission.

MOTION: Commissioner Ruffner moved, seconded by Commissioner Morgan to approve the utility easement vacation as petitioned, vacating the north 5 feet of the 10-foot utility easement, adjoining the south boundary of Lot 36-A, Bunnell's Subd. No. 17 siting the 11 findings provided in the staff report and adherence to borough code.

Commissioner Carluccio asked staff if drainage issues were normally addressed by the borough in relation to utility easement vacations. Mr. Huff responded no, but that drainage is an item that could be considered through the use of an easement. He also restated that the area utilities and the City of Homer had no objection to this utility easement vacation. Commission Carluccio followed up with the question that while this was not a drainage easement, would the neighbors have had the opportunity to express their concerns regarding drainage issues to the City of Homer. Mr. Huff stated that this utility easement vacation would go back to the City of Homer again for their approval or veto and that the neighbors would have another opportunity to express their concerns.

Commission Venuti commented that many of the properties in Homer are on a hillside and that drainage is always an issue. The City of Homer has site development standards to address this type of issue. He read a portion of the standard to the commission: *the standard states that development activity should not adversely impact other properties by causing damage, alteration of surface water drainage, surface water ponding, soil erosion or root damage to trees on neighboring properties.* This standard is already on the books and he is confident that City of Homer can address this.

Commissioner Carluccio sought clarification and asked staff to verify that when this utility easement vacation application was initially brought to the City of Homer it did not include these comments from the neighbors. Mr. Huff stated that she was correct, these comments were not brought up to the Homer Planning and Zoning Commission. Commissioner Carluccio followed up and wanted to know if the neighbors would be notified when this utility easement vacation was brought back to the city council. Mr.

Huff replied that he believed that the city council would notify the neighbors of this agenda item.

Commissioner Brantley had a question for staff regarding the site drawing. He believed that the site drawing depicts a drainage gallery right where the new building would be located. Mr. Huff reviewed the site drawing and stated that area that Commissioner Brantley was referring to was not depicting a drainage gallery but the alcove of the proposed building.

MOTION PASSED: Seeing and hearing no discussion or objection, the motion passed by unanimous consent.

AGENDA ITEM E. PUBLIC HEARINGS

1. Vacate the west 5 feet of the existing 70-foot wide Camelot Drive right-of-way along the east boundary of Lots 6, 7, and 8, Block 2, as dedicated on Camelot by the Sea Subdivision, Plat SW-76. The right-of-way being vacated is developed and located within the NW1/4 SE1/4 of Section 23, Township 1 North, Range 1 West, Seward Meridian, Alaska, within the Kenai Peninsula Borough. KPB File 2020-032V.

Staff report given by Scott Huff

PC Meeting May 11, 2020

Purpose as stated in petition: Camelot Drive was dedicated on the plat of Camelot by the Sea (Plat SW-76) as a 70-foot wide right-of-way. The roadway is constructed toward the easterly side of the right-of-way, on the side away from the proposed area to be vacated. In addition, the roadway and the area adjacent is relatively flat so that no slope easements are necessary.

Petitioners: J. Craig Turnbull and Catherine M. Turnbull of Seward, AK.

Notification: Public notice appeared in the April 29, 2020 issue of the Seward Journal as a separate ad. The public hearing notice was published in the May 6, 2020 issue of the Seward Journal as part of the Planning Commission's tentative agenda.

Twenty certified mailings were sent to owners of property within 300 feet of the proposed vacation. Zero receipts had been returned when the staff report was prepared.

Public hearing notices were sent by regular mail to twenty-five owners within 600 feet of the proposed vacation.

Twenty-one public hearing notices were emailed to agencies and interested parties.

Public hearing notices were made available to five KPB staff/Departments via a shared database.

Notices were mailed to the Seward Post Office and Seward Community Library with a request to be posted in public locations.

The notice and maps were posted on the Borough bulletin board and Planning Department public hearing notice web site.

Comments Received:

ACS: Review, not in their service area

ENSTAR: Reviewed, no comments, recommendations or objections.

City of Seward Electric / Chugach Electric: No response

TelAlaska: No response

***6 Utility Easement Vacations**

- a. Vacate the north 5 feet of the 10-foot utility easement, adjoining Lot 36A, Bunnell's Subdivision No. 17 (HM 86-44) in the SE1/4 NE1/4 Sec 19, T6S, R13W, Seward Meridian, AK; KPB File 2020-036V; Petitioner: Homer Professional Office Building LLC of Homer, AK

AGENDA ITEM C. CONSENT AGENDA

*6. Utility Easement Vacation

- a. Vacate the north 5 feet of the 10 foot utility easement, adjoining the south boundary of Lot 36-A, Bunnell's Subd. No. 17 (HM 86-44), granted by Bunnell's Subd. No. 17 (HM 86-44); in SE1/4 NE1/4 Section 19, Township 6 South, Range 13 West, Seward Meridian, Alaska, within the Kenai Peninsula Borough. KPB File 2020-036V

STAFF REPORT

PC Meeting: May 11, 2020

Purpose as stated in petition: Vacating the north 5 feet of the 10 foot utility easement, adjoining the south boundary of Lot 36-A, Bunnell's Subd. No. 17 (HM 86-44), will save trees on the lot by moving the building south. This will also allow better use of this small lot (0.28 acres). HEA has no objection to this vacation and it helps make the entrance, which is set in stone, usable.

Petitioners: HOMER PROFESSIONAL OFFICE BUILDING LLC of HOMER, AK

Location: on Bartlett Street, Off West Pioneer Avenue, City of Homer.

Notification: Notice of vacation mailings were sent by regular mail to 15 owners of property within 300 feet. Notice of the proposed vacation was emailed to 9 agencies and interested parties.

The public notice was posted on the Planning Department's bulletin board at the KPB Administration Building.

Staff Comments: Staff mistakenly thought that there was a 15' utility easement adjoining Bartlett Street right of way and requested that this portion not be vacated. After further research it was determined that there is not a 15' utility easement adjoining Bartlett Street right of way. The applicants request to vacate the entire portion of the north 5 feet of the 10-foot utility easement is correct. All utilities reviewed the correct petition.

Comments Received:

ACS: No objection.

ENSTAR Natural Gas: No objection.

GCI: No objection.

HEA: No objection.

Petitioner Findings:

1. The utility easement proposed to be vacated is not in use by a utility company.
2. The vacation will allow the building to move south and will save trees.
3. This will allow better use of this small lot (0.28 acres).
4. Makes the entrance, which is set in stone, usable.

Staff Findings:

5. ACS, ENSTAR, GCI, HEA, provided written non-objection to the vacation of the north 5' portion of the south 10' wide utility easement.
6. No objection from the Traffic, Safety & Utilities Section of State of Alaska DOT&PF.
7. Bunnell's Subd. No. 17, Plat HM 86-44, granted a 20' wide utility easement adjoining the common lot line between Lot 36-A and former Lot 36B, (now Lot 36-B1, Plat HM 90-41).
8. A 10' wide utility easement remains on Lot 36-B1, HM 90-41.
9. KPB GIS information shows an electric line is located within the 10' utility easement on Lot 36-B1.
10. No surrounding properties will be denied utilities.

11. Petition to vacate will be heard by the City of Homer on April 29, 2020.

Based upon the above findings, **staff recommends** granting the vacation as petitioned, subject to:

1. Provide a sketch clearly indicating the portion of the utility easement being vacated to be recorded with KPB Planning Commission Resolution 2020-10, becoming Page 2 of 2.
2. The Planning Department is responsible for filing the Planning Commission resolution.
3. The applicants will provide the recording fee for the resolution and its attachment to the Planning Department.
4. Approval of the vacation by the City of Homer.

NOTE: Action after denial of vacation (KPB 20.70.120)

- A. Denial of a vacation petition is a final act for which no further consideration shall be given by the Kenai Peninsula Borough.**
- B. Upon denial by the planning commission, no reapplication or petition concerning the same vacation may be filed within one calendar year of the date of the final denial action except in the case where new evidence or circumstances exist that were not available or present when the original petition was filed.**

END OF STAFF REPORT

**KENAI PENINSULA BOROUGH PLANNING COMMISSION
RESOLUTION 2020-10
KENAI RECORDING DISTRICT**

Vacate the north 5 feet of the 10-foot utility easement adjoining the south boundary of Lot 36-A, Bunnell's Subd. No. 17 (HM 86-44), granted by Bunnell's Subd. No. 17 (HM 86-44); in SE1/4 NE1/4 Section 19, Township 6 South, Range 13 West, Seward Meridian, Alaska, within the Kenai Peninsula Borough. KPB File 2020-036V

WHEREAS, HOMER PROFESSIONAL OFFICE BUILDING LLC of HOMER, AK requested the vacation of the north 5 foot of the 10 foot utility easement adjoining the south boundary of Lot 36-A, Bunnell's Subd No 17, Plat HM 86-44, granted by Bunnell's Subd No 17 (Plat HM 1986-44); and

WHEREAS, affected utility companies provided written non-objection to the proposed vacation; and

WHEREAS, per the petition, the easement is not in use by any utility companies, will save trees on the lot by moving the building south, able to better use this small lot (0.28 acres) and it helps make the entrance, which is set in stone, usable; and

WHEREAS, the proposed vacation will not deny utility easement(s) to surrounding properties; and

WHEREAS, on May 11, 2020, the Kenai Peninsula Borough Planning Commission considered the background information, all comments received, and recommendations from KPB Planning Department staff regarding the proposed vacation; and

WHEREAS, the Planning Commission found that vacating the utility easement will not be detrimental to the public interest; and

WHEREAS, 20.70.140 of the Kenai Peninsula Borough Code of Ordinances authorizes the Planning Commission to accomplish vacations by Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE KENAI PENINSULA BOROUGH:

Section 1. That the north 5 feet of the 10-foot utility easement adjoining the south boundary of Lot 36-A, Bunnell's Subd. No. 17 (HM 86-44), granted by Bunnell's Subd. No 17 (Plat HM 86-44), is hereby vacated.

Section 2. That an as-built survey or sketch, showing the location of the portion of the utility easement to be vacated be attached to and made a part of this Resolution, becoming page 2 of 2.

Section 3. That this resolution is eligible for recording upon being signed by the Planning Commission chairperson and will be deemed void if not recorded within 90 days of adoption.

Section 4. That this Resolution becomes effective upon being properly recorded with petitioner being responsible for payment of recording fee.

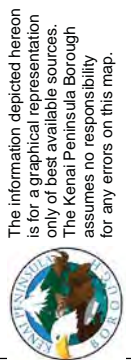
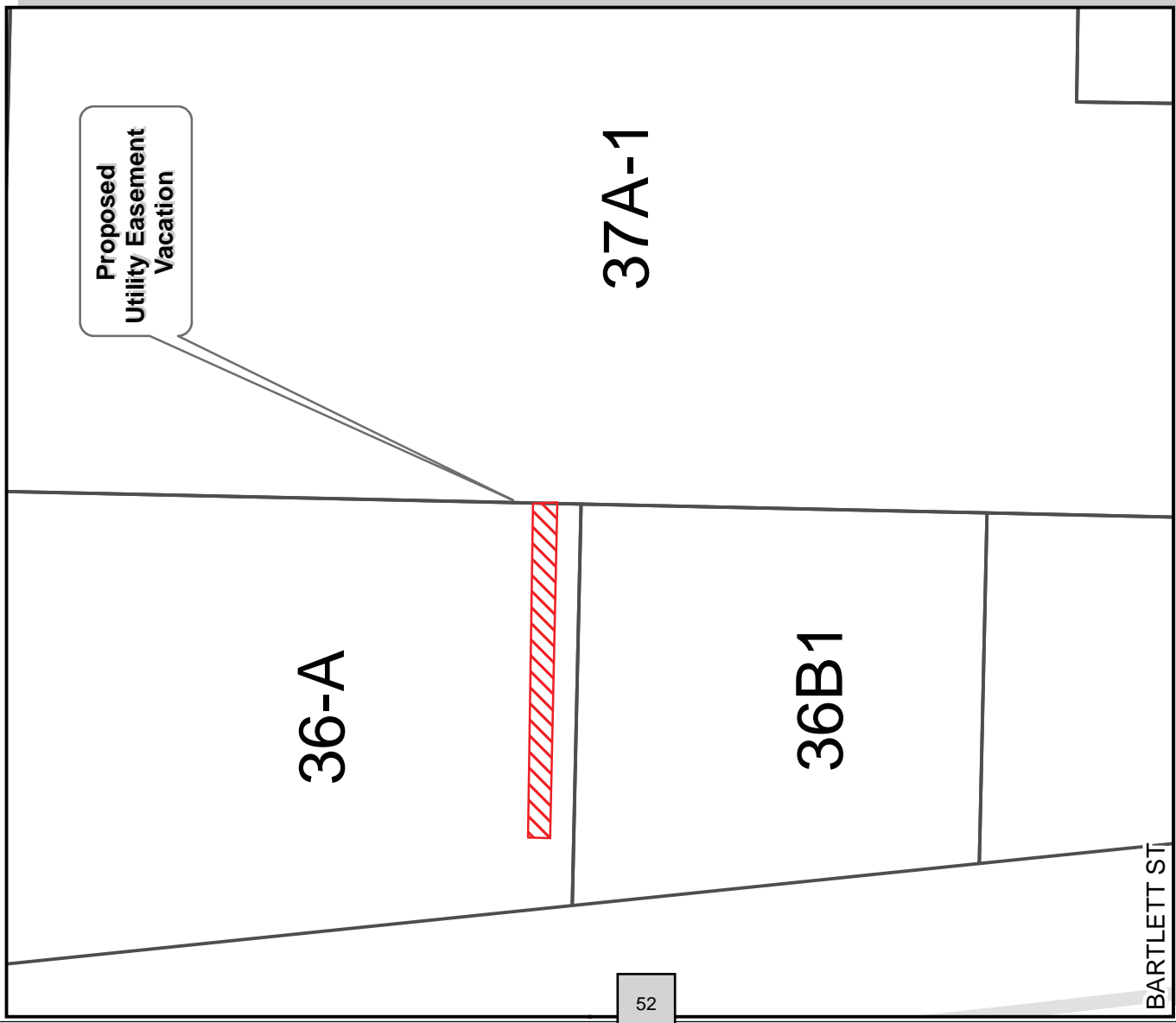
ADOPTED BY THE PLANNING COMMISSION OF THE KENAI PENINSULA BOROUGH ON THIS 11TH DAY OF MAY, 2020.

Blair J. Martin, Chairperson
Planning Commission

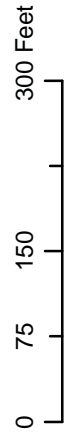
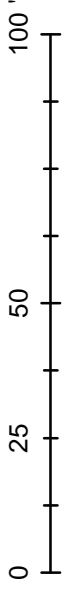
ATTEST:

Ann Shirnberg
Administrative Assistant

Return to:
Kenai Peninsula Borough Planning Department
144 North Binkley Street
Soldotna, Alaska 99669



The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



KPB 2020-036V
T06S R13W S19
HOMER

CERTIFICATE OF OWNERSHIP
 I HEREBY CERTIFY THAT THE ABOVE DESCRIBED PROPERTY IS THE PROPERTY OF THE PERSONS LISTED IN THE ADJACENT TABLE OF OWNERSHIP AND THAT THE SAID PERSONS ARE THE ONLY OWNERS OF THE SAID PROPERTY.

Alfred V. M.
 28 Nov 85

NO.	NAME	PERCENTAGE
1	ALFRED V. MURPHY	100.00
2	ALFRED V. MURPHY	100.00
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100	ALFRED V. MURPHY	100.00

Alfred V. M.
 28 Nov 85

NOTARY PUBLIC
 STATE OF MARYLAND
 My Comm. Expires 11-11-87

11-11-87
 DATE

11-11-87
 DATE



DATE: NOV 11 1985
 SCALE: 1" = 100'
 DESIGNED BY: [Signature]
 DRAWN BY: [Signature]
 JOB NO.: 100-100-100

BUNNELL'S SUBD. No 17
 CONTAINING 27-387 ACRES
 ABILITY SURVEYS



TABLE OF RECORDED EASEMENTS

- 185-1906 S. 10' PUBLIC R/W TO CITY OF HAGER, LOT 26-9
- 185-1906 S. 10' PUBLIC R/W TO CITY OF HAGER, LOT 26-8
- 185-1906 S. 10' PUBLIC R/W TO CITY OF HAGER, LOT 26-7
- 185-1906 S. 10' PUBLIC R/W TO CITY OF HAGER, LOT 26-6
- 185-1906 S. 10' PUBLIC R/W TO CITY OF HAGER, LOT 26-5
- 185-1906 S. 10' PUBLIC R/W TO CITY OF HAGER, LOT 26-4
- 185-1906 S. 10' PUBLIC R/W TO CITY OF HAGER, LOT 26-3
- 185-1906 S. 10' PUBLIC R/W TO CITY OF HAGER, LOT 26-2
- 185-1906 S. 10' PUBLIC R/W TO CITY OF HAGER, LOT 26-1
- 185-1906 S. 10' PUBLIC R/W TO CITY OF HAGER, LOT 25-1
- 185-1906 S. 10' PUBLIC R/W TO CITY OF HAGER, LOT 24-1
- 185-1906 S. 10' PUBLIC R/W TO CITY OF HAGER, LOT 23-1
- 185-1906 S. 10' PUBLIC R/W TO CITY OF HAGER, LOT 22-1
- 185-1906 S. 10' PUBLIC R/W TO CITY OF HAGER, LOT 21-1
- 185-1906 S. 10' PUBLIC R/W TO CITY OF HAGER, LOT 20-1
- 185-1906 S. 10' PUBLIC R/W TO CITY OF HAGER, LOT 19-1
- 185-1906 S. 10' PUBLIC R/W TO CITY OF HAGER, LOT 18-1
- 185-1906 S. 10' PUBLIC R/W TO CITY OF HAGER, LOT 17-1
- 185-1906 S. 10' PUBLIC R/W TO CITY OF HAGER, LOT 16-1
- 185-1906 S. 10' PUBLIC R/W TO CITY OF HAGER, LOT 15-1
- 185-1906 S. 10' PUBLIC R/W TO CITY OF HAGER, LOT 14-1
- 185-1906 S. 10' PUBLIC R/W TO CITY OF HAGER, LOT 13-1
- 185-1906 S. 10' PUBLIC R/W TO CITY OF HAGER, LOT 12-1
- 185-1906 S. 10' PUBLIC R/W TO CITY OF HAGER, LOT 11-1
- 185-1906 S. 10' PUBLIC R/W TO CITY OF HAGER, LOT 10-1
- 185-1906 S. 10' PUBLIC R/W TO CITY OF HAGER, LOT 9-1
- 185-1906 S. 10' PUBLIC R/W TO CITY OF HAGER, LOT 8-1
- 185-1906 S. 10' PUBLIC R/W TO CITY OF HAGER, LOT 7-1
- 185-1906 S. 10' PUBLIC R/W TO CITY OF HAGER, LOT 6-1
- 185-1906 S. 10' PUBLIC R/W TO CITY OF HAGER, LOT 5-1
- 185-1906 S. 10' PUBLIC R/W TO CITY OF HAGER, LOT 4-1
- 185-1906 S. 10' PUBLIC R/W TO CITY OF HAGER, LOT 3-1
- 185-1906 S. 10' PUBLIC R/W TO CITY OF HAGER, LOT 2-1
- 185-1906 S. 10' PUBLIC R/W TO CITY OF HAGER, LOT 1-1

LEGEND

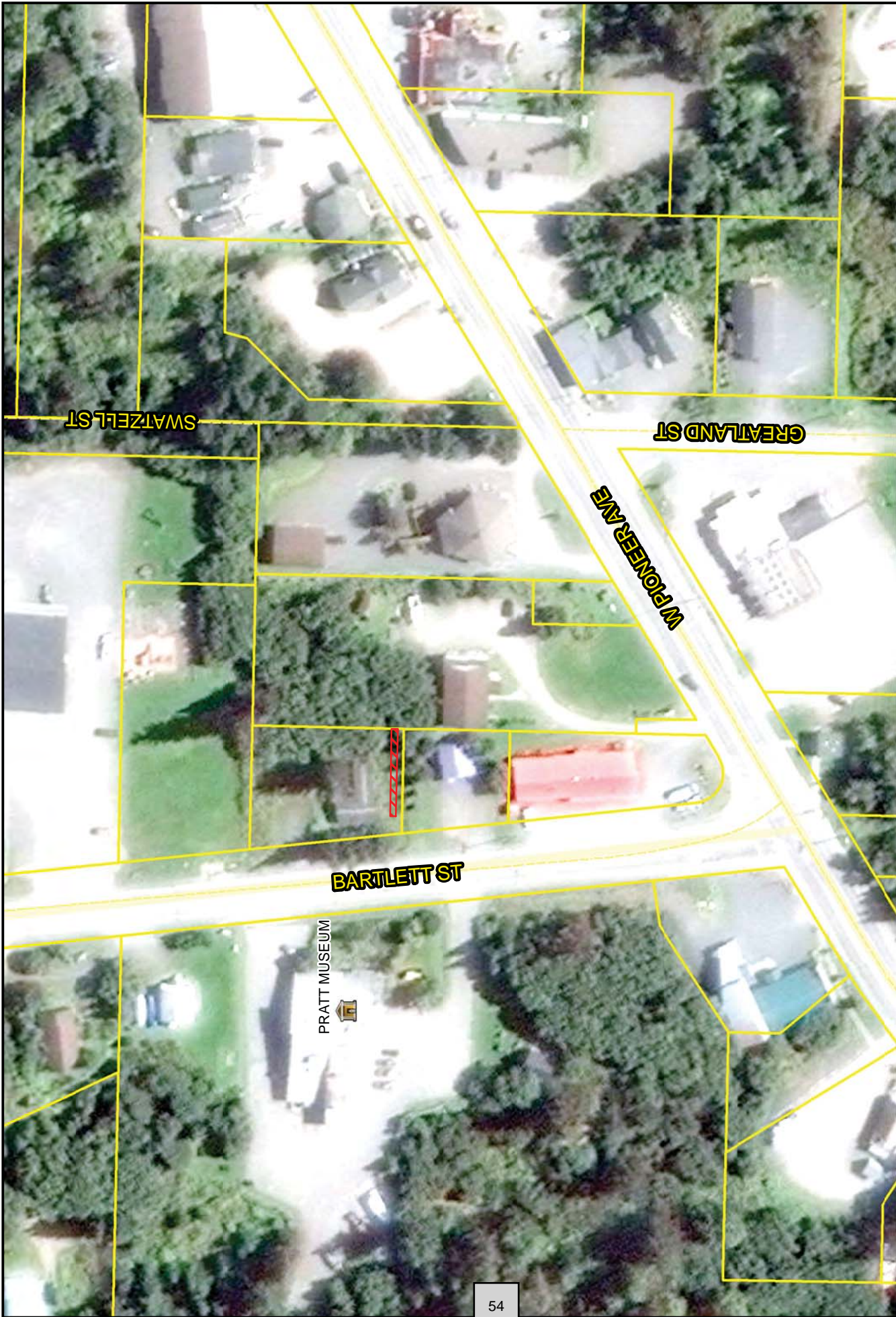
- FOUND 10" REBAR, 3006'S
- FOUND ORIGINAL SERVICE TRENCH
- FOUND 8" MON
- FOUND BENTONITE ALUM. MON. (TOP'S)
- SET AL CAP MON ON REBAR
- SET COPPERWELD MON
- FOUND 1/2" REBAR
- AL CAP MON OF RECORD, 206.9', 1983

NOTES:

1. MONUMENTS SHOWN ON THIS PLAN WERE ACCURATELY PLACED BY THE SURVEYOR.
2. MONUMENTS SHOWN ON THIS PLAN WERE ACCURATELY PLACED BY THE SURVEYOR.
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86-44
 6-11-86
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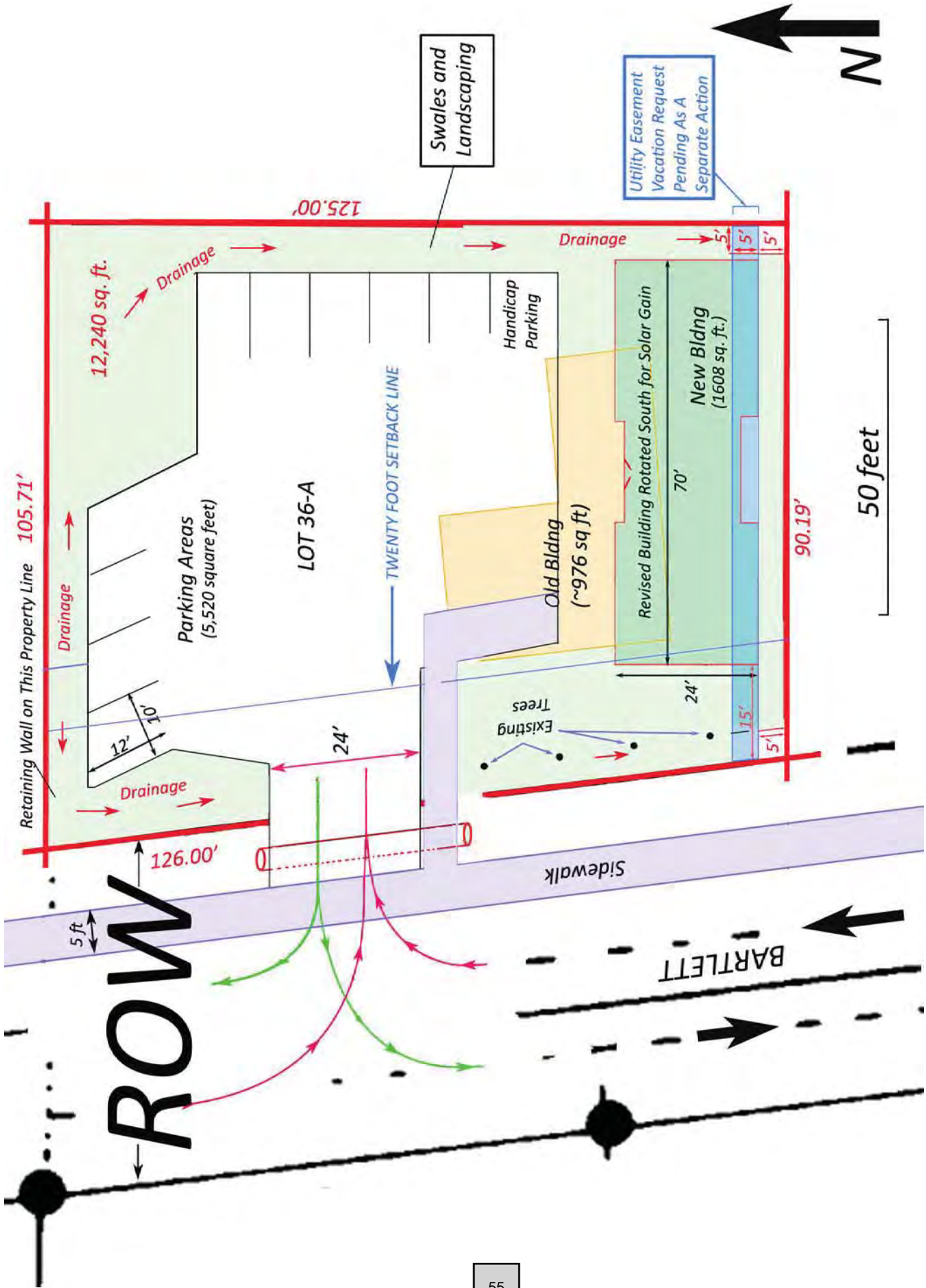
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

Aerial View



 Utility Easement Vacation

PClements, KPB
Date: 4/14/2020
Imagery: 2016 Homer



KPB 2020-036V

Session 20-06, a Special Meeting of the Planning Commission was called to order by Chair Venuti at 5:36 p.m. on April 29, 2020 at Cowles Council Chambers in City Hall located at 491 E. Pioneer Avenue, Homer, Alaska via Zoom Webinar.

PRESENT: COMMISSIONERS BENTZ, HIGHLAND, PETSKA-RUBALCAVA, BOS, SMITH, DAVIS
AND VENUTI

STAFF: CITY PLANNER ABBOUD
CITY CLERK JACOBSEN
DEPUTY CITY CLERK KRAUSE

APPROVAL OF THE AGENDA

Chair Venuti called for a motion to approve the agenda.

HIGHLAND – SO MOVED. (There was no second offered.)

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PUBLIC COMMENT ON ITEMS ALREADY ON THE AGENDA

RECONSIDERATION

ADOPTION OF CONSENT AGENDA

- A. Minutes of March 4, 2020 Planning Commission Meeting
- B. Petition to Vacate a Utility Easement at 3780 Bartlett Street
- C. Time Extension Request for Christensen Tracts 2009 Addition Preliminary Plat

Chair Venuti requested a motion to approve the Consent Agenda.

SMITH/HIGHLAND – SO MOVED.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

VISITORS/PRESENTATIONS

ORDINANCE REFERENCE SHEET
2020 ORDINANCE
ORDINANCE 20-27

An Ordinance of The City Council Of Homer, Alaska Accepting and Appropriating a Donation from Arnold C. Wallace in the Amount of \$5000 for the Children's Room at the Homer Public Library.

Sponsor: City Manager/Library Director

1. City Council Regular Meeting June 8, 2020 Introduction
 - a. Memorandum 20-075 from Library Director as backup

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

3 City Manager/
4 Library Director

5 **ORDINANCE 20-27**

6
7 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
8 ACCEPTING AND APPROPRIATING A DONATION FROM ARNOLD C.
9 WALLACE IN THE AMOUNT OF \$5,000 FOR THE CHILDREN’S ROOM
10 AT THE HOMER PUBLIC LIBRARY.

11
12 WHEREAS, The Library Advisory Board has committed themselves to encourage
13 patrons and others to donate to the support of the Library; and

14
15 WHEREAS, The Library Advisory Board may solicit donations of money and/or property
16 for the benefit of the library in accordance with HCC 2.48.050(e); and

17
18 WHEREAS, Monetary donations shall be deposited in a reserve fund designated for the
19 use of the Homer Public Library; and

20
21 WHEREAS, Arnold C. Wallace passed away late in 2019 and in his will he left \$5,000 to
22 the children’s room in the Homer Public Library with no stipulation as to how the money can
23 be spent.

24
25 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

26
27 Section 1. The Homer City Council hereby accepts and appropriates a donation from
28 Arnold C. Wallace, in the amount of \$5,000 to use in the children’s room of the Homer Public
29 Library.

30

<u>Description</u>	<u>Amount</u>
Donation to the Homer Public Library	\$5,000

31
32
33

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

36
37 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this ___ day of _____, 2020.

38
39 CITY OF HOMER

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41 _____
42 KEN CASTNER, MAYOR

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ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

First Reading:

Public Hearing:

Second Reading:

Effective Date:

Reviewed and approved as to form:

Marvin Yoder, City Manager

Michael Gatti, City Attorney

Date: _____

Date: _____



City of Homer

www.cityofhomer-ak.gov

Homer Public Library

500 Hazel Avenue
Homer, AK 99603

library@cityofhomer-ak.gov

(p) (907)-235-3180

(f) (907)-235-3136

Memorandum

TO: Homer City Council

THROUGH: City Manager Marvin Yoder

FROM: Library Director Dave Berry

DATE: May 29, 2020

SUBJECT: Donation from Arnold C. Wallace

Arnold C. Wallace passed away late in 2019. In his will, he left \$5,000 to the children's room in the Homer Public Library, with no stipulations as to how the money can be spent. That will has now completed probate and the library has received the check.

RECOMMENDATION

Adopt an ordinance to accept the donation.

**CITY OF HOMER
HOMER, ALASKA**

City Manager

RESOLUTION 20-052

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
APPROVING NEW ONE-YEAR CONTRACTS WITH PREMIERA BLUE
CROSS, VSP, AND PRUDENTIAL WITH A RENEWAL DATE OF
AUGUST 1, 2020.

WHEREAS, The City of Homer moved healthcare and life insurance renewal to a start date of August 1st each year, an off-peak enrollment cycle; and

WHEREAS, Premera Blue Cross submitted a proposal to continue Medical and Dental; and

WHEREAS, USI negotiated no increase with Premera for Dental coverage, which provides the City with the best rate for those benefits; and

WHEREAS, The City already has a rate lock with VSP for Vision, which provides the City with the best rate for those benefits; and

WHEREAS, The City already has a rate lock with Prudential for Life Insurance, which provides the best rate for those benefits; and

WHEREAS, Renewing the contract with Premera Blue Cross effective August 1st, 2020 results in an overall health care increase of 8.4% over the current plan year ; and

WHEREAS, The average increase for the August 1st current and renewal plan years is a decrease of 0.1% from the prior plan year which was effective January 2019; and

WHEREAS, The Employee Committee reviewed the benefit coverage and cost projections for the August 1st, 2020 renewal, and supports this recommendation.

NOW, THEREFORE, BE IT RESOLVED that the Homer City Council hereby approves new one-year contracts based upon the proposals with terms beginning on August 1, 2020, and authorizes the City Manager to execute the appropriate documents.

PASSED AND ADOPTED by the Homer City Council this 8th day of June, 2020.

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CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

Fiscal Note: \$1,748,584 annual cost of employee health care.



City of Homer

www.cityofhomer-ak.gov

Human Resources

491 East Pioneer Avenue
Homer, Alaska 99603

personnel@cityofhomer-ak.gov

(p) 907-235-8121 x2225

(f) 907-235-3148

MEMORANDUM 20-068

TO: City Council
THROUGH: Marvin Yoder, Interim CM
FROM: Andrea Browning, HR
DATE: June 1, 2020
SUBJECT: Healthcare Renewal

The City of Homer's employee benefit plans are due to renew on August 1, 2020. USI has been working on behalf of the City of Homer to secure the best rates possible for Health Insurance and Life Insurance renewals. Brandon Nyberg from USI will present at the June 8th Committee of the Whole Meeting, as well as answer any questions. Below is a summary of the upcoming renewal.

- The August 1, 2019 renewal terms included Premera's 9.5% rate increase cap for the August 1, 2020 medical and dental renewal.
- Based on large medical claims activity involving ongoing claimants, Premera's initial renewal quote for the upcoming year was a 9.5% rate increase.
- Following renewal negotiations, Premera agreed to no increase in dental rates for the upcoming year.
- VSP Vision and Prudential Life Insurance have rate locks through August 1, 2021.

The August 1, 2020 renewal comes out to an 8.4% increase over the August 1, 2019 renewal.

However, please remember that the August 1, 2019 renewal was a 3.7% decrease.

If you look at the averages for the past two renewals, we are actually down -0.1% from the January 1, 2019 renewal.

*The City budgeted for a 9.5% increase in the 2021 Budget.

Additionally, Premera announced a multi-million dollar Premium Relief Program, in response to COVID-19 Pandemic. What does this mean for the City of Homer? We will receive up to an estimated 15% one-time premium credit for the month of August 2020. Based on current enrollment, this projects to be over \$20,000 in savings for the month of August. These numbers are not included in the 8.4% increase, since the Premium Relief Program is separate from the renewal.



City of Homer

www.cityofhomer-ak.gov

491 East Pioneer Avenue
Homer, Alaska 99603

(p) 907-235-8121

(f) 907-235-3140

Memorandum 20-075

TO: Mayor Castner and Homer City Council
THROUGH: Employee Committee
FROM: Julie Engebretsen, Chair
DATE: June 1, 2020
SUBJECT: Medical and Dental Health Care Renewal

The Employee Committee has been provided with the 2020 Employee premium information. Continuing to offer competitive wages and benefits helps the city attract and retain skilled and productive employees. The Committee did not meet as a group to discuss the health care insurance renewal. The rate changes are reasonable and the Committee didn't find it necessary to meet via Zoom to pass a formal motion. We appreciate the opportunity to provide input on employee wages and benefits.



GROUP BENEFITS RENEWAL REPORT City of Homer

Brandon Nyberg | Amanda Estocapio | James Kelley
www.usi.com





Disclaimer

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Section I Summaries



Executive Summary

The City of Homer’s employee benefit plans are due to renew on August 1, 2020. This report provides illustrations of current in-force benefits and proposed renewal terms. A summary of August 2020 renewal actions is provided below along with a summary of August 1, 2019 renewal decisions, for reference.

Summary of August 1, 2020 Renewal Actions

- The 2019-20 renewal terms included Premera’s commitment to a 9.5% rate increase cap for the August 1, 2020 medical and dental renewal. Based on large medical claims activity involving on-going claimants Premera’s initial offer was a 9.5% rate cap increase for both medical and dental.
- Following renewal negotiations Premera agreed to no change in dental rates.
- USI secured Prudential’s agreement to extend rate guarantee from January 1, 2021 to August 1, 2021 to align with new plan year. Life/AD&D rates guaranteed until August 1, 2021.
- VSP vision rates guaranteed until August 1, 2021.

Plans	Carrier	Rate Change
Medical	Premera BCBS of Alaska	9.5% rate cap increase.
Dental	Premera BCBS of Alaska	0.0% Negotiated no rate change. (9.5% Initial rate cap Increase)
Vision	VSP	Current rates guaranteed until 8/1/2021
Group Life & AD&D w/ Voluntary Life	Prudential	Current rates guaranteed until 8/1/2021

- As illustrated in cost summary, the combined change in benefits cost is 8.4% increase over the current plan year. However, the average increase for the August 1st current and renewal plan years is a *decrease* of 0.1% from the prior plan year effective January 1, 2019.



Summary of August 1, 2019 Renewal Decisions

Plans	Carrier	Rate Change
Medical	Premera BCBS of Alaska	3.7% Negotiated decrease with Premium Holiday (5.0% Initial Increase)
Dental	Premera BCBS of Alaska	3.7% Negotiated decrease with Premium Holiday (5.0% Initial Increase)
Vision	VSP	Current rates guaranteed until 8/1/2021
Group Life & AD&D w/ Voluntary Life	Prudential	Current rates guaranteed until 8/1/2021

Renewal results, accepted 5% increase of \$75,147 less \$131,453 premium credit for \$56,306 net savings

- The renewal analysis included Premera’s proposal for a lower \$1,000 deductible plan using the same as current pharmacy terms. Including the premium holiday, option 1 rates represent a 2.7% decrease from current.
- The City decided to renew current plan for 3.7% increase and a premium holiday for the month January for both medical and dental benefits.



**City of Homer
Cost Summary
August 1, 2020 Renewal Date**

Carriers	Prior (2019)	Current (2019-20)	Renewal (2020-21)	Renewal Averages
Medical PPO	Premera BCBS of Alaska	Premera BCBS of Alaska	Premera BCBS of Alaska	Premera BCBS of Alaska
Dental PPO	Premera BCBS of Alaska	Premera BCBS of Alaska	Premera BCBS of Alaska	Premera BCBS of Alaska
Vision	Vision Service Plan	Vision Service Plan	Vision Service Plan	Vision Service Plan
Life and AD&D	Prudential	Prudential	Prudential	Prudential
FSA Administration	Premera BCBS of Alaska	Premera BCBS of Alaska	Premera BCBS of Alaska	Premera BCBS of Alaska

Total Annual Cost

Medical PPO	\$1,420,611	\$1,491,670	\$1,633,379	\$1,562,525
Dental PPO	\$81,683	\$85,771	\$85,771	\$85,771
Premium Credits	\$81,683	-\$131,453	\$0	-\$65,727
Vision	\$13,115	\$13,115	\$13,115	\$13,115
Life and AD&D	\$14,368	\$14,368	\$14,368	\$14,368
FSA Administration	\$1,950	\$1,950	\$1,950	\$1,950
Annual Total	\$1,613,411	\$1,475,421	\$1,748,584	\$1,612,003
Change from 2019 Plan Year		-\$137,989	\$135,173	-\$1,408
Percentage Change		-8.6%	8.4%	-0.1%



Section II

Medical Plan



City of Homer
 Medical Plan
 Benefit Outline and Cost Summary
 August 1, 2020 Renewal Date

Benefit Outline	Prior (2019)	Current (2019-20)	Renewal (2020-21)
Carrier	Premera BCBS of Alaska	Premera BCBS of Alaska	Premera BCBS of Alaska
Plan Type, Name, Network	PPO, Envoy, Heritage Plus	PPO, Envoy, Heritage Plus	PPO, Envoy, Heritage Plus
Deductible (Individual / Family)	\$1,500 / \$3,000	\$1,500 / \$3,000	\$1,500 / \$3,000
Non-Network Deductible (Individual / Family)	Shared w/ In-Net	Shared w/ In-Net	Shared w/ In-Net
Deductible Embedded / Non-Embedded	Embedded	Embedded	Embedded
Out-of-Pocket Maximum (Individual / Family)	\$4,000 / \$8,000	\$4,000 / \$8,000	\$4,000 / \$8,000
Non-Network OOP Max (Individual / Family)	Unlimited	Unlimited	Unlimited
Prescription OOP Max (Individual / Family)	Included w/Medical	Included w/Medical	Included w/Medical
Coinsurance (Pref. / Par. / Out)	80% / 60% / 40%	80% / 60% / 40%	80% / 60% / 40%
Wellness / Preventive Care	0%/100% (dw)	0%/100% (dw)	0%/100% (dw)
Primary Care Office Visit	First 6 Visits: \$25 / 100% (dw) 6+ Visits: Ded. & Coins.	First 6 Visits: \$25 / 100% (dw) 6+ Visits: Ded. & Coins.	First 6 Visits: \$25 / 100% (dw) 6+ Visits: Ded. & Coins.
Specialist Office Visit	First 6 Visits: \$25 / 100% (dw) 6+ Visits: Ded. & Coins.	First 6 Visits: \$25 / 100% (dw) 6+ Visits: Ded. & Coins.	First 6 Visits: \$25 / 100% (dw) 6+ Visits: Ded. & Coins.
Walk-In / Urgent Care Visit	\$25 / 100% (dw)	\$25 / 100% (dw)	\$25 / 100% (dw)
Emergency Room	\$100 / 80% after deductible	\$100 / 80% after deductible	\$100 / 80% after deductible
Outpatient Lab / X-Ray	80% after deductible	80% after deductible	80% after deductible
Complex Imaging (MRI, CAT, PET, et.al.)	80% after deductible	80% after deductible	80% after deductible
Outpatient Surgical Facility	80% after deductible	80% after deductible	80% after deductible
Inpatient Hospital Facility	80% after deductible	80% after deductible	80% after deductible
Retail Prescription Drug Copays	\$15 / \$30 / 30%	\$15 / \$30 / 30%	\$15 / \$30 / 30%
Mail Order Prescription Drug Copays	\$37.50 / \$75 / 30%	\$37.50 / \$75 / 30%	\$37.50 / \$75 / 30%
Specialty Prescription Drugs	\$50	\$50	\$50

Rates & Total Cost

Employee	21	\$894.81	\$939.57	\$1,028.83
Employee + Spouse	15	\$1,843.33	\$1,935.53	\$2,119.40
Employee + Child(ren)	12	\$1,655.41	\$1,738.21	\$1,903.34
Employee + Spouse & Child(ren)	20	\$2,603.92	\$2,734.17	\$2,993.92
Total Employees	68			
Annual Premium Total		\$1,420,611	\$1,491,670	\$1,633,379
Change from Prior Period			\$71,059	\$141,709
Percentage Change			5.0%	9.5%
Annual Premium Total (w/Premium Credit)		\$1,420,611	\$1,367,364	\$1,633,379

Notes

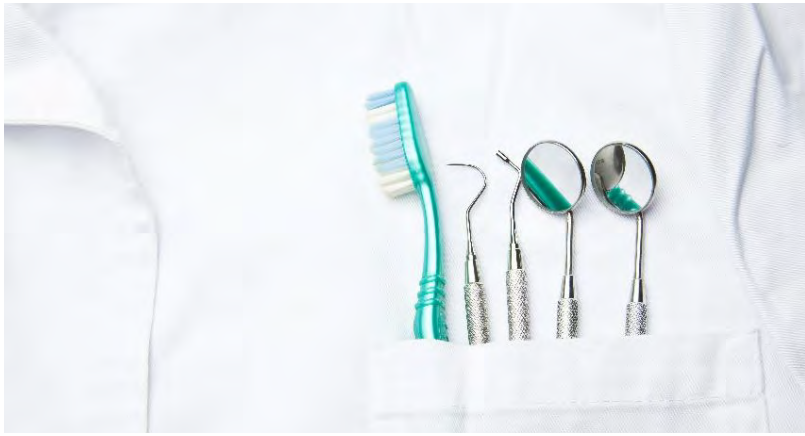
- (dw) = deductible waived
- In-network coinsurance shown for preferred, participating and out of network providers.



**City of Homer
Medical Plan
Assumptions and Conditions
August 1, 2020 Renewal Date**

General

1. Enrollment by tier provided by Premera February, 2020. Final rates based on enrollment at effective date.
2. Carriers reserve the right to rerate if enrollment changes by +/- 10%.
3. If domestic partners are covered, please note the following considerations:
 - If the employer pays for domestic partner (DP) coverage and the DP does not qualify as a IRC Section 152 dependent, the value of that coverage is considered taxable income to the employee.
 - Employees who pay for DP coverage through payroll deduction must do so on an after-tax basis unless the DP qualifies as a IRC Section 152 dependent.
4. Embedded deductible - Benefits are payable when an individual satisfies the individual deductible.
5. The out of pocket (OOP) maximum includes the deductible, coinsurance, office visit copays, and prescription copays.
6. Benefits are based on a plan/contract year basis starting on the August 1, 2020 renewal date.
7. (dw) = deductible waived



Section III

Dental Plan



**City of Homer
Dental Plan
Benefit Outline and Cost Summary
August 1, 2020 Renewal Date**

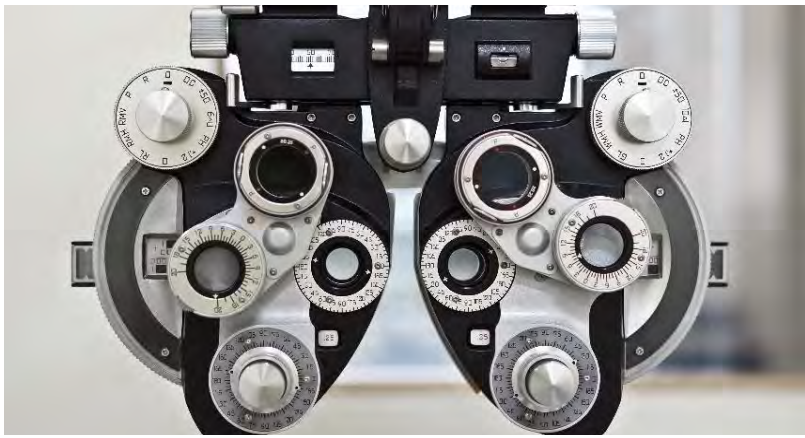
Benefit Outline	Current	Renewal
Carrier	Premera BCBS of Alaska	Premera BCBS of Alaska
Plan Type	Participating	Participating
Deductible (Individual / Family)	\$50 / \$150	\$50 / \$150
Waived For Preventive	Yes	Yes
Annual Maximum	\$1,500	\$1,500
Max Rollover	Not Included	Not Included
Preventive Services	100%	100%
Basic Services	80%	80%
Major Services	50%	50%
Endodontics / Periodontics	Basic	Basic
Implants	Major	Major
Orthodontia	100%	100%
Eligibility	Adult and Child	Adult and Child
Lifetime Maximum	\$1,500	\$1,500
Waiting Periods (Prev. / Basic / Major)	0 / 0 / 0	0 / 0 / 0
Non-Network	80th Percentile UCR	80th Percentile UCR
Deductible (Individual / Family)	\$50 / \$150	\$50 / \$150
Annual Maximum	\$1,500	\$1,500
Prev. / Basic / Major	100% / 80% / 50%	100% / 80% / 50%
Participation (Req. / Actual)	68%/68%	68%/68%
Rate Guarantee	Until 8/1/2020	Until 8/1/2021

Rates & Total Cost

Employee	22	\$44.22	\$44.22
Employee + Spouse	18	\$94.86	\$94.86
Employee + Child(ren)	12	\$109.29	\$109.29
Employee + Spouse & Child(ren)	20	\$157.79	\$157.79
Total Employees	72		
Annual Total		\$85,771	\$85,771
Change		\$4,088	\$0
Percentage Change		5.0%	0.0%
Annual Total (w/Premium Holiday)		\$78,624	\$85,771

Notes

1. Enrollment provided by Premera February, 20



Section IV

Vision Plan



City of Homer
Vision Plan
Benefit Outline and Cost Summary
August 1, 2020 Renewal Date

Benefit Outline	Current / Renewal
Carrier	Vision Service Plan
Exam Copay	\$10
Materials Copay	\$25
Exam	\$10 / 100%
Lenses	\$25 / 100%
Single	\$25 / 100%
Bifocal	\$25 / 100%
Trifocal	\$25 / 100%
Lenticular	\$25 / 100%
Frames	\$130 allowance
Elective Contacts	\$130 allowance
Lasik Surgery Discount	Included
Benefit Frequencies (E / L / F / C)	12 / 12 / 24 / 12
Non-Network Benefits	Scheduled
Rate Guarantee	Until 8/1/2021

Rates & Total Cost

Employee	21	\$8.17
Employee + Spouse	20	\$13.07
Employee + Child(ren)	14	\$13.34
Employee + Spouse & Child(ren)	22	\$21.51
Total Employees	77	
Annual Total		\$13,115

Notes

1. Enrollment provided by VSP March, 2020.



Section V

Life and Disability Plans



City of Homer
Life / AD&D Plan
Benefit Outline and Cost Summary
August 1, 2020 Renewal Date

Benefit Outline	Current / Renewal
Carrier	Prudential
Definition of Earnings	W-2 Earnings
Contributory / Non-Contributory	Non-Contributory
Eligibility	FTE Working ≥ 40 HPW
Benefit Amount	1 x Earnings up to \$100,000
Benefit Maximum	\$100,000
Guarantee Issue	Full Benefit Amount
Benefit Reductions	Reduces To: 65% at Age 65; 50% at Age 70
Waiver of Premium	9 Mo. Elimination Period
Benefits Extend To	Age 65
If Disabled Prior To	Age 60
Accelerated Benefits	Included
Life Expectancy	Terminal Condition; <12 Mo.
Benefit Amount Accessible	90%
Portability	Not Included
Conversion	Included
Rate Guarantee	Until 8/1/2021

Volumes, Rates & Total Cost

Number of Employees	99
Benefit Volume	6,472,150
Life Rate Per \$1,000	\$0.166
AD&D Rate Per \$1,000	\$0.019
Annual Total	\$14,368

Notes

1. Enrollment provided by Prudential March, 2020.



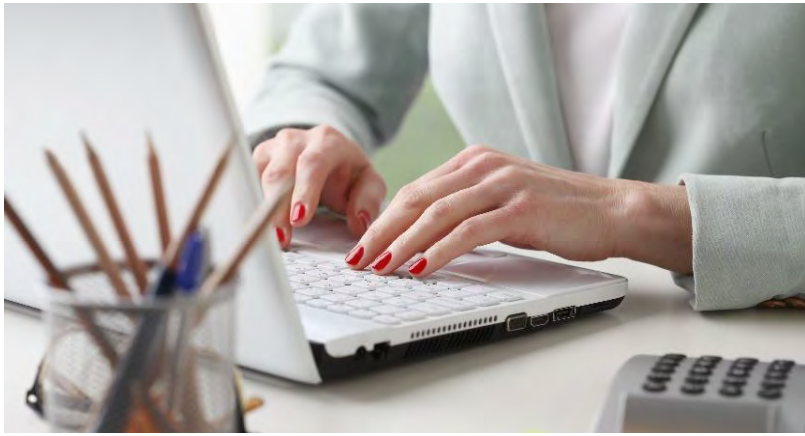
**City of Homer
Voluntary Life
Benefit Outline and Cost Summary
August 1, 2020 Renewal Date**

Benefit Outline	Current / Renewal
Carrier	Prudential
Definition of Earnings	W-2 Earnings
Eligibility	FTE Working \geq 40 HPW
Child Age Requirement	14 Days to Age 19, 25 if FTS
Benefit Increments	
Employee	\$10,000
Spouse	\$5,000
Children	\$2,000
Benefit Maximums	
Employee	7x Earnings up to \$500,000
Spouse	50% Of EE Amt to \$150,000
Children	\$10,000
Guarantee Issue	
Employee	\$100,000
Spouse	\$20,000
Children	Full Benefit Amount
Benefit Reductions	Reduces To: 65% at Age 65; 50% at Age 70
Waiver of Premium	9 Mo. Elimination Period
Benefits Extend to Age	Until 8/1/2021
If Disabled Prior to	Age 60
Portability	Not Included
Conversion	Included
Rate Guarantee	Until 8/1/2021

Life Per \$1,000	Employee / Spouse
Under Age 25	\$0.120
25-29	\$0.120
30-34	\$0.130
35-39	\$0.170
40-44	\$0.220
45-49	\$0.340
50-54	\$0.600
55-59	\$1.010
60-64	\$1.360
65-69	\$2.110
70-74	\$3.950
75+	\$6.850
Child Life	\$0.180

Notes

1. See assumptions and conditions page for additional notes.
2. To avoid potential tax implications from the IRS imputed income



Section VI

Account Administration



City of Homer
 Flexible Spending Account
 Benefit Outline and Cost Summary
 January 1, 2021 Renewal Date

Benefit Outline	Current
Administrator	Premera BCBS of Alaska
Annual Contribution Maximum	
Section 125 Health Care	20 \$2,700
Section 129 Dependent Care	10 \$5,000
Reimbursement Method	Paper, Direct Deposit
Web Based Administration	Included
Preparation of Plan Document	Not Included
IRS Form 5500 Preparation	Included
Discrimination Testing	Not Included
2.5 Month Grace Period Extension?	Not Included
Rate Guarantee	To 1/1/2021

Fees & Total Cost

Per Participant/Account Per Month Fee	\$3.25
Debit Card Fee	Included
Renewal or Annual Fee	\$0
Per Participant Annual Fee	\$0.00
Total Annual Cost	\$1,950

Notes

1. Participants provided by Premera March, 2020
2. 2020 IRS FSA limit is \$2,750
3. Employer charged \$25 per occurrence for any returned checks/ACH's



Section VII
Renewal Timeline



Benefits Renewal Timeline for City of Homer

August 01, 2020

Pre-Renewal

Action	Responsibility	Due Week of	Date Completed
Request Employee Census	USI	04/06/2020	04/06/2020
Receive Employee Census	City of Homer / USI	04/20/2020	
Pre-Renewal Meeting	City of Homer / USI	04/06/2020	04/09/2020

Marketing

Action	Responsibility	Due Week of	Date Completed
Carrier Renewals Due	Carriers / USI	05/04/2020	05/08/2020
Request for Proposal Sent to Market*	USI	05/04/2020	
Proposals Received from Market*	USI	05/18/2020	
Renewal / Analysis Meeting	City of Homer / USI	06/01/2020	06/09/2020

Implementation

Action	Responsibility	Due Week of	Date Completed
Carrier/Benefit Decisions Due	City of Homer	06/15/2020	
Enrollment Material	USI	06/22/2020	
Employee Meetings	USI	06/22/2020	
Open Enrollment Paperwork Complete	City of Homer / USI	07/06/2020	
Enrollment Complete	USI	07/13/2020	

Post-Renewal

Action	Responsibility	Due Week of	Date Completed
Post-Renewal Meeting	City of Homer / USI	09/28/2020	
Population Health Management Strategy	USI	09/28/2020	
Creditable Coverage Reminder	USI	09/28/2020	
Creditable Coverage Notification to CMS	City of Homer / USI	09/29/2020	

*If deemed to be necessary

**CITY OF HOMER
HOMER, ALASKA**

Venuti/Aderhold

RESOLUTION 20-053

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA
SUPPORTING THE OFFICERS AND STAFF OF THE HOMER POLICE
DEPARTMENT IN THEIR DAILY JOB OF KEEPING THE CITIZENS OF
HOMER SAFE AND SECURE WHILE TREATING ALL CITIZENS WITH
RESPECT AND DIGNITY

WHEREAS, Recent national events have focused a spotlight on policing practices that have resulted in the use of unnecessary force and the deaths of African Americans; and

WHEREAS, These national events have sparked demonstrations and protests about institutional and systemic racism and police brutality across the country; and

WHEREAS, Demonstrations in Homer have been respectful, peaceful, and intended to raise awareness and provide education about institutional and systemic racism; and

WHEREAS, Policing in American communities can be stressful, is a highly technical vocation, and is constantly subject to public scrutiny; and

WHEREAS, The City of Homer's Police Department takes a "community policing" approach that involves engaging positively with members of the public, presenting frequently to Homer's schools, and employing methods to de-escalate stressful situations; and

WHEREAS, Members of the City of Homer's Police Department have received training in Green Dot, bias and cultural differences, autistic awareness, and Post Traumatic Stress Disorders; and

WHEREAS, Members of the City of Homer Police Department receive quarterly training regarding force control tactics.

NOW, THEREFORE BE IT RESOLVED that the City Council of Homer, Alaska supports the officers and staff of the City of Homer Police Department in their daily job of keeping the citizens of Homer safe and secure while treating all citizens with respect and dignity.

PASSED AND ADOPTED by the Homer City Council this 8th day of June, 2020.

CITY OF HOMER

KEN CASTNER, MAYOR

45

46 ATTEST:

47

48

49 _____
MELISSA JACOBSEN, MMC, CITY CLERK

50

51 Fiscal note: N/A

To: Mayor Castner and Homer City Council
From: Franco Venuti, Chair of Homer Planning Commission
Date: June 4, 2020
Subject: Planning Commission Report for City Council Meeting

The City of Homer Planning Commission last met virtually in a special meeting via Zoom at 6:30 p.m. on June 3rd. One member of the commission was not in attendance, all other members of the Commission, as well as the City Planner and Deputy City Clerk participated. The commission held two Public Hearings.

The first hearing was regarding a Proposed Ordinance to remove the gabled roof requirement within the Small Boat Harbor Overlay Zoning District HCC 21.46.060 Architectural Standards. This Proposed Ordinance was approved by unanimous consent.

The second hearing was regarding a Proposed Ordinance to amend HCC 21.60 Sign Code Tables 1,2 & 3. This Proposed Ordinance was approved by unanimous consent.

The Commission also considered a Preliminary Plat for Rumley Collie Eight Subdivision. This Preliminary Plat was approved by unanimous consent.

The Commission also considered a Preliminary Plat for Skyline Drive Subdivision 2020 Replat. This Preliminary Plat was approved by unanimous consent.

Our next Planning Commission meeting will be held virtually by Zoom on June 17, 2020 at 6:30 p.m.

CLERK'S AFFIDAVIT OF POSTING

I, Melissa Jacobsen, City Clerk for the City of Homer, Alaska, do hereby certify that a copy of the Public Hearing Notice for:

Ordinance 20-25, An Ordinance of the City Council of Homer, Alaska Accepting and Appropriating the First Payment for COVID-19 Related Expenditures under the CARES Act in the Amount of \$3,854,686.

was posted at City Hall and the Homer Public Library posted on the City website on Thursday, June 4, 2020.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal of said City of Homer this 4th day of June, 2020



Melissa Jacobsen, MMC, City Clerk



**CITY OF HOMER
PUBLIC HEARING NOTICE
CITY COUNCIL MEETING**

Ordinance 20-25

A **public hearing** is scheduled for **Monday, June 8, 2020** during the Regular City Council Meeting. The meeting begins at 6:00 p.m. via a Zoom webinar at zoom.us or Telephone Dial 1-669-900- 6833 or 1-253-215 8782; (Toll Free) 888-788-0099 or 877- 853-5247; use Webinar ID: 205 093 973 and Password: 610853

Ordinance 20-25, An Ordinance of the City Council of Homer, Alaska Accepting and Appropriating the First Payment for COVID-19 Related Expenditures under the CARES Act in the Amount of \$3,854,686. Mayor/Smith.

**Request forms to submit public comment telephonically are available on the City Clerk's webpage.

**Copies of proposed Ordinances in entirety, are available for review online at <https://www.cityofhomer-ak.gov/ordinances>, and will be provided by request at the Homer City Clerk's Office while City Offices are closed to the public during this COVID-19 pandemic. Contact the Clerk's Office at City Hall if you have any questions. 235-3130, Email: clerk@ci.homer.ak.us

Melissa Jacobsen, MMC, City Clerk

ORDINANCE REFERENCE SHEET
2020 ORDINANCE
ORDINANCE 20-25

An Ordinance of the City Council of Homer, Alaska Accepting and Appropriating the First Payment for COVID-19 Related Expenditures under the CARES Act in the Amount of \$3,854,686.

Sponsor: Mayor/Smith

1. City Council Regular Meeting May 26, 2020 Introduction
2. City Council Regular Meeting June 8, 2020 Public Hearing and Second Reading
 - a. Memorandum 20-070 from Sponsors as backup

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

3 Mayor/Smith

4 **ORDINANCE 20-25**

5
6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
7 ACCEPTING AND APPROPRIATING THE FIRST PAYMENT FOR
8 COVID 19 RELATED EXPENDITURES UNDER THE CARES ACT IN
9 THE AMOUNT OF \$3,854,686.00.

10
11 WHEREAS, The State of Alaska received \$562.5 million in federal funding
12 under the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) that
13 is directed to Alaska’s municipalities for direct relief designed to help meet
14 each community’s costs associated with coping with the novel virus; and

15
16 WHEREAS, The City of Homer’s allocation, broken into three payments, is currently
17 scheduled to be:

- 18 1) \$3,854,686 during May, 2020
19 2) \$2,015,663 on or about July 1, 2020
20 3) \$2,015,663 on or about October 1, 2020; and

21
22 WHEREAS, Funds from this program may not be used to replace lost revenues to the City; and

23
24 WHEREAS, The Homer City Council believes there is an immediate need to supply some
25 measure of fiscal relief to the small businesses operating in, and collecting sales tax for, the
26 City of Homer; and

27
28 WHEREAS, Funds from this program may be used to provide small business grants to
29 businesses that suffered interruptions caused by the required State restrictions and mandates
30 related to the Coronavirus; and

31
32 WHEREAS, Funds from this program may also be used to reimburse the City for actual
33 and anticipated additional costs of municipal operations that are newly crafted to meet the
34 required State restrictions and mandates related to the Coronavirus.

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

37
38 Section 1. The Homer City Council hereby accepts and appropriates the first payment
39 of municipal CARES Act funding in the amount of \$3,854,686.00 to be used as follows:

- 40
41 A) \$3,000,000.00 is appropriated to fund a program of equally-sized small business
42 grants to be quickly distributed to those qualified businesses in Homer.

- 43 B) \$30,000.00 is appropriated to pay for the administrative costs of the small business
- 44 grant program.
- 45 C) \$130,000.00 is appropriated to reimburse the City's advance of emergency funding
- 46 that was used to meet the demands of the first few weeks of Coronavirus response
- 47 and altered municipal operations.
- 48 D) \$500,000.00 Is appropriated to repay the City for approved staffing expenses
- 49 associated with the COVID 19 mandates and closures and operations of the City's
- 50 Unified Command.
- 51 E) The balance is to be placed in a dedicated account to be kept ready to be used for
- 52 additional COVID 19 related expenses through additional appropriation by the
- 53 Homer City Council.

54 Revenue:

55

56 <u>Description</u>	56 <u>Amount</u>
57 FY 2020 CARES Act Municipal Assistance	57 \$3,854,686

58

59

60 Transfer:

61

62 <u>Description</u>	62 <u>Amount</u>
63 COVID 19 Response Fund	63 \$3,660,000
64 Dedicated Cash Account	64 \$194,686.00

65

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

68

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

71

72 CITY OF HOMER

73

74 _____

75

76

77

78

79 ATTEST:

80 _____

81

82 MELISSA JACOBSEN, MMC, CITY CLERK

83

84 YES:

85 NO:
86 ABSTAIN:
87 ABSENT:
88
89 First Reading:
90 Public Hearing:
91 Second Reading:
92 Effective Date:
93
94 Reviewed and approved as to form.
95
96 _____
97 Marvin Yoder, City Manager
98
99 Date: _____

Michael Gatti, City Attorney
Date: _____

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

3 Mayor/Lord/Aderhold

4 **ORDINANCE 20-25(S)**

5
6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
7 APPROPRIATING THE FIRST PAYMENT FOR COVID-19 RELATED
8 EXPENDITURES UNDER THE CARES ACT FROM THE STATE OF
9 ALASKA IN THE AMOUNT OF \$3,867,758.79.

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
13 the Governor and the Alaska Legislature to Alaska’s municipalities for direct relief designed
14 to help meet each community’s costs associated with coping with the novel coronavirus,
15 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 before the
27 second portion of the allocation is distributed to the City; and

28
29 WHEREAS, Under current federal guidelines, funds from this program may not be used
30 to replace lost revenues to the City; and

31
32 WHEREAS, The Homer City Council believes there is an immediate need to supply some
33 measure of fiscal relief to the small businesses operating within the City of Homer; and

34
35 WHEREAS, Funds for this program may be used for expenses associated with the
36 provision of economic support in connection with the Covid-19 health emergency, including
37 expenditures related to the provision of grants to small businesses that suffered negative
38 impacts as a result of public health mandates related to Covid-19; and

39
40 WHEREAS, Funds from this program may also be used to reimburse the City for
41 expenses related to municipal operations that are a direct result of the Covid-19 response,

42 including the added administrative costs associated with the substantial associated financial
43 management and oversight; and
44

45 WHEREAS, prior to the next anticipated CARES Act payment the Homer City Council will
46 draft additional appropriation strategies to meet the needs of the City of Homer and its
47 residents resulting from the Covid-19 pandemic.
48

49 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:
50

51 Section 1. The Homer City Council hereby accepts and appropriates the first payment
52 of municipal CARES Act funding in the amount of \$3,867,758.79 to be used as follows:
53

- 54 A) \$3,000,000 is appropriated to the Small Business Economic Relief Grant Program,
55 per the policy outlined in Resolution 20-057.
56 B) \$90,000 is appropriated to pay for the initial administrative costs, including
57 additional personnel and direct expenses (including public outreach), of the small
58 business grant program.
59 C) \$130,000 is appropriated to reimburse the City's advance of emergency funding that
60 was used to meet the demands of the first few weeks of Covid-19 response and
61 altered municipal operations.
62 D) \$445,000 is appropriated to repay the City for approved staffing expenses
63 associated with the Covid-19 state mandates and closures and operations of the
64 City's emergency operations center and coordination with other agencies and
65 organizations through a unified command.
66 E) The balance is to be placed in a dedicated account to be kept ready for additional
67 Covid-19 related expenses through additional appropriation by the Homer City
68 Council.
69

70 Revenue:

<u>Description</u>	<u>Amount</u>
FY 2020 CARES Act Municipal Assistance	\$3,867,758.79

76 Transfer:

<u>Description</u>	<u>Amount</u>
COVID 19 Response Fund	\$3,867,758.79

81 Section 2. This ordinance is a budget ordinance only, is not permanent in nature and
82 shall not be codified.
83

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

86
87 CITY OF HOMER
88
89 _____

90
91 KEN CASTNER, MAYOR
92

93
94 ATTEST:
95

96 _____
97 MELISSA JACOBSEN, MMC, CITY CLERK
98

99 YES:

100 NO:

101 ABSTAIN:

102 ABSENT:

103

104 First Reading:

105 Public Hearing:

106 Second Reading:

107 Effective Date:

108

109 Reviewed and approved as to form.

110

111 _____
112 Marvin Yoder, City Manager

113 _____
114 Date: _____

114 Date: _____



**DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC
DEVELOPMENT
DIVISION OF COMMUNITY AND REGIONAL AFFAIRS**

**CORONAVIRUS RELIEF FUND
Grant Agreement**

Grant Agreement Number		Vendor Number		Amount of Federal Funds	
GAE	Appropriation Unit	Lapse Date	Project Title Section 601(a) of the Social Security Act as added by Section 5001 of the Coronavirus Aid, Relief, and Economic Security Act (CARES Act; P.L. 116-136)		
Grantee			Department Contact Person		
Name CITY OF HOMER			Name Lynn Kenealy		
Street/PO Box 491 E. PIONEER AVE			Title Local Government Specialist		
City/State/Zip HOMER/AK/99603			Street/PO Box 550 West 7th Ave, Suite 164		
Contact Person ELIZABETH WALTON			City/State/Zip Anchorage, AK 99501		
Phone 907-235-8121	Fax 907-235-3140	Phone 907-269-8122		Fax 907-269-4539	
Email EWALTON@CI.HOMER.AK.US			Email ResourceDesk@alaska.gov		

AGREEMENT The Alaska Department of Commerce, Community, and Economic Development, Division of Community and Regional Affairs (hereinafter 'Department') and **CITY OF HOMER** (hereinafter 'Grantee') agree as set forth herein.

Section I. The Department shall pay the Grantee the identified amounts under the terms outlined in this Agreement. The amount of the payment is based upon expenses incurred, which are authorized under this Agreement. In no event shall the payment exceed **\$ 7,899,085.29**.

Section II. The Grantee shall only use the funds provided under this Agreement to reimburse itself, or to pay necessary expenses incurred, as a result of the public health emergency stemming from the Coronavirus Disease 2019 (COVID-19).

Section III. The Grantee may only use the funds provided under this Agreement for expenses that were not accounted for in its most recently approved budget as of March 27, 2020; and that were incurred during the period of March 1, 2020 and December 30, 2020. Unexpended funds must be returned to the State on or before March 30, 2021.

Section IV. The Agreement consists of this page and the following:

<u>ATTACHMENTS</u>	<u>AMENDMENTS</u>
Attachment A: Scope of Work	Any fully executed amendments to this Agreement
Attachment B: Payment Method	
Attachment C: Standard Provisions	<u>APPENDIX</u>
	Appendix A: State Laws and Regulation

Grantee

State of Alaska Approvals

Signature <i>Marvin Yoder</i>	DCEED Signature
Marvin Yoder, Interim City Manager	Printed Name and Title
Date <i>6-3-2020</i>	Date
	OMB Signature
	Printed Name and Title
	Date

Reviewed by: _____

Attachment A Scope of Work

1. Authorized Use of Grant Funds

The purpose of the grant funds is to provide Grantee with funding available under Section 601(a) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act").

Expenditures must be used for actions taken to respond to the public health emergency declared by the Governor on March 11, 2020. Such actions may include expenditures incurred to allow Grantee to respond directly to the emergency, such as by addressing medical or public health needs, as well as expenditures incurred to respond to second-order effects of the emergency, such as by providing economic support to those suffering from employment or business interruptions due to COVID-19-related business closures.

Grant payments may be used only to cover costs that were not accounted for in the Grantee's budget most recently approved as of March 27, 2020. A cost meets this requirement if either: (a) the cost cannot lawfully be funded using a line item, allotment, or allocation within that budget *or* (b) the cost is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation. The "most recently approved" budget refers to the enacted budget for the relevant fiscal period for the Grantee, without taking into account subsequent supplemental appropriations enacted or other budgetary adjustments made by the Grantee in response to the COVID-19 public health emergency. A cost is not considered to have been accounted for in a budget merely because it could be met using a budgetary stabilization fund, rainy day fund, or similar reserve account. A cost is "incurred" when the Grantee has expended funds to cover the cost.

Expenditures using Fund payments must be "necessary." Funds provided to Grantee as a direct payment from the State of Alaska pursuant to this grant agreement must adhere to official federal guidance issued or to be issued on what constitutes a necessary expenditure. Any funds expended by a political subdivision or its grantee(s) in any manner that does not adhere to official federal guidance shall be returned to the State of Alaska.

Any funds provided pursuant to this grant agreement cannot be used as a revenue replacement for lower than expected tax or other revenue collections.

Funds received pursuant to this grant agreement cannot be used for expenditures for which a local government entity has received any other emergency COVID-19 supplemental funding (whether state, federal or private in nature) for that same expense.

2. Grant Budget

Payment Allotments	Payment Amounts
Payment 1	\$3,867,758.79
Payment 2	\$2,015,663.25
Payment 3	\$2,015,663.25
Total Grant Funds	\$7,899,085.29

3. Grant Management

Signatory authority for execution of the Grant Agreement and subsequent amendments is granted to the chief administrator. For grants appropriated to a municipality, the mayor is the chief administrator unless the municipality operates a managerial form of government; then the city manager/administrator acts as the chief administrator. For unincorporated communities, the highest-ranking official will act as chief administrator.

The chief administrator may delegate authority for executing the Grant Agreement and amendments to others within the Grantee's organization via the Signatory Authority Form. The chief administrator also designates financial and performance progress reporting authority via the Signatory Authority Form. Such delegation is limited to others within the Grantee's organization unless otherwise approved by the Department.

The Grantee must establish and maintain separate accounting for the use of this Grant. The use of Grant funds in any manner contrary to the terms and conditions of this Grant Agreement may result in the subsequent revocation of the Grant and any balance of funds under the Grant. It may also result in the Grantee being required to return such amounts to the State.

4. Reporting

The Grantee shall submit a completed COVID-19 Expenditures by Community Report Form provided by the Office of Management and Budget each month, during the life of the Grant Agreement. COVID-19 Expenditures by Community Report Forms are due to the Office of Management and Budget thirty (30) days after the end of the month being reported. The report period is the first of the month through the last day of the month. The final COVID-19 Expenditures by Community Report must be submitted within thirty (30) days following completion of the grant.

Attachment B Payment Method

1. Advance Payment

Payments will be made to Grantees in advance of demonstrated need to respond to the public health emergency in three separate payments. Second and third payments will only be made when at least 80% of the prior payments have been expended. Payments by the State of Alaska to Grantee do not constitute approval of funds expended by Grantee. By making payment to Grantee, the State of Alaska makes no representations, express or implied, that Grantee has complied with the federal requirements governing Coronavirus Relief Funds.

Should earned payments during the terms of this Grant Agreement be insufficient to recover the full amount of the advance, the Grantee will repay the unrecovered amount to the Department when requested to do so by the Department, or at termination of the Grant Agreement.

2. Withholding of Ten Percent (10%)

The Department may withhold ten percent (10%) of the amount in Section I until the Department determines that the Grantee has satisfactorily completed the terms of this Grant Agreement, including all required reporting of the project.

Attachment C Standard Provisions

Article 1. Definition

“Department” refers to the Department of Commerce, Community, and Economic Development with the State of Alaska.

Article 2. Indemnification

It is understood and agreed that this Grant Agreement is solely for the benefit of the parties to the Grant Agreement and gives no right to any other party. No joint venture or partnership is formed as a result of the Grant Agreement.

The Grantee, its successors and assigns, will protect, save, and hold harmless the Department and the State of Alaska and their authorized agents and employees, from all claims, actions, costs, damages, or expenses of any nature whatsoever by reason of the acts or omissions of the Grantee, its subcontractors, assigns, agents, contractors, licenses, invitees, employees, or any person whomever arising out of or in connection with any acts or activities authorized by this Grant Agreement. The Grantee further agrees to defend the Department and the State of Alaska and their authorized agents and employees in any litigation, including payment of any costs or attorney’s fees for any claims or actions commenced thereon arising out of or in connection with acts or activities authorized by this Grant Agreement. This obligation shall not include such claims, costs, damages, or expenses which may be caused by the sole negligence of the Department of the State of Alaska or their authorized agents or employees, provided, that if the claims or damages are caused by or result from the concurrent negligence of (a) the Department and the State of Alaska and their agents or employees, and (b) the Grantee, its agents or employees, this indemnity provision shall be valid and enforceable only to the extent of the negligence of the Grantee, or Grantee’s agents or employees.

Article 3. Legal Authority

The Grantee certifies that it possesses legal authority to accept grant funds under the State of Alaska and to execute this Grant Agreement by signing the Grant Agreement document. The Grantee’s relation to the Department and the State of Alaska shall be at all times as an independent Grantee.

Article 4. Waivers

No conditions or provisions of this Grant Agreement can be waived unless approved by the Department in writing. The Department’s failure to insist upon strict performance of any provision of the Grant Agreement, or to exercise any right based upon a breach thereof, or the acceptance of any performance during such a breach, shall not constitute a waiver of any right under this Grant Agreement.

Article 5. Access to Records

The Department and duly authorized officials of the State of Alaska shall have full access and the right to examine, excerpt, or transcribe any pertinent documents, papers, records, and books of the Grantee, and of persons or organizations with which the Grantee may contract, involving transactions related to the project and this Grant Agreement.

Article 6. Reports

The Grantee, at such times and in such forms as the Department may require, shall furnish the Department with such periodic reports as it may request pertaining to the activities undertaken pursuant to this Grant Agreement, including the final close-out report, the costs and obligations incurred in connection therewith, and any other matters covered by this Grant Agreement.

Article 7. Retention of Records

The Grantee shall retain financial and other records relating to the performance of this Grant Agreement for a period of six years from the date when the final financial status report is submitted to the Department, or until final resolution of any audit findings, claims, or litigation related to the grant.

Article 8. Assignability

The Grantee shall not assign any interest in this Grant Agreement and shall not transfer any interest in the same (whether by assignment or novation).

Article 9. Financial Management and Accounting

The Grantee shall establish and maintain a financial management and accounting system that conforms to generally accepted accounting principles.

Article 10. Program Income

Program income earned during the award period shall be retained by the Grantee and added to the funds committed to the award and used for the purpose and under the conditions applicable to the use of award funds.

Article 11. Amendments and Modifications

The Grantee or the Department may request an amendment or modification of this Grant Agreement. However, such amendment or modification shall not take effect until approved, in writing, by the Department and the Grantee.

Article 12. Recordkeeping

The Grantee agrees to keep such records as the Department may require. Such records will include information pertaining to grant awards and authorizations, obligations, unobligated balances, assets, liabilities, outlays and income. They will also include information pertaining to grant performance and efforts to comply with the provisions of the Grant Agreement.

Article 13. Obligations Regarding Third-Party Relationships

No permission for subcontracting shall create, between the Department or the State of Alaska and the subcontractor, any contract or any relationship.

Any subcontractor that is not the Grantee shall be required by the Grantee to comply with all the provisions of this Grant Agreement.

The Grantee shall bind all subcontractors to each and every applicable Grant Agreement provision. Each subcontract for work to be performed with funds granted under this Grant Agreement shall specifically include a provision that the Department and the State of Alaska are not liable for damages or claims from damages arising from any subcontractor's performance or activities under the terms of the subcontracts.

Article 14. Conflict of Interest

No officer or employee of the Department; no member, officer, or employee of the Grantee or its designees or agents; no member of the governing body of the jurisdiction in which the Grant is undertaken or located; and no other official of such locality or localities who exercises any functions or responsibilities with respect to the Grant during his or her tenure, shall have any personal or pecuniary gain or interest, direct or indirect, in any contract, subcontract, or the proceeds thereof, for work to be performed in connection with the project assisted under this Grant Agreement.

The Grantee shall incorporate, or cause to incorporate, in all such contracts or subcontracts, a provision prohibiting such interest pursuant to the purpose of this provision.

Article 15. Political Activity

No portion of the funds provided hereinunder shall be used for any partisan political activity or to further the election or defeat of any candidate for public office or influence the approval or defeat of any ballot issue.

Article 16. Notices

The Grantee shall comply with all public notices or notices to individuals required by applicable state and federal laws and shall maintain a record of this compliance.

Article 17. Prohibition Against Payment of Bonus or Commission

The assistance provided under this Grant Agreement shall not be used in payment of any bonus or commission for the purpose of obtaining approval or concurrence under this contract provided, however, that reasonable fees of bona fide technical consultant, managerial, or other such services, other than actual solicitation, are not hereby prohibited if otherwise eligible as project costs.

Article 18. Termination by Mutual Agreement

This Grant Agreement may be terminated, in whole or in part, prior to the completion of the Grant period when both parties agree that continuation is not feasible or would not produce beneficial results commensurate with the further expenditure of funds. The Department will determine whether an environmental review of the cancellation is required under State and/or Federal law. The parties must agree on the termination conditions, including effective date and the portion to be terminated. The Grantee shall not incur new obligations for the terminated portion after the effective date and shall cancel as many outstanding obligations as possible. The Department shall make funds available to the Grantee to pay for allowable expenses incurred before the effective date of termination.

Article 19. Termination for Cause

If the Grantee fails to comply with the terms of this Grant Agreement, or fails to use the grant for only those purposes set forth herein, the Department may take the following actions:

- A. Suspension – After notice in writing by certified mail to the Grantee, suspend the grant and withhold any further payment or prohibit the Grantee from incurring additional obligations of grant funds, pending corrective action by the Grantee or a decision to terminate. Response must be received within fifteen (15) days of receipt of the written notice.
- B. Termination – Terminate the grant in whole or in part, at any time before the final grant payment is made. The Department shall promptly notify the Grantee in writing of its determination to terminate, the reason for such termination, and the effective date of the termination. Payments made to the Grantee or recoveries by the Department shall be in accordance with the legal rights and liabilities of the parties.

Article 20. Withdrawal of Funds

In the event funding from the state, federal, or other sources is withdrawn, reduced, or limited in any way after the effective date of this Grant Agreement and prior to normal completion, the Department may terminate the agreement, reduce funding, or re-negotiate subject to those new funding limitations and conditions. A termination under this article shall be implemented under the same conditions as a termination under Article 19 of this Attachment.

Article 21. Recovery of Funds

In the event of a default or violation of the terms of the Grant Agreement by the Grantee, the Department may institute actions to recover all or part of the Grant funds paid to the Grantee. Repayment by the Grantee of grant funds under this recovery provision shall occur within thirty (30) days of demand.

All remedies conferred on the Department by this agreement or any other instrument or agreement are cumulative, not exclusive, and may be exercised concurrently or consecutively at the Department's option.

Article 22. Disputes

Except as otherwise provided in this agreement, any dispute concerning a question of fact arising under this agreement that is not disposed of by mutual agreement shall be decided by the Department, which shall reduce its decision to writing and mail, or otherwise furnish a copy thereof, to the Grantee. The decision of the Department shall be final and conclusive.

This "Disputes" clause does not preclude the consideration of questions of law in connection with the decision provided for in the preceding paragraph provided that nothing in the Grant Agreement shall be construed as making final the decisions of any administrative official, representative, or board on a question of law.

Article 23. Jurisdiction

This Grant Agreement shall be governed by the laws and statutes of the State of Alaska. The venue of any suit hereunder may be in the Superior Court for the First Judicial District, Juneau, Alaska.

Article 24. Ownership of Project/Capital Facilities

The Department makes no claim to any capital facilities or real property improved or constructed with funds under this Grant Agreement and, by this grant of funds, does not and will not acquire any ownership interest or title to such property of the Grantee. The Grantee shall assume all liabilities arising from the operation of the Grant and agrees to hold the Department and the State of Alaska harmless from any and all causes of action arising from the operation of the Grant.

Article 25. Site Control

If the grant project involves the occupancy and use of real property, the Grantee assures that it has the legal right to occupy and use such real property for the purposes of the grant, and further that there is legal access to such property.

Article 26. Insurance

The Grantee is responsible for obtaining any necessary liability insurance and maintain in force at all times during the performance of this Grant Agreement the insurance policies identified below. All insurance policies shall comply with, and be issued by insurers licensed to transact the business of insurance under Alaska Statute AS 21. The Grantee shall require any contractor hired with Grant funds be licensed, bonded and insured for at least the amount of the project and if appropriate provide and maintain Professional Liability Insurance.

- A. Workers' Compensation Insurance for all employees engaged in work under this Grant Agreement, coverage as required by AS 23.30.045, and; where applicable, any other statutory obligations including but not limited to Federal U.S.L. & H. and Jones Act requirements.
- B. Commercial General Liability Insurance covering all business premises and operations used by the Grantee in the performance of this project and Grant Agreement with coverage limits not less than \$300,000 combined single limit per occurrence and annual aggregates where applicable.
- C. Comprehensive Automobile Liability Insurance covering all vehicles used by the Grantee in the performance of this Grant Agreement with coverage limits not less than \$100,000 per person/\$300,000 per occurrence bodily injury and \$50,000.00 property damage.
- D. Professional Liability Insurance covering all errors, omissions or negligent acts of the contractor, subcontractor or anyone directly or indirectly employed by them, made in the performance of this Grant Agreement which result in financial loss to the State. Limits required are per the following schedule:

Contract Amount	Minimum Required Limits
Under \$100,000	\$100,000 per occurrence/annual aggregate

Article 27. Subcontracts for Engineering Services

In the event that the Grantee subcontracts for engineering services, the Grantee will require that the engineering firm certify that it is authorized to do business in the State of Alaska.

Article 28. Governing law

This Grant Agreement is governed by the laws of the State of Alaska. The Grantee shall perform all aspects of this project in compliance with the appropriate laws and regulations. It is the responsibility of the Grantee to ensure that any permits required under this Grant Agreement by the Federal, State, or Local governments have been obtained.

Article 29. Budget Flexibility

Notwithstanding the provisions of Article 11, Attachment C, the Grantee may revise the project budget in Attachment A without a formal amendment to this agreement. .

Article 30. Equal Employment Opportunity (EEO)

The Grantee may not discriminate against any employee or applicant for employment because of race, religion, color, national origin, age, physical handicap, sex, marital status, changes in marital status, pregnancy, or parenthood. The Grantee shall post in a conspicuous place, available to employees and applicants for employment, a notice setting out the provisions of this paragraph.

The Grantee shall state, in all solicitations or advertisements for employees to work on Grant funded projects, that it is an equal opportunity employer (EEO) and that all qualified applicants will receive consideration for employment without regard to race, religion, color, national origin, age, physical handicap, sex, marital status, changes in marital status, pregnancy, or parenthood.

The Grantee shall include the provisions of this EEO article in every contract relating to this Grant Agreement and shall require the inclusion of these provisions in every agreement entered into by any of its contractors, so that those provisions will be binding upon each contractor or subcontractor.

Article 31. Public Purposes

The Grantee agrees that the project to which this Grant Agreement relates shall be dedicated to public purposes for its useful life. The benefits of the project shall be made available without regard to race, religion, color, national origin, age, physical handicap, sex, marital status, changes in marital status, pregnancy, or parenthood.

If the Grantee is a non-municipal entity and if monies appropriated under this grant constitute the sole or principal funding source for the acquisition of equipment or facilities, the Grantee agrees that in the event a municipal corporation is formed which possesses the power and jurisdiction to provide for such equipment or facilities, the Grantee shall offer, without compensation, to transfer ownership of such equipment or facilities to the municipal corporation.

If the Grantee is a non-profit corporation that dissolves, the assets and liabilities from the grant project are to be distributed according to statutory law, AS 10.20.290-10.20.452.

Article 32. Operation and Maintenance

Throughout the life of the project, the Grantee shall be responsible for the operation and maintenance of any facility, equipment, or other items acquired under this grant.

Article 33. Assurance

The Grantee shall spend monies awarded under this grant only for the purposes specified in this Grant Agreement.

Article 34. Current Prevailing Rates of Wage

Certain grant projects are constrained by the provisions of AS 36. PUBLIC CONTRACTS. To the extent that such provisions apply to the project which is the subject of this Grant Agreement, the Grantee shall pay the current prevailing rates of wage to employees as required by AS 36.05.010. The Grantee also shall require any contractor to pay the current prevailing rates of wage as required by AS 36.05.010.

Article 35. Severability

If any provision under this Grant Agreement or its application to any person or circumstance is held invalid by any court of rightful jurisdiction, this invalidity does not affect other provisions of the contract agreement which can be given effect without the invalid provision.

Article 36. Performance

The Department's failure to insist upon the strict performance of any provision of the Grant Agreement or to exercise any right based upon breach thereof or the acceptance of any performance during such breach shall not constitute a waiver of any rights under this Grant Agreement.

Article 37. Sovereign Immunity

If the Grantee is an entity which possesses sovereign immunity, it is a requirement of this grant that the Grantee irrevocably waive its sovereign immunity with respect to state enforcement of this Grant Agreement. The waiver of sovereign immunity, effected by resolution of the entity's governing body, is herein incorporated into this Grant Agreement.

Article 38. Audit Requirements

The Grantee must comply with the audit requirements of the Alaska Administrative Code set forth in **2AAC45.010. AUDIT REQUIREMENTS**. An entity that expends a cumulative or total, equal to the state single audit threshold during the fiscal year is required to have a state single audit. A copy of the most current **2AAC45.010** adopted regulations is available at the Alaska Department of Administration's State Single Audit website: <http://doa.alaska.gov/dof/ssa/index.html>.

Current audit compliance supplements and guides specific to programs under AS 37.05.315 Grants to Municipalities, AS 37.05.316 Grants to Named Recipients, and AS 37.05.317 Grants to Unincorporated Communities can be found at http://doa.alaska.gov/dof/ssa/audit_guide.html.

Article 39. Close-Out

The Department will advise the Grantee to initiate close-out procedures when the Department determines, in consultation with the Grantee, that there are no impediments to close-out and that the following criteria have been met or soon will be met:

- A. All costs to be paid with grant funds have been incurred with the exception of close-out costs and any unsettled third-party claims against the Grantee. Costs are incurred when goods and services are received or contract work is performed.
- B. The last required performance report has been submitted. The Grantee's failure to submit a report will not preclude the Department from effecting close-out if it is deemed to be in the State's interest. Any excess grant amount that may be in the Grantee's possession shall be returned by the Grantee in the event of the Grantee's failure to finish or update the report.
- C. Other responsibilities of the Grantee under this Grant Agreement and any close-out agreement and applicable laws and regulations appear to have been carried out satisfactorily or there is no further State interest in keeping the grant open for the purpose of securing performance.

Article 40. Americans with Disabilities Act

The Americans with Disabilities Act (ADA) prohibits discrimination against persons with disabilities. Title I of the ADA prohibits discrimination against persons with disabilities in employment and provides that a reasonable accommodation be provided for applicants and employees. Title II of the Act prohibits public agencies from discriminating against individuals with disabilities in the provision of services, programs, or activities. Reasonable accommodation must be made to ensure or allow access to all services, programs, or activities. This section of the Act includes physical access to public facilities and requires that public entities must, if necessary, make modifications to their facilities to remove physical barriers to ensure access by persons with disabilities. All new construction must also be accessible to persons with disabilities. A public entity's subgrantees or contractors must also comply with the ADA provisions. Grantees are responsible for assuring their compliance with the ADA.

Appendix A State Laws and Regulations and Permits

Grantees are responsible for all applicable state laws, regulations and permits; including but not limited to the following list which most commonly affects Grantees.

Municipality Public Facility Operations and Maintenance—AS 37.05.315(c)

In accepting a grant under AS 37.05.315 for construction of a public facility, a municipality covenants with the State that it will operate and maintain the facility for the practical life of the facility and that the municipality will not look to the State to operate or maintain the facility or pay for its operation or maintenance. This requirement does not apply to a grant for repair or improvement of an existing facility operated or maintained by the State at the time the grant is accepted if the repair or improvement for which the grant is made will not substantially increase the operating or maintenance costs to the State.

Restriction on Use—AS 37.05.321

A grant, or earnings from a grant under AS 37.05.315 - 37.05.317 may not be used for the purpose of influencing legislative action. In this section “influencing legislative action” means promoting, advocating, supporting, modifying, opposing, or delaying or seeking to do the same with respect to any legislative action but does not include the provision or use of information, statistics, studies, or analyses in written or oral form or format. A grant, or earnings from a grant made under AS 37.05.315 - 37.05.317 may not be used for purposes of travel in connection with influencing legislative action unless pursuant to a specific request from a legislator or legislative committee.

Historic Preservation Act—AS 41.35

This chapter of the Alaska Statutes applies to public construction of any nature undertaken by the State, or by a governmental agency of the State, or by a private person under contract with or licensed by the State or a governmental agency of the State. The Department of Natural Resources must be notified if the construction is planned for an archaeological site. The Department of Natural Resources may stop the construction to determine the extent of the historic, prehistoric, or archaeological values.

Fire Protection—AS 18.70

This chapter of the Alaska Statutes requires the Alaska Department of Public Safety (the State Fire Marshal) to adopt regulations (currently in the form of Uniform Fire Code, as amended) establishing minimum standards for:

1. Fire detection and suppression equipment;
2. Fire and life safety criteria in commercial, industrial, business, institutional, or other public buildings used for residential purposes containing four or more dwelling units;
3. Any activity in which combustible or explosive materials are stored or handled in commercial quantities;
4. Conditions or activities carried on outside a building described in (2) or (3) likely to cause injury to persons or property.

Procurement Preference for State Agricultural and Fisheries Products—AS 29.71.040

This chapter of the Alaska Statutes applies to municipalities that use state funds to purchase agricultural and fisheries products. The law requires:

1. When agricultural products are purchased, only such products harvested in the state shall be purchased whenever priced no more than seven percent above products harvested outside the state, and of like quality compared with agricultural products harvested outside the state.
2. When fisheries products are purchased, only fisheries products harvested or processed within the jurisdiction of the state shall be purchased whenever priced no more than seven percent above products harvested or processed outside the jurisdiction of the state, available, and of like quality compared with fisheries products harvested or processed outside the jurisdiction of the state.

Alaska Product Preferences—AS 36.15

This chapter of the Alaska Statutes applies to projects financed by state money in which the use of timber, lumber, and manufactured lumber products is required, only timber, lumber and manufactured lumber projects originating in this state from local forests shall be used wherever practicable. The law requires the insertion of this clause in calls for bids and in all contracts awarded.

Permits and Environmental Procedures

The Alaska Department of Environmental Conservation (ADEC) regulates all activities in Alaska that might pollute the air, water or soil. There are dozens of ADEC permits related to constructing and operating public buildings. The law requires the following permits, including others designated by the commissioner. The following list is not intended to be all-inclusive.

- Air Emissions Permit
- Anadromous Fish Protection Permit
- Authorization for Tidelands Transportation
- Brine or Other Salt Water Waste Disposal Permit
- Burning Permit during Fire Season
- Coal Development Permit
- Critical Habitat Area Permit
- Dam Construction Permit
- Driveway Permit
- Encroachment Permit
- Miscellaneous State Land Use Permit
- Mineral and Geothermal Prospecting Permits
- Occupied Tide and Submerged Land
- Open Burning Permit
- Permit for Use of Timber or Materials
- Permit to Appropriate Water
- Pesticides Permit
- Preferred Use Permit
- Right-of-Way and Easement Permits
- Solid Waste Disposal
- Special Land Use Permit
- State Game Refuge Land Permit
- State Park Incompatible Use Permit
- Surface Oiling Permit
- Surface Use Permit
- Tide and Submerged Lands Prospecting Permit
- Tidelands Permit
- Tidelands Right-of-Way or Easement Permit
- Utility Permit
- Waste-Water Disposal Permit
- Water Well Permit

1 CITY OF HOMER
2 HOMER, ALASKA

3 City Manager

4
5 RESOLUTION 20-051
6

7 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
8 AUTHORIZING ACCEPTANCE OF CORONAVIRUS RELIEF FUNDS IN
9 THE AMOUNT OF \$7,899,085.29 FOR COSTS THAT ARE
10 NECESSARY EXPENDITURES INCURRED DUE TO THE PUBLIC
11 HEALTH EMERGENCY WITH RESPECT TO THE CORONAVIRUS
12 DISEASE 2019 (COVID-19), FROM THE ALASKA DEPARTMENT OF
13 COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT, AND
14 AUTHORIZING THE CITY MANAGER TO EXECUTE THE GRANT
15 AGREEMENT.
16

17 WHEREAS, The Homer City Council wishes to provide the above described funds for the
18 community of Homer; and
19

20 WHEREAS, The City is pleased to have been awarded Coronavirus Relief Funds in the
21 amount of \$7,899,085.29 from the Alaska Department of Commerce, Community, and Economic
22 Development for COVID-19 related expenditures.
23

24 NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, accepts the
25 Coronavirus Relief Funds Grant in the amount of \$7,899,085.29 and authorizes the City
26 Manager to execute the grant agreement and all other appropriate documents.
27

28 PASSED AND ADOPTED by the Homer City Council this 26th day of May, 2020.
29

30 CITY OF HOMER

31 
32
33

34 KEN CASTNER, MAYOR
35

36 ATTEST:

37
38 
39
40 MELISSA JACOBSEN, MMC, CITY CLERK
41



42 Fiscal Note: N/A

ORDINANCE REFERENCE SHEET
2020 ORDINANCE
ORDINANCE 20-26

An Ordinance Of The City Council Of Homer, Alaska Amending Homer City Code 11.36 Vegetation In Rights-Of-Way Sections 11.36.010 Vegetation In Rights-Of-Way; 11.36.020 Removal Of Vegetation In Rights-Of-Way And Rights-Of-Way Maintenance; Repealing 11.36.030 Removal For Compliance-Public Works Director Discretion And Reenacting 11.36.030 Annual Road Maintenance Plan; And Enacting 11.36.040 Public Notice And 11.36.050 Emergency Authority.

Sponsor: City Manager/Public Works Director

1. City Council Regular Meeting June 8, 2020 Introduction
 - a. Memorandum 20-071 from Public Works Director as backup

1 **ORDINANCE 20-26**

2 City Manager/
3 Public Works Director

4 **CITY OF HOMER**
5 **HOMER, ALASKA**

6
7 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
8 AMENDING HOMER CITY CODE 11.36 VEGETATION IN RIGHTS-OF-
9 WAY SECTIONS 11.36.010 VEGETATION IN RIGHTS-OF-WAY;
10 11.36.020 REMOVAL OF VEGETATION IN RIGHTS-OF-WAY AND
11 RIGHTS-OF-WAY MAINTENANCE; REPEALING 11.36.030 REMOVAL
12 FOR COMPLIANCE-PUBLIC WORKS DIRECTOR DISCRETION AND
13 REENACTING 11.36.030 ANNUAL ROAD MAINTENANCE PLAN; AND
14 ENACTING 11.36.040 PUBLIC NOTICE AND 11.36.050 EMERGENCY
15 AUTHORITY.

16
17 WHEREAS, In October 2016, the Homer City Council adopted Ordinance 16-51, which
18 established Chapter 11.36, Vegetation in Rights-of-Way, clarifying the City of Homer’s right and
19 obligation to maintain public rights-of-way; and

20
21 WHEREAS, In October 2019, the Homer City Council adopted Resolution 19-073(S)
22 establishing a moratorium on the removal of vegetation located in all public rights-of-way and
23 establishing a ROW Policy Evaluation Team; and

24
25 WHEREAS, The ROW Policy Evaluation Team has recommended that it would be
26 beneficial for the Homer City Council to clarify policy and processes involving the removal of
27 vegetation in the public rights-of-way across all City streets.

28
29 NOW THEREFORE, THE CITY OF HOMER ORDAINS:

30
31 Section 1. Homer City Code Chapter 11.36, “Vegetation in Rights-of-Way, is amended
32 as follows:

33 Chapter 11.36
34 VEGETATION IN RIGHTS-OF-WAY

35
36 Sections:

- 37 11.36.010 Vegetation in rights-of-way.
- 38 11.36.020 Removal of vegetation in rights-of-way and rights-of-way maintenance.
- 39 11.36.030 Removal for compliance – public works director discretion
- 40
- 41 11.36.010 Vegetation in rights-of-way
- 42

43 **The city recognizes the value trees and vegetation generate for the public good by**
44 **helping to stabilize soils and their underlying substrates as well as by**
45 **counteracting the negative effects of “urban deforestation”, beautifying**
46 **neighborhoods, providing habitat for wildlife, serving as sight/sound barriers,**
47 **combatting climate change, and providing other benefits. That being said, there**
48 **are times when the city must exercise its stewardship over public rights-of-way to**
49 **maintain the functionality and integrity of roads, pedestrian ways and utilities**
50 **located in said rights-of-way by clearing trees and other vegetation that interferes**
51 **with that function/integrity. To this end, a**
52 All or any part of a tree, shrub, ground
53 material or other vegetation that is located in, over or under a public right-of-way in the
54 city is subject to removal by the city as necessary for the reasonable public use of the
55 right-of-way, including without limitation removal as authorized in HCC 11.36.020,
56 regardless of whether:

- 57 a. The vegetation existed in, over or under the right-of-way before the granting,
58 dedication or improvement of the right-of-way;
59 b. The vegetation was planted in the right-of-way by another person, including
60 without limitation an owner of property adjacent to the right-of-way; or
61 c. The vegetation originated on property adjacent to the right-of-way, to the extent
62 that limbs, branches or roots of the vegetation extend into, over or under the right-
63 of-way.

64
65 11.36.020 Removal of vegetation in rights-of-way and rights-of-way maintenance.

66
67 Except as otherwise provided in this chapter, the City Manager may cause the removal
68 of all or any part of a tree, shrub, ground material or other vegetation that is located on,
69 over or under a public right-of-way if the City Manager finds that the vegetation:

- 70
71 a. Obstructs or interferes with the use of the ~~right-of-way~~ **road** by vehicular or
72 pedestrian traffic;
73 b. Obscures visibility **site distance** to or from the right-of-way ~~or otherwise constitutes~~
74 ~~a safety hazard;~~
75 **c. Constitutes a safety hazard;**
76 ~~e.d. Interferes with the~~ **Obstructs** maintenance of the ~~right-of-way~~ **road**, including
77 without limitation paving, grading, cleaning, drainage ~~and snow removal,~~ **and snow**
78 **storage;**
79 ~~d. e.~~ **e.** Has the potential if not removed to damage pavement or other improvements in
80 the right-of-way;
81 ~~e.f.~~ **f.** Has the potential if not removed to damage or interfere with the operation **or**
82 **maintenance** of overhead or underground public utility facilities in the right-of-way.
83

84 Section 2. HCC 11.36.030 Removal for Compliance-Public Works Director Discretion is
85 hereby repeal and reenacted as follows:

86
87 **11.36.030 Annual Road Maintenance Plan**

88
89 **a. The public works director shall develop an Annual Road Maintenance Plan,**
90 **which shall be updated on an annual basis, to document (i) the condition of the**
91 **all roads accepted by the city for maintenance, regardless when a particular**
92 **road was accepted, and (ii) the maintenance activities that will be performed**
93 **on said roads.**

94
95 **b. The Annual Road Maintenance Plan shall address, as a minimum, the following**
96 **topics:**

97 **1. Integrity of road structure;**

98 **2. Condition of road surface;**

99 **3. Integrity of drainage ways;**

100 **4. Integrity of any pedestrian ways;**

101 **5. Condition of road signage**

102 **6. Barriers to efficient operations/maintenance, such as limited opportunities**
103 **for snow storage, excessive vegetation, etc.;**

104 **7. A plan for maintenance, which, among other things, could include the**
105 **necessary removal of vegetation and resulting debris cleanup, crack**
106 **sealing, dust control, etc.;**

107 **8. Recommendations for capital improvements, which, among other things,**
108 **could include reconstruction or improvement of drainage works,**
109 **pedestrian ways, etc.**

110
111 **c. The Annual Road Maintenance Plan shall be presented to the City Council for**
112 **information as part of the City's budget process.**

113
114 Section 3. HCC 11.36.040 Public Notice and HCC 11.36.050 Emergency Authority are
115 hereby enacted as follows:

116
117 **11.36.040 Public Notice**

118
119 **a. Whenever the city needs to remove vegetation from its rights-of-way, the city shall**
120 **provide property owners who own property adjacent to the rights-of-way where**
121 **vegetation removal will take place with reasonable notice no less than 30 calendar**
122 **days before the vegetation removal commences.**

123
124 **b. In addition to notice provided under 11.36.040(a), whenever the city needs to cut**
125 **or limb mature trees and/or remove stumps from the rights-of-way, the city shall**

126 **provide property owners who own property adjacent to the rights-of-way where**
127 **the tree cutting/limbing will take place with individual notice no less than 7**
128 **calendar days before the work commences, via door knocking, door hangars, or a**
129 **phone call.**

130
131 **11.36.050 Emergency Authority**

132
133 **a. Upon finding that a hazard which could cause injury or property damage, the City**
134 **Manager is authorized to direct the removal/mitigation of the hazard. In this**
135 **event, the City Manager shall report the incident in his/her next City Manager’s**
136 **Report.**

137
138 Section 4. This ordinance is of a permanent nature and general character and shall be
139 included in Homer City Code.

140
141 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this _____ day of _____, 2020.

142
143 CITY OF HOMER

144
145
146 _____
147 KEN CASTNER, MAYOR

148 ATTEST:
149
150
151 _____
152 MELISSA JACOBSEN, MMC, CITY CLERK

153
154 YES:
155 NO:
156 ABSTAIN:
157 ABSENT:

158
159 Reviewed and approved as to form.

160
161
162 _____
163 Marvin Yoder, City Manager

160
161
162 _____
163 Michael Gatti, City Attorney

164
165 Date: _____

164
165 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 20-071

TO: Marvin Yoder, City Manager
FROM: Jan Keiser, Director of Public Works
DATE: June 1, 2020
SUBJECT: ROW Clearing Ordinance

Issue: The City needs an ordinance that addresses road maintenance, including vegetation management, for city streets.

Background: In October 2019, the Homer City Council adopted Resolution 19-073(S) establishing a moratorium on the removal of vegetation located in public rights-of-way until it received recommendations to clarify policy involving the removal of vegetation in the public rights-of-way.

Proposed Solution: Amend the existing ordinance HCC 11.36 to clarify policy involving the removal of vegetation in the public rights-of-way.

Action Recommended: That the City Council review, take public comment on and ultimately pass amendments to HCC 11.36 to address the Council's concerns.

Discussion: We propose to amend the existing HCC 11.36 to address the following issues:

1. Acknowledge the value trees and vegetation bring to the environment and to the city's infrastructure, particularly in the context of combatting climate change.
2. Acknowledge there are times when trees/vegetation need to be cleared from city ROW.
3. Delegating authority to the city manager to cause the removal of such vegetation, under designated conditions.
4. Charging the public works director with the task of creating a Road Maintenance Plan, which would provide a systematic way of cataloguing the condition of city roads and identifying when and how maintenance needs to be conducted.
5. Specifying that public outreach would be conducted before maintenance activities specified in the Road Maintenance Plan are executed.

An edited version of HCC 11.36, as we propose to amend it, is attached. An example of the Road Maintenance Plan is also attached. The concept is that the Road Maintenance Plan would primarily be housed in the City's existing GIS program.

Condition Assessment

Street	RATINGS				Recomendations
	Road Surface Rating	Drainage Rating	Obstruction Rating	Snow Storage Rating	
Grubstake Ave.	Fair	Good	Good	Good	
Grubstake Ave. East	Excellent	Good	Excellent	Good	
Ohlsen Ln	<u>Poor</u>	Fair	Good	Fair	Complete rebuild
Mattox Rd.	Good	Excellent	Excellent	Good	
Eagle Pl	<u>Poor</u>	<u>Poor</u>	Good	Fair	Complete rebuild/clear right of way/ re-establish ditches



Grubstake: Paved road in excellent condition - road structure, drainage, sight distance, safety all meet standards



Mattox: Gravel road in excellent condition

Condition Assessment

Street	SURFACE CONDITION ISSUES							
	Abrasion	Rutting	Potholes	Subsidence/ Boils	Washboards	"Alligator" Cracking	Parallel Cracking	Lateral Cracking
Grubstake Ave.	No	None	No	None	None	None	> 1000 ft	500 ft
Grubstake Ave. East	No	None	No	None	None	None	None	20 ft
Ohlsen Ln	No	None	Several	300 ft	None	440 ft	60 ft	340 ft
Mattox Rd.	No	None	No	None	60 ft	None	None	None
Eagle Pl	No	None	No	> 1000 ft	None	None	None	None



Ohlsen Ln: Paved road with multiple issues including major cracking, subsidence, and out of spec road corridor



Eagle Pl: Gravel road with subsidence issues, and inadequate drainage

Condition Assessment

Street	DRAINAGE ISSUES				SAFETY ISSUES		
	Ditching	Road Culvert Damage	Drive Culvert Damage	Snow Storage Available	Sight Distance Obstructions	Striping Present	Signage Present
Grubstake Ave.	None	None	None	Yes	No	No	Yes
Grubstake Ave. East	None	None	None	Yes	No	Yes	Yes
Ohlsen Ln	None	1 crushed culvert	None	Yes	No	No	Yes
Mattox Rd.	None	None	None	Yes	No	N/A	Yes
Eagle Pl	Re-Dig entire Ditch to Spec	None	None	Yes	No	N/A	Yes



Extensive crack repair on Grubstake Ave. (West) Crack sealing is an annual maintenance task



Cracking and pothole formation on Ohlsen Ln. Narrow road corridor causes out of spec travel lanes, shoulders and

Condition Assessment

BACKGROUND						
Street	TYPE	Maintenance Type	From	To	Length FT	Historical
Grubstake Ave.	Paved	Urban Road Maintenance	Heath St	End of Rd	1322.61	East side Grubstake Ave. constructed 2016 to city standards
Grubstake Ave. East	Paved	Urban Road Maintenance	Heath St	Lake St.	974.58	
Ohlsen Ln	Paved	Urban Road Maintenance	Bunnell St	Sterling Hwy	925	Inherited from state 20 years ago. No Fabric, little to no gravel when state paved road. Not constructed to city standards
Mattox Rd.	Gravel	Urban Road Maintenance	E.E RD	Iris Court	1700.34	
Eagle Pl	Gravel	Rural Road Maintenance	E.E.Rd	End of Rd	1301	Road Maintenance acquired during annexation, Constructed without fabric and gravel. Not constructed to city standards

Condition Assessment

Street	Notes and Additional Info
Grubstake Ave.	
Grubstake Ave. East	
Ohlsen Ln	Out of Spec: Drive lanes 10' wide/ shoulder to shoulder 24 feet wide. Subsidence occurring in Alligator cracking area. Sub-surface wholly inadequate
Mattox Rd.	Washboard damage negligible; repaired annually
Eagle Pl	Road compromised by subsidence and "boiling" during break-up



City of Homer

www.cityofhomer-ak.gov

Office of the City Manager

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(p) 907-235-8121 x2222

(f) 907-235-3148

Memorandum

TO: Mayor Castner and Homer City Council
FROM: Marvin Yoder, Interim City Manager
DATE: June 4, 2020
SUBJECT: City Manager's Report for June 8 City Council Meeting

Capital Projects and Resolution 20-051

The City Manager's Office has been working with Department Heads to compile a list of approved capital projects from 2018-2021 under the direction given through Resolution 20-051. The City has to look at more than 2020 projects alone because capital projects, once approved, have a lifespan of 3 years (which is why 2018 & 2019 are under consideration); 2021 is included in the spreadsheet because of the "trickledown effect," meaning if there is a delay for projects approved between 2018-2020, it may cause the departments to have to reevaluate what was scheduled to occur for 2021. This information will be presented to Council at their June 22 meeting.

Airport CARES Funding

After receiving DOT&PF's response to the City's inquiry regarding the State's use of CARES Act funds at the Homer Airport, the City Manager's Office requested support from Senator Stevens' office to investigate further. Below is the response Senator Stevens' Legislative Aide Doug Letch received from DOT&PF's liaison:

"As far as the CARES Act FAA money I referenced, there are 2 slices of that pie pertinent to DOT&PF – the second of which applies to our rural airports such as Homer:

1. 33M for the Alaska International Airport System (Anchorage and Fairbanks only); and
2. \$49M for the rural airport system (the other 237 state-owned/maintained airports).

As the terminal owner, the city of Homer is merely a tenant on the airport and one of DOT&PF's airport customers/lessees. This CARES Act funding is not able to be passed/funneled to an airport tenant. The City is probably eligible for separate CARES Act funding available to communities which they could then use for their terminal, but not the FAA portion. The Department's intent remains to utilize this funding to keep operating our airport system safety and efficiently."

RAVN Bankruptcy Update

The City recently received a Proof of Claim 410 Form from RAVN. This form is for making a claim for payment in a bankruptcy case which Attorney Gatti and his associates are processing. Enclosed please find an article recently published in ADN highlighting the financial tug of war going on between RAVNAir and the bank.

COVID 19 Expenditures

Council recently authorized an additional \$80,000 to be used for material and service costs associated with COVID-19 response. This projection included \$20,000 for the online reservation system, which has not been purchased. As Public Works looked at the efficacy of our “new normal”, they realized such a reservation system is not effective for how the campground is current situated. That being said, the department would like a way to reduce cash handling at the campground. IT Manager Poolos has recommended a payment kiosk, like the ones Port/Harbor uses for parking. Getting these is a involved and expensive proposition, and this effort has been put on hold. The bottom line is Public Works will not be buying the online reservation system, which provides \$20,000 in funds to be allocated to other needs for COVID-19 response. In my last Manager’s Report I let Council know I would keep them apprised of any changes for the funds appropriated by the emergency ordinance. So far, I know the funds have been used to purchase plexiglas and fabricate sneeze guards in City buildings; buy supplies needed to assist departments in reopening; purchase the side by side for Public Works-parks; and two more reader boards. I would appreciate guidance from Council on what type of financial reporting they would like to see of these funds and personnel costs and if an update provided at the second meeting each month would suffice.

Requests for CARES Act Funding

The City has received two major funding requests so far for CARES Act funding. Currently Council is prioritizing the first distribution of funds to small businesses through a soon to be adopted SBERG program. There has also been discussion concerning how to address the disbursement of funds to households and nonprofits. Staff are looking for direction from the body on how to address incoming requests like the ones received from SPH and AML and look forward to receiving input from Council on how to structure the disbursement of future funds to impacted households and nonprofits.

Library to Apply to Grant Funded by CARES Act

There is grant money available to libraries through the CARES Act. Library Director Berry is applying for funds that would allow Homer’s Public Library to significantly overhaul current technology used. Among other things, the Library would like to extend the wireless signal to the parking lot, acquire laptops for checkout, get self-checkout machines and convert the library to RFID technology, and replace the existing print-management system with one that can handle remote printing.

The Institute for Museum and Library Services is offering this grant specifically for upgrading library services: <https://www.imls.gov/sites/default/files/fy20-cag-ml-nofo.pdf>. The City can spend money on the library out of the CARES Act funds it receives but Director Berry believes this is a supplemental extra and that the City would be able to accept these funds as long as it does exceed the \$10 million total request from the federal government for a single year.

SBERG and Conflict of Interest

After checking in with City Clerk Jacobsen, if a Councilmember could apply to the SBERG program currently being drafted but isn’t going to, she does not think there’s a conflict but suggests that Councilmember disclose it on the record. If a Councilmember intends to apply or their family member is going to, then their intent should be disclosed and the Mayor can rule on the conflict of interest.

EDA 2019 Disaster Grant Resubmitted

The City was invited by the US Department of Commerce’s Alaska Economic Development Representative to restructure and resubmit our Federal 2019 EDA Disaster Recovery Program grant application, narrowing the scope to just emergency communications scope of work. The communications equipment budget was \$175,165. The grant requires a 20% match, bringing the City’s financial commitment requirement to \$35,973. Council passed Resolution 19-090 expressing the City’s commitment to matching funds. If the City receives this grant, staff will present an ordinance before Council requesting permission to provide matching funds. Special Projects and Communications Coordinator Carroll has successfully resubmitted the City’s grant application to secure communications equipment

for the Port & Harbor and I applaud her ability to accomplish this project while managing the demands of being the City's PIO.

RFP for Lobbying Services

Council received the FY2022 Legislative Request Development Schedule in the last packet. Using this proposed schedule, staff recommends the RFP for Lobby Services be issued the first week of August, which is when the proposed priorities and projects are under review by staff and Council. [Resolution 20-023](#) indicated that the cost for lobbying services would be split between the General Fund and Harbor Fund however a dollar amount was not set. In 2011, Council allocated \$44,000 for lobbying services. As we move closer to August, staff would like direction from Council on if setting a dollar amount would be most appropriate in the RFP or leaving the dollar amount open, and when the term of services would begin and end for the firm. Budget would have to most likely be established for FY20 and FY21 as it may take the lobbyist time before the legislative session begins to get caught up on all the City's projects.

Library Fines

Library Director Berry has proposed cancelling all outstanding fines in order to give the public a blank slate. This would give the Library an opportunity to clean up its "long-dead records" (the Library still has fines on the books stretching back to 2006 and it is unlikely these fines will be paid). For reference, the total amount of outstanding fines since January 1, 2018, is roughly \$11,300. Alternatively, another option would be for the Homer Public Library to go permanently fine-free. This is a trend that has been sweeping the nation, and would put us in the company of public libraries in Anchorage and Soldotna. Staff can investigate this further if there is interest from Council.

CPV Funds

The City recently submitted a letter to the Borough regarding the acceptance of 2019 Commercial Passenger Vessel Tax Allocations to be applied to the City's Ramp 2 Restroom Project, which was provided in Council's last packet. In November of 2019, the balance of the P&H Reserve Funds still needing reimbursement by the CPV funds totals \$105,587.50. The City is anticipated to receive \$35,455 for calendar year 2019. CPV funds must be used for improvements that directly benefit cruise ship passengers. Located at the center of the retail area for the Homer Spit and the launching point for many recreational day trips, the Ramp 2 Restroom has been heavily used (and appreciated) by cruise ship passengers, and the community.

	478,492.00	Total Ramp 2 Restroom Project Cost
-	108,427.00	Maximum LWCF reimbursement (125,000 maximum - \$16,573 indirect cost)
=	370,065.00	
-	102,152.50	Accumulated STATE CPV funds through FY2016 (Calendar Year 2017)
=	267,912.50	
-	94,977.50	Borough CPV funds FY2016-2018 (Calendar Years 2017-2019)
=	172,935.00	
-	67,347.50	State CPV funds FY2017-2018 (Calendar Years 2018-2019)
=	105,587.50	Balance of P&H Reserve Funds to be reimbursed by future CPV funds (likely in FY2020)

Peony Festival Funding Request

The Growers Association in partnership with Chambers is putting on a Peony Festival to help celebrate that Homer is the City of Peonies. Per Chambers Executive Director Brad Anderson, *“They are looking at holding the festival July 10-25. Most of the events will be taking place at the different growers farms and some demonstrations at the Farmers Market. They want to coordinate with the Art Galleries to showcase peony themed art and want to make flowers available around the city...Given the challenges that the COVID situation placed on us this year, this seemed to be a good year to help the Growers Association to launch this program as it will be mainly outside and can work with smaller groups of people. The Chamber will mainly be helping them with their marketing efforts but the Growers Association will be coordinating the event activities. A question was raised to see if the City would be able to help sponsor in any way so I am reaching out to you with that question. Any dollars raised will go towards marketing the event.”*

There have been a few instances where Council has given money to organizations other than through Homer Foundation grants and agreements in place like the current marketing contract with Chambers, the animal shelter, and Pratt Museum. This typically happens by Mayor or Council sponsored legislation. For example, Council provided funds for the SPARC building through Ordinance 16-21.

Speed Monitoring Unit on Mattox

HPD’s speed monitoring unit has now been on Mattox for 7 days and will remain for an additional week. The speed monitoring unit was deployed when Public Works Director Keiser received a complaint of speeding in the area. Here are the results from week one:

Total number of vehicles	1850
Average speed	18.15
Vehicles over 30mph	7
31	2
33	4
37	1

Out of the 1,850 vehicles, one was travelling fast enough to warrant a traffic stop and probably a ticket. These speeds on Mattox do not reflect a need for any additional speed enforcement in the area.

Recently, staff came up with a plan to address speeding complaints in town. The first part of the plan deploys HPD’s speed monitoring unit to the area to collect data and see if there is a problem. As an aside, staff’s development of a traffic calming policy manual has been put on hold.

Dedication and Competence

May was a very busy and productive month for the City of Homer. The City’s hardworking leadership staff are to be commended for their dedication and competence during this time.

- Police Chief Mark Robl responded to several inquiries from council members and staff. First in regard to the tragic event in Minneapolis he explained the training and diligence of the Homer Police Department to avoid any of that type of behavior in Homer. He also gave thoughtful responses to questions about speed control, dog leash laws, body cameras and more.
- Dave Berry along with his staff worked diligently to meet the public desire to use the Library services while at the same time recognizing the need to protect staff and the public from the Coronavirus.

- Jan Keiser with many challenges from the COVID shutdown was able to get the Public Works ramped up for an increased workload as summer begins but also spent many hours working on the new ROW Clearing Ordinance.
- Elizabeth Walton has had a substantial increase in the Finance Department workload to account for all COVID related expenses and to prepare for the CARES act spending. She also was tasked with an additional effort to determine trends that may affect our annual budget due the economic slowdown.
- Bryan Hawkins' responsibility was to be prepared for the massive increase in the port activities as summer begins while complying with all the State Mandates regarding the Coronavirus. The increased traffic at the port was handled well. While at the same time Bryan was also involved in projects that continue to progress toward the construction of the Large Vessel Harbor project, the Cathodic Protection project and the upgrade of the Radio communication system.
- Chief Mark Kirko not only maintained the Fire Department at the ready but also served as head of the Incident Command group dealing with all aspects of the Coronavirus impacts on the Homer community.

In addition to these we had extra effort from staff including the Personnel Director, the Public Information Officer, the City Engineer and others.

Thanks to all of you for a job well done during a difficult time.

Enclosures:

1. June Employee Anniversaries
2. ADN Ravn Article
3. Letter received from SPH
4. Flyer received from KPEDD
5. Email received from constituent Amanda Campbell regarding 5G
6. Police Station Building Update
7. June 2, 2020 HPD Statement



City of Homer

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citymanager@cityofhomer-ak.gov

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(f) 907-235-3148

Memorandum

TO: MAYOR CASTNER AND CITY COUNCIL
FROM: Andrea Browning
DATE: June 8, 2020
SUBJECT: June 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.

Levi Stradling,	Public Works	18	Years
Melissa Jacobsen,	Clerks	16	Years
Mike Illg,	Admin	14	Years
Rachel Tussey,	Clerks	9	Years
Manfred Kirchner,	Public Works	8	Years
Mike Szocinski,	Public Works	8	Years
Brandon Moyer,	Public Works	4	Years
Jessica Poling,	Police	3	Years
Jessica Roper,	Police	2	Years
Bethany Christman	Public Works	1	Year
Russell Anderson	Public Works	1	Year

ANCHORAGE DAILY NEWS

Aviation

Bank seeks to liquidate RavnAir Group assets to cover debts

✍ Author: Associated Press ⌚ Updated: 4 days ago 📅 Published 6 days ago



Some of the Ravn Connect Part 135 aircraft that served rural Alaska were parked at Palmer Municipal Airport on April 2, 2020. (Bill Roth / ADN)

Alaska's largest rural airline is working to prevent a liquidation of its assets sought by a bank representing lenders seeking payment of \$90 million in debt.

RavnAir Group has touted \$30 million in federal COVID-19 aid that the carrier said the government could grant if a potential buyer is found, Alaska's Energy Desk reported Thursday.

Advertisements to sell the company have appeared in the Anchorage Daily News and the Wall Street Journal, while court documents said a half-dozen potential buyers have signed non-disclosure agreements to review sensitive company data.

French international bank BNP Paribas SA wants RavnAir's planes sold off piecemeal through a liquidation process that would permanently shutter the company.

RavnAir cited the economic impact of the coronavirus when the company halted operations April 5, laying off staff and filing for Chapter 11 bankruptcy protection.

RavnAir is majority-owned by private equity companies J.F. Lehman and Co. and W Capital Partners LLC. Before the pandemic, the company operated 72 planes and had 1,300 workers.

"If it comes together that there's somebody who's interested in taking the (federal) money and funding a plan, that would be great news," BNP Paribas attorney David Neier said at a federal bankruptcy hearing Wednesday.

"But we're not giving up the liquidation process because there is no other path that has emerged that will work with this estate," Neier said.

[Southeast Alaska commuter airline makes offer to resurrect PenAir amid Ravn bankruptcy]

RavnAir owes millions of dollars to an array of businesses inside and beyond Alaska known as "unsecured creditors" in the bankruptcy case.

Those companies would benefit from the airline remaining intact and generating revenue, but their claims rank behind the \$90 million in debts to the "secured creditors" represented by BNP Paribas.

RavnAir estimates a liquidation would raise no more than \$41 million, which would not be enough to pay the claims of unsecured creditors including Anchorage-based Petro Star Inc., GCI LLC and Northern Air Cargo Inc.

For most people, the coronavirus causes mild or moderate symptoms, such as fever and cough that clear up in two to three weeks. For some, especially older adults and people with existing health problems, it can cause more severe illness, including pneumonia and death. The vast majority of people recover.



Administration
4300 Bartlett Street
Homer, AK 99603
907-235-0325 F.907-235-0253

June 2, 2020

Homer City Council
Mayor Castner
c/o Marvin Yoder, Interim City Manager
491 East Pioneer Avenue
Homer, Alaska 99603

Dear Homer City Council and Mayor Castner,

We are writing today to ask for assistance from the City of Homer, through a grant from the CARES Act Municipal Funds allocation. As you know, South Peninsula Hospital has played a significant role in our community's response to the COVID-19 pandemic by providing testing, emergency planning, mitigation, alternate care sites, media announcements, and treatment of affected residents. We are grateful for our collaboration with the City of Homer to ensure that public health and wellness needs are being met. We ask that our partnership also extend to partial remuneration for emergency response expenditures that are not otherwise covered by outside funding sources or patient charges.

As you may know, South Peninsula Hospital received funding from the CARES Act designated for rural healthcare providers. Unfortunately, that funding has left a shortfall of over \$1.7 million in COVID-19 related expenditures to date. We are hoping to bridge some of that shortfall by reaching out to our local governments and the Kenai Peninsula Borough for assistance.

Specifically, expenses related to testing, alternate care sites, and PPE are quickly accelerating as we try to meet the demand of the community, our fisherman, and state mandates. The loss of Homer's only commercial airline has disrupted the timely transport of our tests to Anchorage, which we have addressed by the use of paid staff members which transport our specimens daily by roadway. The expansion of testing in different locations such as the Homer spit, Nikolaevsk and other locations has increased our salary costs and taxed our available staff. Further, supply chain disruptions and increased worldwide demand has made the acquisition of personal protective equipment (PPE) costly and unreliable.

We are committed to offering the best possible patient care to City of Homer residents and to our service area no matter the cost. However, as a rural non-profit hospital our future depends upon our ability to maintain our financial health. As such we ask that that you please consider offering a grant to South Peninsula Hospital for a portion of our eligible direct COVID-19 expenditures. We welcome the opportunity to discuss this with you further.

Regards,

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

Ryan Smith, CEO



AK CARES ACT

Funding Program Information

Tim Dillon, KPEDD Executive Director
www.kpedd.org - 907-283-3335
Tim@kpedd.org

Dept. Commerce, Community & Economic Development
www.commerce.alaska.gov

Alaska Industrial Development & Export Authority
www.aidea.org

Credit Union One - www.cu1.org

Foraker Group (non-profit assistance)
www.forakergroup.org



KENAI PENINSULA ECONOMIC DEVELOPMENT DISTRICT
WWW.KPEDD.ORG - 907-283-3335 - TIM@KPEDD.ORG

AK CARES FUNDING PROGRAM

The AK CARES Funding Program is structured as a coronavirus relief fund. KPEDD is assisting with the outreach in the Kenai Peninsula.

The Alaska Department of Commerce, Community and Economic Development (DCCED) has engaged the Alaska Industrial Development and Export Authority (AIDEA) to assist in program oversight

Grant amounts range from \$5,000 to \$100,000 per applicant business

Credit Union 1 is the program operator and will receive, review and process grant applications

The initial tranche of \$150,000,000 will be available for applicants on June 1, 2020

Rachel Friedlander

From: Marvin Yoder
Sent: Tuesday, June 2, 2020 8:31 AM
To: Amanda Campbell
Cc: Rachel Friedlander
Subject: RE: 5G coming to Homer raises concerns

I will bring your concerns to the City Council in the next Managers report.

Marvin Yoder

From: Amanda Campbell <fritzcreekfiddleheads@gmail.com>
Sent: Tuesday, June 2, 2020 8:21 AM
To: Department City Manager <City_Manager@ci.homer.ak.us>
Subject: Re: 5G coming to Homer raises concerns

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

Dear City Manager Marvin Yoder,

I wanted to follow up on the email I sent you last week and provide you with a few resources. There is an incredibly robust body of peer-reviewed, independent research documenting serious adverse health effects associated with exposure to wireless radiation ranging from cancer to neurodevelopment problems to infertility. You can view a partial digest of peer-reviewed, independent scientific research [here](#). I would also highly recommend you read [this](#) \$30 million-dollar study conducted by the U.S. National Toxicology Program which found "clear evidence" of cancer associated with chronic exposure to wireless radiation.

Lastly, our Alaska State Senator, Tom Begich, recently introduced a bill that would require the Department of Health and Social Services to prepare a science-based analysis of wireless radiation health risks in schools. You can view that bill text [here](#).

You have legal leverage to safeguard your constituents from small cell installations. That is why it's so important to consider adopting this ordinance, in part or in full, to protect our community from 5G antenna installations.

Thank you for your service to our community!

Sincerely,
Amanda Campbell

On Tue, 26 May 2020 at 19:04, Amanda Campbell <fritzcreekfiddleheads@gmail.com> wrote:

Please Pass Attached 5G Resolution; also attached is a sample local code and resolution calling for adequate health studies

Dear City Manager Marvin Yoder,

I am deeply disturbed by the planned installation of 5G-enabled antennas near our homes and schools in Homer. 5G-enabled "small cell" antennas have never been tested for long-term human safety. Meanwhile, a robust body of independent, peer-reviewed science has found that exposure to radio frequency (RF) microwave radiation ("wireless radiation"), the same type of radiation emitted by 5G-enabled small cells, is linked to a variety of adverse health problems ranging from cancer to infertility to neurodevelopment issues. Please consider adopting the attached sample 5G resolution. I have also included a sample local code and a resolution calling for a State Commission to Study the Health and Environmental Effects of 5G technology in Homer. There have been several towns that have unanimously approved a resolution calling on wireless providers to cease the build-out of 5G wireless infrastructure until such technologies have been proven safe to human health and the environment through independent research and testing.

Thank you for your consideration of this urgent matter.

Regards,
Amanda Campbell

PROGRESS STATUS REPORT
New Homer Police Station
May 8, 2020 through June 3, 2020

Work Completed this Period:

HVAC balancing. Door hardware coordination. Installation of IT systems, alarm systems and commissioning. D-1 and asphalt paving. Pavement markings. Begin landscaping. Topsoil in place and hydro-seeded. North lawn Art sculptures. Punchlist in progress.

Work to be Performed Next Period:

Complete evidence storage shed on east side. Final walkthrough and punch list. Auxiliary generator connections and certification. Landscaping continues. Art installations at carport. Flagpole installation. Elevator certification.

Schedule Status:

Project is approximately 96% complete.

Occupancy may be delayed due the COVID-19 logistics with Pro Comm and Motorola, both subcontractors with the City of Homer for communications. Dispatch Furniture supplier, (Watson), has advised our subcontractor, Pro Comm. Alaska, which due plant closure from COVID-19, advised of an approximate 2 month delay in the dispatch furniture delivery. The overall effect on occupancy date because of this is fluid and changes weekly. Relocation of the original HPD generator to the new HPD has been delayed due COVID-19 logistics for the new HVFD generator installation and certification. Relocation of original generator to the new HPD site is scheduled for June 8, dependent on an unconfirmed HEA date.

Anticipated Problems:

COVID-19 pandemic protocols have impacted vendor and supply chain, freight and overall stability of the schedule. CDC, State of Alaska and COH guidelines have been implemented and adhered to. This Public Works project is considered an essential project and work will resume in a restricted manner until advised otherwise. Conditions change daily.

At this point we are still on schedule for substantial completion on or about June 15, 2020. Cornerstone General Contractors has issued a letter stating that there are anticipated delays beyond their control due this COVID-19 situation. Letter previously submitted.

End of week, (Friday and/or Saturday), Daily Reports with site photos attached for information.

Prepared by: Pat McNary
Project Manager

Homer Public Safety Building

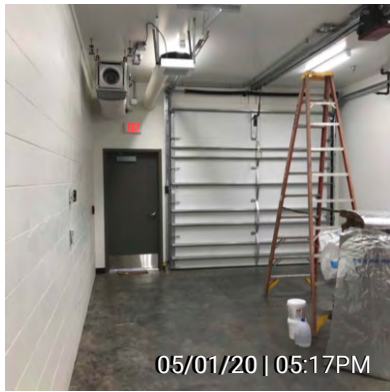
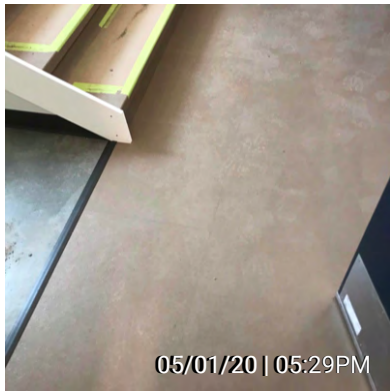
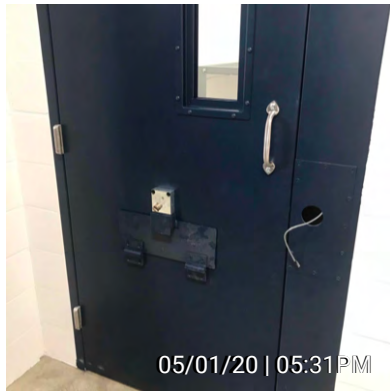
Grubstake Avenue Homer, Alaska 99603



Date Fri 05/01/2020

Job # 1809-2

Prepared By Carl Brinkerhoff



Weather

6:00 AM

40°

Partly Cloudy

Wind: 3 MPH | Precipitation: .0" | Humidity: 87%

12:00 PM

46°

Overcast

Wind: 3 MPH | Precipitation: .01" | Humidity: 76%

4:00 PM

46°

Mostly Cloudy

Wind: 4 MPH | Precipitation: .03" | Humidity: 75%

Work Logs

Name	Description	Quantity	Hours	Hours To Date
Accel Fire		0	0	282
All Alaska Ceilings		0	0	116
Carl's Drywall & Paint		0	0	1634
Consolidated Roofing		0	0	547
Cornerstone, Tod Sharp, Ron Frazier, Tanner Stengel, Ryan Fox, Jim Pollock	Supervision, coordination and documentation. Continued forming at north side walks and curbs. Cut and installed mesh. Patched and sanded interior hand rails. Took detention furniture into cells installed re-lite frames, food trap doors and locking mechanisms. <small>Carl Brinkerhoff 05/01/20 07:20PM</small>	5	8	3264
Duct or Sheet Metal		0	0	845
East Road Services		0	0	1089
Eyres Plumbing	Plumber, apprentice, two insulators and two balancers onsite today. Plumbers replaced two defective toilets, caulked sinks and toilets. Installed missing base board cover section. Insulators insulated ducts in vehicle evidence. Balancers continued work on balancing. Scott got heat working today. <small>Carl Brinkerhoff 05/01/20 07:36PM</small>	6	6	2072
Ottis Elevator		0	0	194
Puffin Electric	Two electricians onsite working in various areas including fire alarms, access control and data. <small>Carl Brinkerhoff 05/01/20 07:43PM</small>	2	6	3264.5

Rainbow Builders	Four flooring workers onsite today. Finished flooring at base of stairs. Installed rubber base at both levels. Packed up and left site, their work is complete. Good sub! <small>Carl Brinkerhoff 05/01/20 07:55PM</small>	4	8	221
Seabright surveys		0	0	6
Total		17	120	23196

Time Cards No entry

Materials No entry

Equipment No entry

General Notes

- Ordered concrete for Tuesday for north parking sidewalks and curbs, curbs at grid two. Pulled two rocks out for city to decide on which one they want embedded in main entry side walk as assault barrier.

Carl Brinkerhoff | 05/01/20 | 07:58PM

Site Safety Observations

- Site safety protocols were observed onsite today.

Carl Brinkerhoff | 05/01/20 | 07:59PM

Quality Control Observations

- All materials and workmanship performed onsite today met or exceeded project specifications.

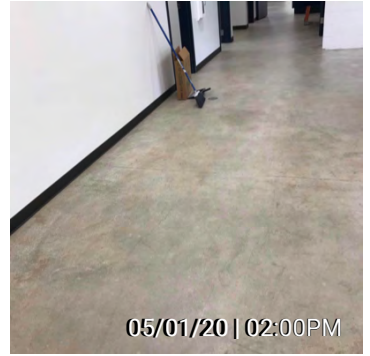
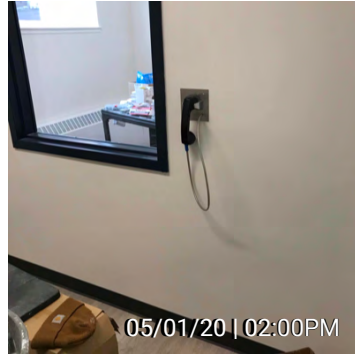
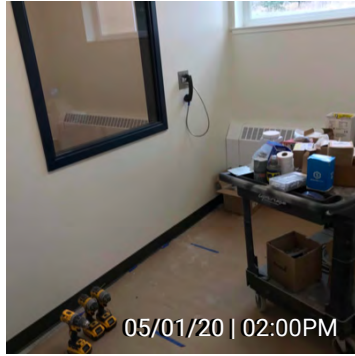
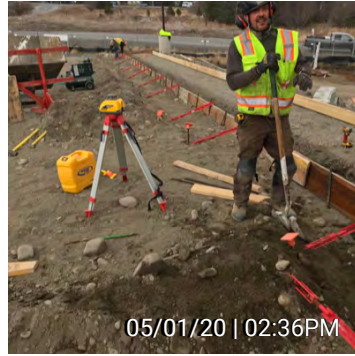
Carl Brinkerhoff | 05/01/20 | 07:59PM

Survey

Questions	N/A	No	Yes	Description
1. Any accidents on site today?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
2. Any schedule delays occur?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Door hardware, city supplied contractor installed cameras, attack rated re-lite glazing. ACS analog service to building. <small>Carl Brinkerhoff 05/01/20 08:23PM</small>
3. Did weather cause any delays?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
4. Any visitors on site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Pat McNary was onsite. Mike Kennedy was onsite. <small>Carl Brinkerhoff 05/01/20 08:23PM</small>
5. Any areas that can't be worked on?				As noted above

6. Any equipment rented on site?

Attachments



Carl Brinkerhoff

I, Carl Brinkerhoff, have reviewed and completed this report.

Carl Brinkerhoff | 05/01/20 | 08:23PM

SUBCONTRACTOR REPORTS



Fri 05/01/2020

Homer Public Safety Building: Grubstake Avenue Homer, Alaska 99603

Name	Description	Quantity	Hours	Hours To Date
1. Puffin Electric	No Entry	0	0.0	0.0
2. Eayrs Plumbing and Mechanical	No Entry	0	0.0	0.0
3. PEI	No Entry	0	0.0	1516.5
4. PEI	No Entry	0	0.0	0.0
Subtotal		0	0	1516.5
Grand Total (Includes Cornerstone General Contractors Work Log Total)		17	120	24712.5

Homer Public Safety Building

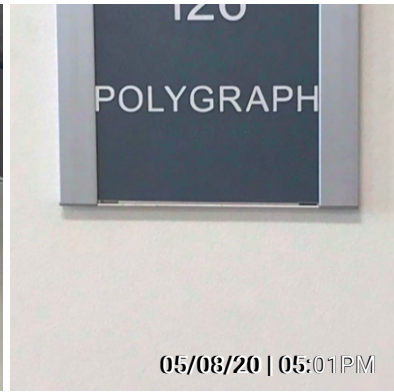
Grubstake Avenue Homer, Alaska 99603



Date Fri 05/08/2020

Job # 1809-2

Prepared By Carl Brinkerhoff



Weather

6:00 AM

45°

Mostly Cloudy

Wind: 12 MPH | Precipitation: .13" | Humidity: 60%

12:00 PM

51°

Partly Cloudy

Wind: 9 MPH | Precipitation: .15" | Humidity: 52%

4:00 PM

52°

Mostly Cloudy

Wind: 9 MPH | Precipitation: .17" | Humidity: 53%

Work Logs

Name	Description	Quantity	Hours	Hours To Date
Accel Fire		0	0	282
All Alaska Ceilings		0	0	116
Carl's Drywall & Paint	Two painters onsite working on punch list items. <small>Carl Brinkerhoff 05/08/20 06:56PM</small>	2	4	1662
Cornerstone, Tod Sharp, Ron Frazier, Tanner Stengel, Ryan Fox, Jim Pollock	Supervision, coordination and documentation. Completed door hard ware that we have to install. Installed re- lights that we have to install. Continued Sweeper component installation. Took delivery of exterior hairs rails and began installation. Completed interior railing installation at stairs. <small>Carl Brinkerhoff 05/08/20 07:06PM</small>	4	8	3424
Duct or Sheet Metal		0	0	855
East Road Services		0	0	1089
Eyres Plumbing	One control tech onsite working on DDC system. <small>Carl Brinkerhoff 05/08/20 07:07PM</small>	1	6	2196
Ottis Elevator		0	0	194
Puffin Electric		0	0	3312.5
Rainbow Builders		0	0	221
Total		7	46	23566

Time Cards

No entry

Materials

No entry

Equipment

No entry

General Notes

1. Received exterior guard rails.
Revived interior signs.
Pat was onsite marking areas in finishes needing touch up. Went over with kornely.
Carl Brinkerhoff | 05/08/20 | 07:13PM

Site Safety Observations

1. Site safety protocols were observed onsite today.
Carl Brinkerhoff | 05/08/20 | 07:13PM

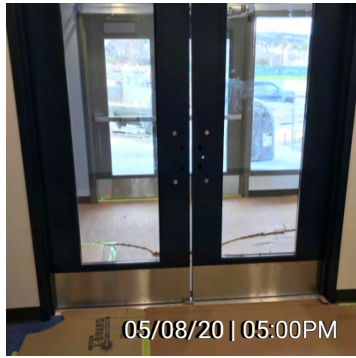
Quality Control Observations

1. All materials and workmanship performed onsite today met or exceeded project specifications.
Carl Brinkerhoff | 05/08/20 | 07:14PM

Survey

Questions	N/A	No	Yes	Description
1. Any accidents on site today?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
2. Any schedule delays occur?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Missing considerable amount of door hardware and glazing components. Still missing owner supplied contractor installed cameras for interior and exterior. ACS service to building not installed preventing door fire alarm system and elevator commissioning. <small>Carl Brinkerhoff 05/08/20 07:19PM</small>
3. Did weather cause any delays?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
4. Any visitors on site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Pat McNary was on site with landscape designer. <small>Carl Brinkerhoff 05/08/20 07:19PM</small>
5. Any areas that can't be worked on?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	See noted above in delays section <small>Carl Brinkerhoff 05/08/20 07:19PM</small>
6. Any equipment rented on site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Attachments



Carl Brinkerhoff

I, Carl Brinkerhoff, have reviewed and completed this report.

Carl Brinkerhoff | 05/08/20 | 07:20PM

SUBCONTRACTOR REPORTS



Fri 05/08/2020

Homer Public Safety Building: Grubstake Avenue Homer, Alaska 99603

Name	Description	Quantity	Hours	Hours To Date
1. Puffin Electric	No Entry	0	0.0	0.0
2. Eayrs Plumbing and Mechanical	No Entry	0	0.0	0.0
3. PEI	No Entry	0	0.0	1652.5
4. PEI	No Entry	0	0.0	0.0
Subtotal		0	0	1652.5
Grand Total (Includes Cornerstone General Contractors Work Log Total)		7	46	25218.5

Homer Public Safety Building

Grubstake Avenue Homer, Alaska 99603



Date Fri 05/15/2020

Job # 1809-2

Prepared By Carl Brinkerhoff



Weather

6:00 AM	12:00 PM	4:00 PM
<p>46° </p> <p>Overcast</p> <p>Wind: 4 MPH Precipitation: .0" Humidity: 82%</p>	<p>52° </p> <p>Partly Cloudy</p> <p>Wind: 5 MPH Precipitation: .0" Humidity: 67%</p>	<p>52° </p> <p>Clear</p> <p>Wind: 8 MPH Precipitation: .0" Humidity: 69%</p>

Work Logs

Name	Description	Quantity	Hours	Hours To Date
Accel Fire		0	0	282
All Alaska Ceilings		0	0	116
Carl's Drywall & Paint	One painter onsite doing various touch ups. <small>Carl Brinkerhoff 05/15/20 07:30PM</small>	1	2	1664
Cornerstone, Tod Sharp, Ron Frazier, Tanner Stengel, Ryan Fox, Jim Pollock	Supervision, coordination and documentation. Crew finished construction fence removal, stacking and banding for transport. Primed and painted bollards. Used weed blower to clean off roof for inspection. Packed up tool / office trailer for demobilization. Worked on door hardware. Finished caulking at side walks. <small>Carl Brinkerhoff 05/15/20 07:35PM</small>	4	8	3568
Duct or Sheet Metal		0	0	871
East Road Services		0	0	1099
Eyres Plumbing		0	0	2210
Ottis Elevator		0	0	194
Puffin Electric	Lue was onsite working in radio room securing and seismic bracing 4 server racks. <small>Carl Brinkerhoff 05/15/20 07:49PM</small>	1	4	3356.5
Rainbow Builders		0	0	221
Total		6	38	23796

Time Cards

No entry

147

Materials

No entry

Equipment

No entry

General Notes

1. Pat McNary inspected main roof and parking structure roof. ACS set panel and terminated wires inside radio room. Up to city to initiate service. Cameras delivered late afternoon, still need patch cables to complete installation. Talked to Joshua Kerr today about missing hardware.

Carl Brinkerhoff | 05/15/20 | 07:57PM

Site Safety Observations

1. Site safety protocols were observed onsite today.

Carl Brinkerhoff | 05/15/20 | 07:58PM

Quality Control Observations

1. All materials and workmanship performed onsite today met or exceeded project specifications.

Carl Brinkerhoff | 05/15/20 | 07:58PM

Survey

Questions	N/A	No	Yes	Description
1. Any accidents on site today?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
2. Any schedule delays occur?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Door hardware and glazing components still missing. Need ACS activated to commission fire alarm and elevator. Received cameras late afternoon but no patch cables, delaying installation. Carl Brinkerhoff 05/15/20 08:06PM
3. Did weather cause any delays?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
4. Any visitors on site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Pat McNary was onsite today. ACS tech onsite working in radio room. Carl Brinkerhoff 05/15/20 08:06PM
5. Any areas that can't be worked on?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Door hardware, glazing, cameras, fire alarm and elevator commissioning. Carl Brinkerhoff 05/15/20 08:06PM
6. Any equipment rented on site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Attachments



A handwritten signature in black ink, reading 'Carl Brinkerhoff'. The signature is written in a cursive style and is positioned above a horizontal line.

I, Carl Brinkerhoff, have reviewed and completed this report.

Carl Brinkerhoff | 05/15/20 | 08:06PM

SUBCONTRACTOR REPORTS



Fri 05/15/2020

Homer Public Safety Building: Grubstake Avenue Homer, Alaska 99603

Name	Description	Quantity	Hours	Hours To Date
1. Puffin Electric	No Entry	0	0.0	0.0
2. Eayrs Plumbing and Mechanical	No Entry	0	0.0	0.0
3. PEI	No Entry	0	0.0	1652.5
4. PEI	No Entry	0	0.0	0.0
Subtotal		0	0	1652.5
Grand Total (Includes Cornerstone General Contractors Work Log Total)		6	38	25448.5

Homer Public Safety Building

Grubstake Avenue Homer, Alaska 99603



Date Fri 05/22/2020

Job # 1809-2

Prepared By Carl Brinkerhoff



Weather

6:00 AM

46°

Possible Light Rain

Wind: 6 MPH | Precipitation: .1" | Humidity: 74%

12:00 PM

50°

Overcast

Wind: 7 MPH | Precipitation: .14" | Humidity: 61%

4:00 PM

54°

Mostly Cloudy

Wind: 7 MPH | Precipitation: .15" | Humidity: 54%

Work Logs

Name	Description	Quantity	Hours	Hours To Date
Accel Fire		0	0	282
All Alaska Ceilings		0	0	116
Carl's Drywall & Paint		0	0	1664
Cornerstone, Tod Sharp, Ron Frazier, Ryan Fox	Supervision, coordination and documentation. Continued punch list items. Took delivery and installed detention cell glazing. Swept side walks and road track off. <small>Carl Brinkerhoff 05/22/20 10:31PM</small>	3	8	120
Duct or Sheet Metal		0	0	871
East Road Services	Crew onsite hydro seeding intended grass areas around site. <small>Carl Brinkerhoff 05/22/20 10:31PM</small>	3	8	1220
Eyres Plumbing	Scott onsite installing panels on drinking fountain, replacing baseboard covers and repairing leak at exterior hose bib. <small>Carl Brinkerhoff 05/22/20 10:34PM</small>	1	5	2239
Ottis Elevator		0	0	228
Puffin Electric	Three electricians onsite working on interior and exterior camera installation. Installed UPS' in sever racks. <small>Carl Brinkerhoff 05/22/20 10:36PM</small>	3	8	3441.5
Rainbow Builders		0	0	221
Sea Bright Surveys		0	0	12
Total		10	77	24197

Time Cards

No entry

Materials

No entry

Equipment

No entry

General Notes

1. Final cleaning underway.
Received detention cell door security glazing.

Carl Brinkerhoff | 05/22/20 | 10:37PM

Site Safety Observations

1. Site safety protocols were observed onsite today.

Carl Brinkerhoff | 05/22/20 | 10:37PM

Quality Control Observations

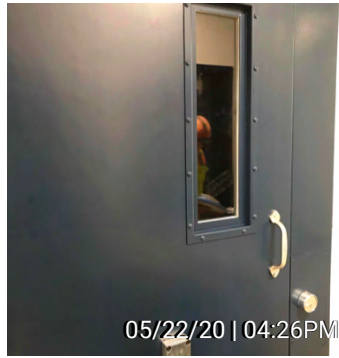
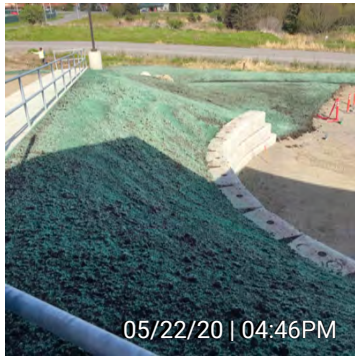
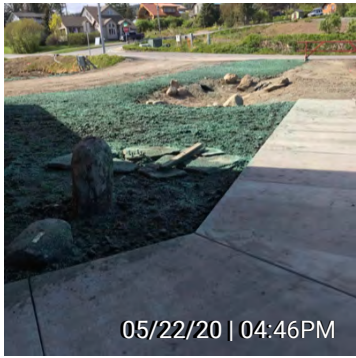
1. All materials and workmanship performed onsite today met or exceeded project specifications.

Carl Brinkerhoff | 05/22/20 | 10:38PM

Survey

Questions	N/A	No	Yes	Description
1. Any accidents on site today?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
2. Any schedule delays occur?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Still waiting on two exterior lights and one interior can light. Still waiting on door hardware components, three relite frames and glazing AK glass and door. Carl Brinkerhoff 05/22/20 10:41PM
3. Did weather cause any delays?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
4. Any visitors on site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Nick - city IT onsite. Carl Brinkerhoff 05/22/20 10:41PM
5. Any areas that can't be worked on?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	See delay section Carl Brinkerhoff 05/22/20 10:41PM
6. Any equipment rented on site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Attachments



SUBCONTRACTOR REPORTS



Fri 05/22/2020

Homer Public Safety Building: Grubstake Avenue Homer, Alaska 99603

Name	Description	Quantity	Hours	Hours To Date
1. Puffin Electric	No Entry	0	0.0	0.0
2. Eayrs Plumbing and Mechanical	No Entry	0	0.0	0.0
3. PEI	No Entry	0	0.0	1652.5
4. PEI	No Entry	0	0.0	0.0
Subtotal		0	0	1652.5
Grand Total (Includes Cornerstone General Contractors Work Log Total)		10	77	25849.5

Homer Public Safety Building

Grubstake Avenue Homer, Alaska 99603



Date Fri 05/29/2020

Job # 1809-2

Prepared By Carl Brinkerhoff

Weather

6:00 AM

49° 

Clear

Wind: 4 MPH | Precipitation: .0" | Humidity: 81%

12:00 PM

62° 

Clear

Wind: 5 MPH | Precipitation: .0" | Humidity: 55%

4:00 PM

61° 

Partly Cloudy

Wind: 9 MPH | Precipitation: .01" | Humidity: 55%

Work Logs

Name	Description	Quantity	Hours	Hours To Date
Accel Fire	Arron was onsite finishing items on his punch list. Turned on fire suppression for Johnson Controls with instructions to turn off of system is not activated. It was turned off at end of shift. <small>Carl Brinkerhoff 05/29/20 06:47PM</small>	2	2	286
Carl's Drywall & Paint	One painter onsite working on punch list. <small>Carl Brinkerhoff 05/29/20 06:36PM</small>	1	6	1670
Cornerstone, Tod Sharp,	Supervision, coordination and documentation. Tod worked on door hardware for Puffin and Johnson Controls. We unloaded little office trailer and got ready to return. Demobilization, put more materials in tool trailer that is still in Caravans yard. <small>Carl Brinkerhoff 05/29/20 06:42PM</small>	1	8	16
East Road Services		0	0	1221
Eyres Plumbing		0	0	2241
Ottis Elevator		0	0	228
Puffin Electric	Two electricians onsite working on door access controls and fire alarms. Johnson Controls had 3 people onsite, two working on access controls and one on fire alarms. Fire tech left for Anchorage. Door controls men will work through week end. The indicated they now have 75% of hardware functioning per design. <small>Carl Brinkerhoff 05/29/20 06:56PM</small>	5	8	3585.5
Sea Bright Surveys		0	0	16
Total		9	58	24456

Time Cards

No entry

Materials

No entry

Equipment

No entry

General Notes

1. It was determined today onsite that mag locks that were previously decided to be eliminated by Puffin and City of Homer actually will be required to make doors 108 and 112 function as designed.

Carl Brinkerhoff | 05/29/20 | 07:00PM

Site Safety Observations

1. Site safety protocols were observed onsite today.

Carl Brinkerhoff | 05/29/20 | 07:00PM

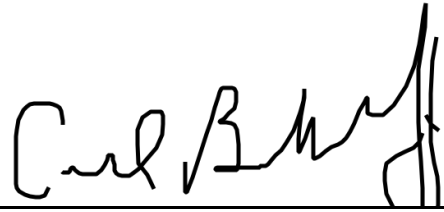
Quality Control Observations

1. Puffin and Johnson Controls are working through quality issues with door access controls.

Carl Brinkerhoff | 05/29/20 | 07:13PM

Survey

Questions	N/A	No	Yes	Description
1. Any accidents on site today?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
2. Any schedule delays occur?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Still missing door hardware components . Still missing relite frames and attack type glazing now supposedly arrive 6/8. Still missing electrical lighting. <small>Carl Brinkerhoff 05/29/20 07:22PM</small>
3. Did weather cause any delays?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
4. Any visitors on site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Steiner onsite constructing storage shed NIC. <small>Carl Brinkerhoff 05/29/20 07:22PM</small>
5. Any areas that can't be worked on?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	See delays section. Also elevator access Controls and fire alarms cannot be finalized until Otis adds circuit board and onsite for coordination. <small>Carl Brinkerhoff 05/29/20 07:22PM</small>
6. Any equipment rented on site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	



I, Carl Brinkerhoff, have reviewed and completed this report.

Carl Brinkerhoff | 05/29/20 | 07:23PM

SUBCONTRACTOR REPORTS



Fri 05/29/2020

Homer Public Safety Building: Grubstake Avenue Homer, Alaska 99603

Name	Description	Quantity	Hours	Hours To Date
1. Puffin Electric	No Entry	0	0.0	0.0
2. Eayrs Plumbing and Mechanical	No Entry	0	0.0	0.0
3. PEI	No Entry	0	0.0	1652.5
4. PEI	No Entry	0	0.0	0.0
Subtotal		0	0	1652.5
Grand Total (Includes Cornerstone General Contractors Work Log Total)		9	58	26108.5



CITY OF HOMER

POLICE DEPARTMENT

4060 HEATH STREET HOMER, AK 99603-7609

EMERGENCY 911
TELEPHONE (907) 235-3150
TELECOPIER (907) 235-3151

June 2, 2020

The police department is saddened and dismayed by the horrible conduct of a police officer in Minnesota, last week, which has left our country torn and shattered. The responsible officer has been arrested but any sentence he receives will pale in the light of the irreparable loss of George Floyd's life and the damage he did to the relationship between the law enforcement community in the United States and the citizens we serve.

In Homer, our officers have always strived to be a part of the community and support it in every way. We work diligently to earn your trust and build community partnerships. You will see our officers coaching football and baseball teams, volunteering with the Boy Scouts, at community events, being active in their churches and providing educational community programs like Project Drive. Through our day-to-day interactions and dedication to serving our community in a variety of ways, we strive to build and maintain relationships with you based on trust, mutual respect and understanding.

We take civil rights very seriously here. Our policies require our officers to display the highest degree of integrity at all times and follow the law enforcement code of ethics. Officers are required to observe and protect the civil rights of all people and we have safeguards in place to ensure policies are followed.

The protection of our citizens starts with the hiring process. Applicants are required to pass a polygraph test, and a comprehensive psychological review. A thorough background investigation is conducted along with an extensive interview process. We have been trying to hire another officer since the first of the year but we still have not found the right fit for our department and our community. We will keep advertising until we find an applicant we can totally trust to serve and protect the community with care and devotion to the standards we have set.

After hiring all officers, have to attend an approved police academy. The police academy in Alaska is operated by the State Troopers in Sitka and is 18 weeks long. The applicants receive extensive training in all aspects of law enforcement, including constitutional law, civil rights, cultural diversity, ethics and interacting with mentally ill people just to name a few.

Training continues throughout a Homer Police Officer's career. For example, in the past five years, just some of the areas we have trained on include working effectively with autistic people, those suffering from PTSD and the mentally ill. All of our officers participated in Green Dot training and other de-escalation training as well. We also train very regularly on use of force techniques. We have two officers trained as instructors on physical control tactics. These are

techniques an officer can use to physically control a violent person without having to resort to higher levels of force that could result in physical injury. Our policies require officers to utilize the minimum amount of force necessary to control the person and react to the threat they have encountered. We monitor the use of force by our officers through a required reporting system. Any time an officer uses force in any situation, they are required to report it to the police chief in a report separate from any others connected to the case. Every one of these reports is reviewed to determine if additional or remedial training is required, to ensure our policies are being followed and to make sure we do not have an officer resorting to force inappropriately.

The video from Minnesota is simply disgusting. The conduct displayed by the officer is counter to how we train, who we are and what we represent. We are a part of this community and the community is a part of us. We will remain vigilant in our efforts to protect our citizens, diligent in our on-going police officer training efforts with an aim of serving all residents regardless of race or sexual orientation equally, justly and with compassionate concern.

Sincerely,

Mark Robl
Chief of Police

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

3 City Manager

4 **RESOLUTION 20-054**

5
6 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
7 SUPPORTING EFFORTS OF THE ALASKA MUNICIPAL LEAGUE,
8 ACKNOWLEDGING THE SIGNIFICANT AMOUNT OF STAFF TIME,
9 AND ORGANIZATIONAL SUPPORT TO MEMBERS THROUGH THE
10 COVID-19 PUBLIC HEALTH EMERGENCY AND APPROVING THE
11 REQUESTED CONTRIBUTION FROM THE CITY.
12

13 WHEREAS, Alaska Municipal League (AML) has been working to assist municipalities
14 throughout the COVID-19 health crisis; and
15

16 WHEREAS, One of the allowable expenditures of CARES Act funding is in support of
17 organizations that are impacted by the public health emergency or are providing services in
18 support of or response to the COVID-19 crisis; and
19

20 WHEREAS, Granting funds to AML is an expense that benefits both AML and its
21 members; and
22

23 WHEREAS, AML is a nonprofit impacted by the COVID-19 crisis, with unanticipated costs
24 that were not budgeted for in FY20 and that will continue to be impacted in FY21; and
25

26 WHEREAS, As a member service organization, AML can augment the capacity of local
27 governments and provide real value in support of public health response and management,
28 and economic relief for residents and businesses; and
29

30 WHEREAS, The requested grant amount is \$20,680 and AML will use the funds to:

- 31 • Invest in the Remote Sales Tax program to further bring down fees and recruit
32 new members,
- 33 • Ensure social distancing and additional hygiene and sanitation measures at
34 upcoming events,
- 35 • Develop a shared service program in support of CARES Act compliance,
36 reporting, and grants,
- 37 • Implement a CARES Act hotline for accounting and legal questions to be
38 answered,
- 39 • Expand support of AMLIP and AML-JIA as they respond to the economic impact,
- 40 • Invest in additional crisis communications for FY21-public outreach, local
41 government value, and

- 42 • Support NLC and NACo outreach and advocacy for increased local funding and
43 support.

44
45 NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska
46 acknowledges the amount of staff time and organizational support to members through the
47 COVID-19 public health emergency.

48
49 BE IT FURTHER RESOLVED that the City of Homer will appropriate \$20,680 to AML by
50 ordinance with proper expenditure accounts identified.

51
52 PASSED AND ADOPTED by the Homer City Council on this ____ day of _____, 2020.

53
54 CITY OF HOMER

55
56
57 _____
58 KEN CASTNER, MAYOR

59
60 ATTEST:
61
62
63 _____
64 MELISSA JACOBSEN, MMC, CITY CLERK

65
66 Fiscal Note: \$20,680 from funds to be designated by ordinance.



ONE SEALASKA PLAZA, SUITE 200 • JUNEAU, ALASKA 99801
TEL (907) 586-1325 • FAX (907) 463-5480 • WWW.AKML.ORG

Member of the National League of Cities and the National Association of Counties

Statement of Need

AML has devoted a significant amount of staff time and organizational resources to support members through this public health emergency. While the last two months have been challenging, we're glad to have been able to play some role that's been helpful to our members. We know, too, that this public health emergency and economic crisis will continue. We've begun planning now for how to continue this support through FY21 and beyond. A lot of that will mean shoring up our current capacity and investing in additional measures – staff and outreach – that augment member capacity and support members.

Request of Members

One of the very clear allowable expenditures of CARES Act funding is in support of organizations that are impacted by the public health emergency or are providing services in support of or response to this crisis. Granting funds to AML during this time, we believe, is a justifiable expense that benefits both AML and members. We've created this request for supplemental fees that you can treat as optional (but hope that you respond positively to), to be paid for from CARES Act funding as you are able. None of these funds will be used for lobbying purposes. We've estimated our total needs and pro-rated them across members. You can choose to follow this format for granting purposes or come up with a flat amount that is consistent with your budget and other community needs.

What AML will do with these funds:

- Invest in the Remote Sales Tax program to further bring down fees and recruit new members
- Ensure social distancing and additional hygiene and sanitation measures at upcoming events
- Develop a shared service program in support of CARES Act compliance, reporting, and grants
- Implement a CARES Act hotline for accounting and legal questions to be answered
- Expand our support of AMLIP and AML-JIA as they respond to the economic impact
- Invest in additional crisis communications for FY21 – public outreach, local government value
- Support NLC and NACo outreach and advocacy for increased local funding and support

Justification

AML is a nonprofit impacted by the COVID-19 crisis, with unanticipated costs that were not budgeted for in FY20 and that will continue to be impacted in FY21. At the same time, as a member-service organization, we can augment the capacity of local governments and provide real value in support of public health response and management, and economic relief for residents and businesses. Investments that AML makes during this time lower the costs of doing business for members and ultimately Alaska communities. These actions would not otherwise be necessary without the public health and economic crisis.

Note, for budget purposes: The AML Annual Local Government Conference will be dedicated to the Costs of COVID – Crisis Management and Recovery. We would argue that this is an allowable expenditure for participation by members, which CARES Act funding may be used for.



ALASKA MUNICIPAL LEAGUE
 One Sealaska Plaza, Suite 200
 Juneau, AK 99801

Invoice

DATE	INVOICE ...
5/15/2020	1

Bill To:
 City of Homer
 491 East Pioneer Ave.
 Homer, AK 99603

P.O. NO.	DUE DATE
	07/1/2020

ITEM	DESCRIPTION	AMOUNT
COVID-19 Response	COVID-19 Supplemental Request <ul style="list-style-type: none"> • Crisis Communications • CARES Act Counsel • Bookkeeping & Grant Compliance • Increased Member Support <p><i>FY21 Membership Invoices will be sent out as usual in late June.</i></p> <p>Please make check payable to: Alaska Municipal League</p>	\$20,680.00
Thank you for your prompt payment. Please direct any billing questions to Shawn Myers at 907-586-1325		Total \$20,680.00



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 20-069

TO: HOMER CITY COUNCIL
FROM: MAYOR CASTNER
DATE: JUNE 4, 2020
SUBJECT: AML SUPPLEMENTAL FUNDING

AML has sent us an invoice for \$20,680 as our share of funding necessary to fulfill the League's obligation to its members in three areas:

- 1) Covid-19 work taken on in assisting with CARES Act authorization, initiation and interpretations of the various mandates and directives, grant/reimbursement compliance guidance, accounting/bookkeeping advice, general dissemination of information, and legal counsel, and;
- 2) Revenue shortfalls from delays in the efficient collection of remote sales tax due to the novel Coronavirus pandemic, and;
- 3) Revenue shortfalls caused by an anticipated decrease in attendance and sponsorship due to travel and health concerns emanating from increased mixing and the risk of viral infection.

Nils has provided his budget and cost allocations, which is attached. 40% can be considered a cost caused by the COVID-19 response, and can be taken from the funds provided and appropriated in Ordinance 20-25. That would be \$8,272 which should be immediately available.

Homer is a community that is benefiting from the remote sales tax collection program and 30% of the AML request is slated to cover lost revenues. That would be \$6,204 and I will sponsor an ordinance at the next meeting to fund that from an appropriate fund that maintains an accounting trace. While our current COVID-19 related aid has restrictions from being used to replace lost revenues, there have been suggestions that future appropriations may allow those applications.

The remaining 30% is for a prudent view of the lost revenues from reduced participation at the remaining 2020 gatherings. I will include a similar amount in the ordinance mentioned above to cover our share of that projected shortage.

AML has been a terrific partner and information hub. They have risen to the occasion during this pandemic, in not only providing help and assistance to the members, but in also providing a unified municipal voice to the Dunleavy Administration and Alaska State Legislature. This is money well spent.

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

3 Mayor

4 **RESOLUTION 20-057**

5
6 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA
7 EXTENDING THE CITY'S DISASTER EMERGENCY DECLARATION TO
8 JULY 28, 2020, DUE TO THE CURRENT AND EXPECTED IMPACTS OF
9 THE COVID-19 NOVEL CORONAVIRUS PANDEMIC

10
11 WHEREAS, Mayor Castner issued a Declaration of a Local Emergency on March 18, 2020,
12 due to the current and expected impacts of the COVID-19 pandemic in the City of Homer; and

13
14 WHEREAS, The declaration activated the city's emergency response plan and requested
15 disaster assistance from the State of Alaska by making available resources as needed for the
16 ongoing response and recover from the current and potential impacts, to provide individual
17 assistance for affected businesses and individuals, and technical expertise and guidance to
18 help the city in its response and recover from this event; and

19
20 WHEREAS, On March 23, 2020 the declaration was ratified and extended for a period of
21 90 days by Resolution 20-029 and expires June 21, 2020; and

22
23 WHEREAS, As the response and recovery efforts continue and are expected to require
24 the ongoing use of city resources it is appropriate to extend the declaration; and

25
26 WHEREAS, The City Council finds that further extending this declaration is in the best
27 interest of the public.

28
29 NOW, THEREFORE, BE IT RESOLVED that the City's Disaster Emergency Declaration
30 issued by the Mayor on March 18, 2020, is hereby extended to July 28, 2020 in order to allow for
31 a more complete response. A copy of the declaration of disaster emergency extended by this
32 resolution is attached and incorporated herein.

33
34 PASSED AND ADOPTED by the Homer City Council on this ___ day of _____, 2020.

35
36 CITY OF HOMER

37
38
39 _____
40 KEN CASTNER, MAYOR

41
42 ATTEST:

43

44

45

46 _____
MELISSA JACOBSEN, MMC, CITY CLERK

47

48 Fiscal Note: N/A



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

Declaration of a Local Emergency

March 18, 2020

WHEREAS, The World Health Organization has characterized a newly discovered Coronavirus, named COVID-19, and is posing a significant threat to the world's population; and

WHEREAS, The particular traits and communicability of the virus are enough to predict a global pandemic; and

WHEREAS, The President of the United States has declared the pandemic to be a national emergency; and

WHEREAS, As the emergency response unfolds, measures have been taken that have disrupted the lives of many Americans and will cast lasting effects upon our communities' prosperity, physical health and mental health, as normalcy is supplanted by isolation and work stoppages; and

WHEREAS, The Kenai Peninsula Borough, acting under the statutory authority of AS 26.23,140, has declared a disaster emergency; and

WHEREAS, Homer City Manager, Katie Koester, acting in accordance with the City of Homer's Emergency Operations Plan, has requested I make this declaration;

NOW THEREFORE, I find that there exists a wide-spread financial and public health emergency that will require unexpected expenditures of public funds that should be separately accounted, to perhaps be eligible for Emergency Disaster Relief; and

FURTHERMORE, I request the Homer City Clerk disseminate this Declaration to the general public and the parties identified in the City of Homer's Emergency Operations Plan.

Ken Castner
Mayor, City of Homer, Alaska

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK



**CITY OF HOMER
HOMER, ALASKA**

Mayor

RESOLUTION 20-029

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA RATIFYING THE DISASTER EMERGENCY DECLARATION ISSUED FOR THE CITY OF HOMER AND EXTENDING THE DECLARATION DUE TO THE CURRENT AND EXPECTED IMPACTS OF THE COVID-19 NOVEL CORONAVIRUS PANDEMIC .

WHEREAS, The Mayor of the City of Homer issued a Disaster Emergency Declaration on March 18, 2020, due to the current and expected impacts of the COVID-19 pandemic in the City of Homer; and

WHEREAS, The Declaration activates the city’s emergency response plan and requests disaster assistance from the State of Alaska by making available resources as needed for the ongoing response and recover from the current and potential impacts, to provide individual assistance for affected businesses and individuals, and technical expertise and guidance to help the city in its response and recover from this event; and

WHEREAS, This declaration continues for a period of seven days, until March 25, 2020, unless extended by the Homer City Council; and

WHEREAS, As the response and recovery efforts continue and are expected to require the ongoing use of city resources it is appropriate to extend the disaster declaration; and

WHEREAS, The City Council wishes to extend this declaration in the best interest of the public.

NOW, THEREFORE, BE IT RESOLVED that the declaration of local disaster emergency issued by the Mayor on March 18, 2020, is hereby extended for a period of 90 days in order to allow for a more complete response. A copy of the declaration of disaster emergency extended by this resolution is attached and incorporated herein.

PASSED AND ADOPTED by the Homer City Council this 23rd day of March, 2020.

CITY OF HOMER

KEN CASTNER, MAYOR

43

44 ATTEST:

45

46

47

48 _____
MELISSA JACOBSEN, MMC, CITY CLERK

49

50 Fiscal note: N/A

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

3 City Manager

4 **RESOLUTION 20-056**

5
6 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
7 INITIATING A SEAWALL IMPROVEMENT SPECIAL ASSESSMENT
8 DISTRICT FOR ARMOR TOE IMPROVEMENTS, AUTHORIZING AN
9 APPLICATION FOR THE ALASKA DEPARTMENT OF
10 ENVIRONMENTAL CONSERVATION/ENVIRONMENTAL
11 PROTECTION AGENCY REVOLVING LOAN FUND, AND
12 ACKNOWLEDGING THE IMMEDIATE NEED TO FUND THE DESIGN
13 AND PERMITTING OF THE PROJECT.

14
15 WHEREAS, At the request of homeowners for the City's assistance, a seawall was
16 engineered and constructed along the Ocean Drive Loop bluff in 2002 as an effort to mitigate
17 erosion impacts to lots along the ocean bluff; and

18
19 WHEREAS, This effort began with the adoption of Resolution 00-89(A) finding a need to
20 create the Ocean Drive Loop Bluff Erosion Control Improvement District; and

21
22 WHEREAS, Over the years regularly occurring winter storms with high tides and high
23 winds have caused major storm damage to the seawall and resulted in the need for continued
24 repair of the wall; and

25
26 WHEREAS, Emergency Ordinance 11-49(S) created the Ocean Drive Loop Special
27 Service District (ODLSSD) to collect tax revenues from benefitted property owners to support
28 maintenance and repair of the seawall, which they own and is located on their properties; and

29
30 WHEREAS, Emergency repairs to the seawall have to be performed on an emergency
31 basis in order to prevent further damage and remain in compliance with the Army Corps of
32 Engineers permit for the seawall; and

33
34 WHEREAS, In the most recent winter storms the seawall received significant damage
35 that threatens the walls integrity with 20 of the 85 wood panels needing complete rebuild, and
36 more frequent sink holes behind the wall indicate failure of the fiberglass sheet piling along
37 the toe of the wall; and

38
39 WHEREAS, Upcoming winter storms with high winds and high tides may result in
40 complete wall failure as explained in Memorandum 20-073; and

42 WHEREAS, The total tax revenues received from benefitted property owners range from
43 total \$25,000 to \$30,000 annually and don't sufficiently cover the increasing seawall
44 maintenance costs; and

45
46 WHEREAS, HDR, Inc. provided a technical review of the seawall and provided a Homer
47 Seawall Alternatives Analysis dated June, 27, 2019 that reviewed and provided concepts for
48 improving the structure to reduce maintenance costs and extend the functional life of the
49 structure, and indicated armor rock placement to protect the toe of the wall to be the most
50 practical and cost effective solution which the homeowners who attended the community
51 meetings in 2019 also agreed to as the best approach; and

52
53 WHEREAS, The creation of a Seawall Improvement Special Assessment District (SAD) for
54 the cost of placement of the armor rock was addressed at a worksession held May 18, 2020 and
55 financing for the armor rock may be available through a low interest Alaska Department of
56 Environmental Conservation (ADEC)/Environmental Protection Agency (EPA) revolving loan;
57 and

58
59 WHEREAS, Staff recommends the City apply for the ADEC/EPA loan as it is has a low
60 interest rate that would be otherwise difficult to secure from a private financing agency.
61 Acceptance of the ADEC/EPA Revolving Loan would be approved by Council through ordinance
62 at a future meeting and applying for consideration does not obligate the City to agree to the
63 loan; and

64
65 WHEREAS, The (ODLSSD) is responsible for generating maintenance funds through an
66 annually established mil rate, will remain in place to provide for long-term maintenance costs;
67 and

68
69 WHEREAS, Suggestions for expanding the Seawall Improvement SAD and the ODLSSD
70 to include other benefitted properties is addressed in Memorandum 20-074; and

71
72 WHEREAS, Through this resolution, Council will give the City authority to facilitate the
73 installation of armor rock protection through an expanded SAD and expand a special service
74 district to generate maintenance funds necessary to maintain the improvements with the City
75 paying a commiserate amount; and

76
77 WHEREAS, HCC 17.04.040(a)(1) authorizes the City Council by a vote of not less than
78 three fourths of its membership to initiate a SAD; and

79
80 WHEREAS, The City Council deems it necessary and in the best interest e to initiate a
81 SAD for the benefitted property owners along and within proximity to the seawall as identified
82 by the City Engineer, to provide necessary improvements to the seawall; and

83

84 WHEREAS, The Council finds there is a need for immediately initiating
85 design/permitting for the project due to anticipated impacts from upcoming winter storms
86 with high winds and high tides, and directs the City Manager to present an ordinance at the
87 next City Council meeting authorizing the expenditure of project costs using the remaining
88 balance of the mil rate deposits and the City's annual contribution (estimated at
89 approximately \$66,000); and
90

91 WHEREAS, HCC 17.04.040(c) provides that upon the Council's initiation of a special
92 assessment district the Clerk shall schedule a meeting of record owners of property in the
93 proposed district, and refer the proposed district to the City Manager for the preparation of an
94 improvement plan for the district; and
95

96 WHEREAS, The City has been facilitating maintenance of the wall, as required by the
97 Corps permit. If the property owners fail to create the Seawall Improvement SAD, based on the
98 increasing cost of maintenance, the City will not have the financial resources necessary to
99 continue maintaining the wall.
100

101 NOW THEREFORE, BE IT RESOLVED:
102

103 Section 1. Initiation of special assessment district. As authorized by HCC
104 17.04.040(a)(1), the Council hereby initiates the Seawall Improvement special assessment
105 district for Armored Toe Improvement on the seawall.
106

107 Section 2. Meeting of property owners; Improvement plan. The Clerk shall schedule
108 a meeting of record owners of real property in the proposed district in accordance with HCC
109 17.04.040(c)(1), and refer the proposed district to the City Manager for the preparation of an
110 improvement plan, as provided in HCC 17.04.040(c)(2).
111

112 Section 3. Effective date. This resolution shall become effective upon passage and
113 approval.
114

115 BE IT FURTHER RESOLVED the City Manager is authorized to apply for a low interest
116 ADEC/EPA revolving loan to finance the project and to be reimbursed by property owners
117 through the SAD.
118

119 BE IT FURTHER RESOLVED in recognizing the immediate need for design/permitting for
120 the project the City Manager is directed to present an ordinance at the next City Council
121 meeting authorizing the expenditure of project costs using the remaining balance of the mil
122 rate deposits and the City's annual contribution (estimated at approximately \$66,000).
123

124 PASSED AND ADOPTED by the Homer City Council this 8th day of June, 2020.
125

126
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133
134
135

CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

Fiscal Note: Funding for design/permitting to come from 156-0369 and 808-0375



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 20-072

TO: Marvin Yoder, City Manager
FROM: Carey Meyer, City Engineer
DATE: May 11, 2020
SUBJECT: Seawall Failure Concerns

Rigid (steel) sheet piling is typically driven into the ground to a depth that allows it to support itself and resists loads applied from behind the wall (and in the case of a seawall wave forces from the front).

Our seawall was designed to utilize less rigid piling and tie-rods connected to concrete blocks (sometimes called dead men) buried behind the wall to provide the additional support necessary. See attached drawing. The blocks are tie-rodged to the wall. This tie-rod technique is used successfully in many civil engineering applications.

The vulnerability of this technique is that loss of the backfill in which the tie-rodged concrete “dead men” block is buried can result in the loss of structural support of the wall. As long as the wall protects the material behind the wall, the concrete blocks will continue to provide wall support.

Since the wall was backfilled with dredge spoils (sand), this material is very erodible.

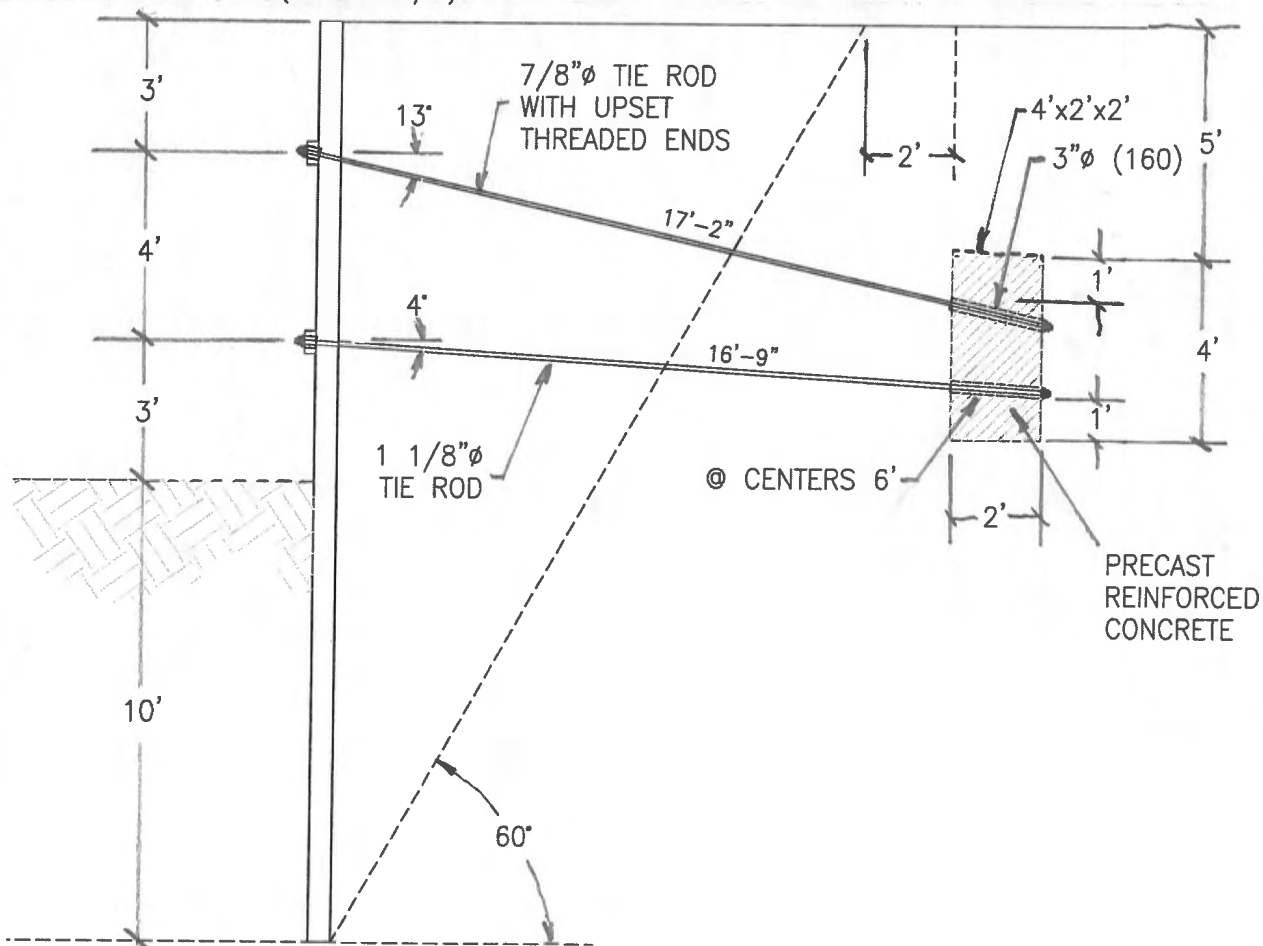
The fear that I have expressed (regarding complete failure of the wall) stems from the potential that should a section of wall be punctured (most probable during a significant winter storm), material from behind the punctured wall section would begin eroding away. This would expose and undermine the concrete block and eliminate support of that wall section.

Once one wall section was lost, material behind the adjacent wall section would begin to erode, exposing and undermining its dead man concrete block, removing structural support of the adjacent wall section. This would trigger the loss of the adjacent wall section and this would domino down the wall, potentially taking out the entire wall. In a storm this would happen very quickly.

Why is this important now? An inspection in April determined that 20 of the 85 wood panels that protect the sheet piling from damage needs significant rebuild (cost approaching \$100,000). In addition, sinkholes behind the wall are more frequent, indicating puncturing of the fiberglass sheet piling. The sheet piling behind one wood panel has experience significant damage this last winter and is particularly susceptible to the type of wall failure described above.

This year’s allocated maintenance budget has been spent (approximately \$45,000), make necessary repairs between January 1 and April 30.

WALER
STRUCTURAL TUBE
(TS 6x3x3/8)



C:\PhukanLogo.jpg	Civil Geotechnical Surveying Environmental Construction Materials Testing 2702 Gambell Street, Suite 201 Anchorage, Alaska, 99503 Tele: (907) 272-7111 Fax: (907) 277-3177 Email: pcarle@alaska.net	DATE	12/11/01	FIGURE 1 - - EROSION CONTROL PROJECT HOMER, AK
		SCALE	1/4" = 1'-0"	
		FILE NAME	FIG-DRAFT	
		JOB NO.	01965.1	
			176	



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 20-073

TO: Marvin Yoder, City Manager
FROM: Carey Meyer, City Engineer
DATE: May 28, 2020
SUBJECT: Seawall Alternatives

Seawall maintenance costs have been increasing. The special service district mil rate that funds this effort will need to be increased. The wall was battered this winter – significant damage threatens the wall’s integrity. 20 of the 85 wood panels needs significant rebuild (cost approaching \$100,000). In addition, sinkholes behind the wall are more frequent, indicating failure of the fiberglass sheet piling along the toe.

Damage to the wall is a direct result of erosion at the bottom of the wall. Erosion of the toe exposes the fiberglass sheet pile (below the protective timber face). This makes it easier for wave forces to get behind the timber panels, breaking them and damaging the sheet pile. Holes in the sheet pile at the bottom of the wall allow material from behind the wall to escape. The wall is structurally supported by tie-rodged concrete blocks buried behind the wall. Protection the toe of the wall from erosion will significantly reduce maintenance costs and extend wall life.

This year’s maintenance budget has been spent (approximately \$45,000). This will get us through the summer, but another winter like the last one, I fear, may very well result in complete wall failure.

The City has been looking at workable, affordable solutions. Protecting the toe of the wall with armor rock seems to be the most practical cost effective solution. Public Works has prepared a map, conceptual cost estimate, and spreadsheets (all attached) to help the Council and property owners evaluate what property is benefitted, how improvement/maintenance districts might be established, calculating potential assessments under each potential assessment method (for both construction of the armor rock improvements and the special service district funding long term maintenance).

Currently, the most realistic approach seems to be the creation of a special service district (SAD) for the cost of placement of the armor rock (administered by the City, assessment methods not yet determined); and a special service district for long-term maintenance costs (collected by the Borough similar to the existing SDD, mil rate not yet determined).

Financing for the armor rock placement has also not been determined; options being considered include direct City financing and use of low interest ADEC/EPA revolving loan funds.

The following is a brief introduction to the maps, cost estimates, and spreadsheets attached:

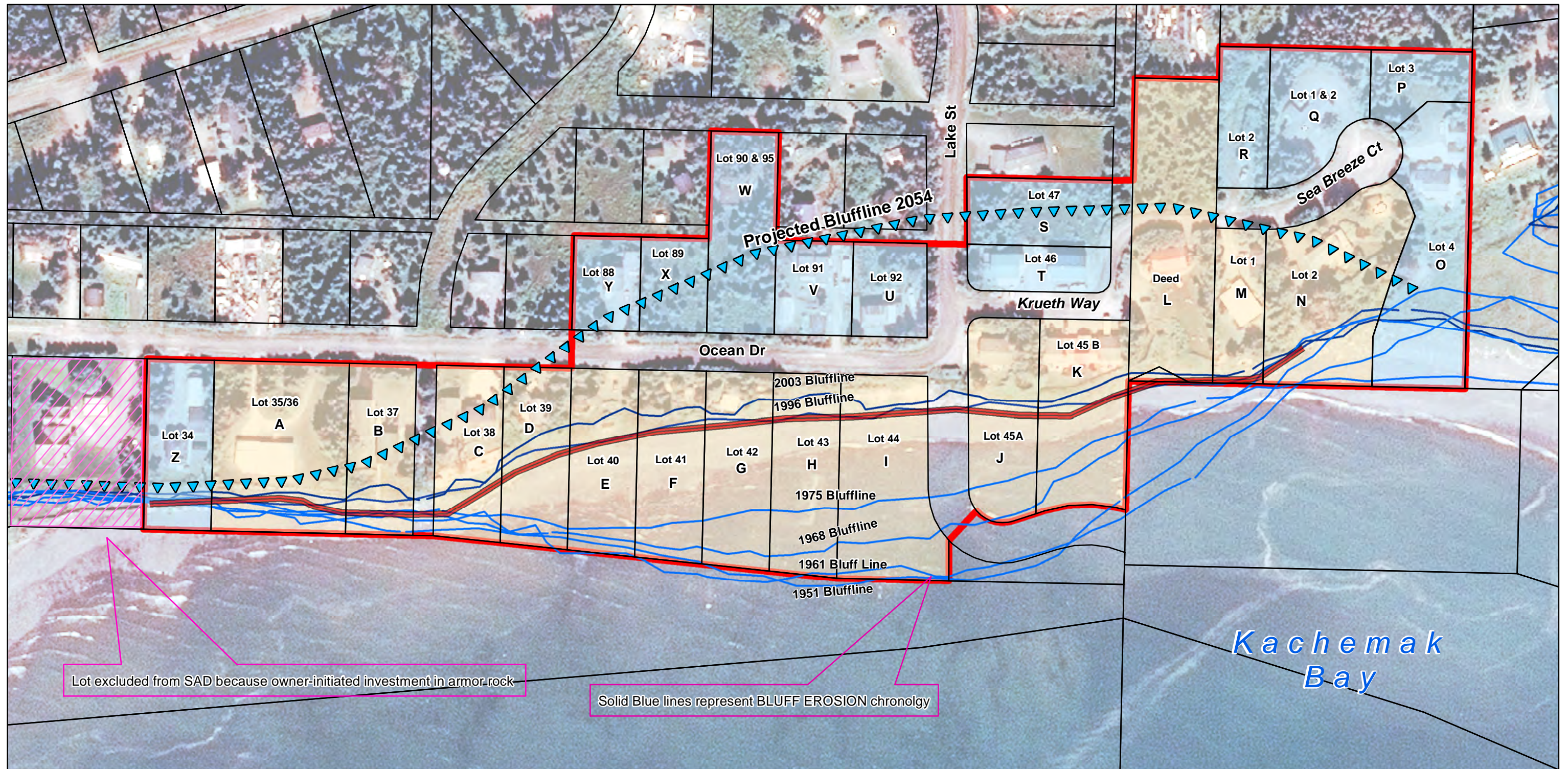
The **map** shows historical erosion, projected erosion, lots potentially impacted by erosion as defined in the Coastal Erosion Study (updated in 2006). The map shows potential expanded special assessment/service district boundaries. The map shows more lots than those immediately behind the wall that benefit from the wall (i.e. - loss of Krueth Way eliminates road access and utilities serving several lots). Lots shaded beige are properties that currently contribute to seawall maintenance; lots shaded blue are properties that one could argue also benefit from the existence of the seawall.

Conceptual Cost Estimate shows the estimated cost of placing armor rock (as defined in the HDR memo) that evaluated alternative methods of protecting the toe of the wall from erosion. This cost reflects discussions with local contractors (that complete this type of work using rock produced from across the Bay).

Spreadsheet #1 Seawall SAD Analysis – Current District Members Only reflects physical characteristics of lots that currently remain in the original district; and potential assessment costs (under several assessment methodologies) for a \$1.47M armor rock improvement.

Spreadsheet #2 Seawall Special Assessment District (SAD) – Armored Toe Improvement reflects the physical characteristics of each of the lots potentially benefitted by the seawall; and estimates assessments (for a \$1.47M project) under several different assessment methods.

Spreadsheet #3 Seawall Overall Assessment Analysis reflects the KPB tax value of each of the lots potentially benefitted by seawall (**blue** columns), and calculates in the **orange** column, 1) total annual assessments (for both rock placement and maintenance) if only those lots that are located directly behind the wall are included (base on equal share assessments for rock placement), and 2) the same for an expanded district (**green** columns).



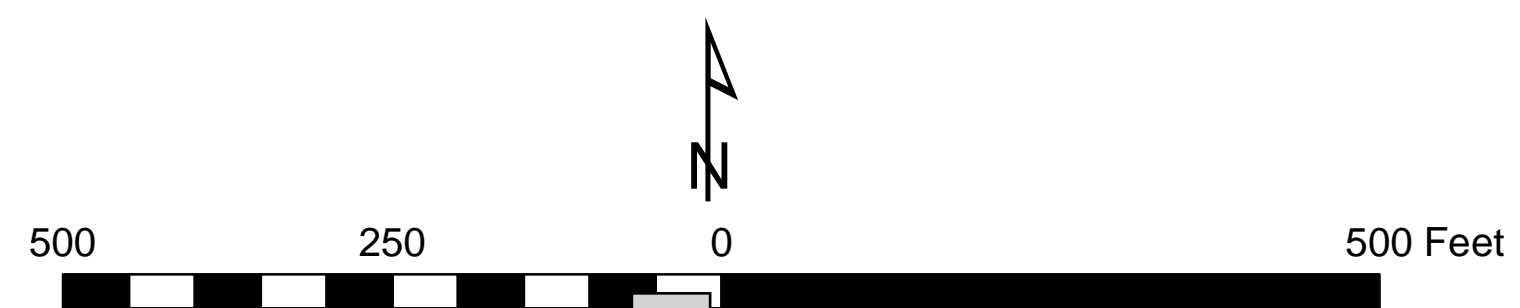
Lot excluded from SAD because owner-initiated investment in armor-rock

Solid Blue lines represent BLUFF EROSION chronology

POTENTIAL SEAWALL SPECIAL ASSESSMENT/SERVICE DISTRICT MAP

Legend

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



DEPT OF PUBLIC WORKS
March 11, 2020

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

#1 SEAWALL SPECIAL ASSESSMENT DISTRICT (SAD) ANALYSIS - Current District Members Only

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

PARCEL ID	KPB PARCEL_ID	LOT ADDRESS	OWNER	LOT CHARACTERISTICS							ALTERNATIVE ASSESSMENTS METHODS				
				DIRECT WALL FRONTAGE (LF)	KPB LAND VALUE	KPB STRUCTURE VALUE	TOTAL ASSESSED VALUE	TAXABLE VALUE	LOT AREA (SF)	BENEFITTED LOT AREA (SF)	DIRECT WALL FRONTAGE	KPB PROPRTY VALUE	LOT AREA	BENIFITTED LOT AREA	EQUAL SHARE
A	17718019	829 OCEAN DRIVE LOOP	NEWBY REVOCABLE TRUST	200	\$ 127,200	\$ 325,500	\$ 452,700	\$ 102,700	50,682	39,500	\$180,407	\$185,222	\$157,056.65	\$233,891	\$105,344.57
B	17718016	869 OCEAN DRIVE LOOP	SZAJKOWSKI JOHN J & JANET L	100	\$ 120,900	\$ 366,800	\$ 487,700	\$ 137,700	25,329	18,719	\$90,203	\$199,543	\$78,491.14	\$110,841	\$105,344.57
			HOMER CITY OF	30	TBD		TBD	TBD	TBD	TBD	\$27,061	TBD	TBD	TBD	TBD
C	17717701	895 OCEAN DRIVE LOOP	HUEPER MARILYN	110	\$ 117,000	\$ 461,500	\$ 578,500	\$ 528,500	25,679	17,122	\$99,224	\$236,694	\$79,575.74	\$101,384	\$105,345
D	17717702	917 OCEAN DRIVE LOOP	NORMAN W SCHUMACHER TRUST	115	\$ 64,600	\$ 118,900	\$ 183,500	\$ 183,500	26,568	10,582	\$103,734	\$75,079	\$82,330.63	\$62,659	\$105,345
E	17717703	939 OCEAN DRIVE LOOP	IRWIN PATRICK L	100	\$ 53,700	\$ 71,900	\$ 125,600	\$ 75,600	27,411	7,209	\$90,203	\$51,389	\$84,942.98	\$42,687	\$105,345
F	17717704	957 OCEAN DRIVE LOOP	PFEFFER MARK E REVOCABLE TRUST	100	\$ 44,900	\$ 1,500	\$ 46,400	\$ 46,400	28,247	6,128	\$90,203	\$18,985	\$87,533.63	\$36,286	\$105,345
G	17717705	979 OCEAN DRIVE LOOP	ABBOTT FINDLAY	100	\$ 31,900	\$ 1,500	\$ 33,400	\$ -	29,075	5,310	\$90,203	\$13,666	\$90,099.49	\$31,442	\$105,345
H	17717706	997 OCEAN DRIVE LOOP	HOMER CITY OF	100	\$ 2,100	\$ -	\$ 2,100	\$ -	29,977	3,414	\$90,203.30	\$859	\$92,894.66	\$20,215	\$105,345
I	17717707	1017 OCEAN DRIVE LOOP	HOMER CITY OF	100	\$ 2,600	\$ -	\$ 2,600	\$ -	42,759	5,500	\$90,203.30	\$1,064	\$132,504.35	\$32,567	\$105,345
			HOMER CITY OF	60	TBD		TBD	TBD	TBD	TBD	\$54,121.98	TBD	TBD	TBD	TBD
J	17717904	3102 LAKE ST	JUMP CHARLENE A	100	\$ 106,000	\$ 148,300	\$ 254,300	\$ -	30,555	12,735	\$90,203.30	\$104,047	\$94,685.81	\$75,408	\$105,345
K	17717903	1065 KRUETH WAY	GOODE LARRY JACK LIVING TRUST	140	\$ 111,500	\$ 405,100	\$ 516,600	\$ 516,600	37,135	13,948	\$126,284.62	\$211,367	\$115,076.33	\$82,590	\$105,345
L	17923036	1103 KRUETH WAY	KING LAWRENCE A	130	\$ 96,700	\$ 320,700	\$ 417,400	\$ 417,400	56,319	56,319	\$117,264.29	\$170,779	\$174,524.95	\$333,482	\$105,345
M	17923026	1121 SEA BREEZE CT	FRANKLIN CAMARRON JAY	75	\$ 73,200	\$ 181,400	\$ 254,600	\$ 254,600	17,180	15,890	\$67,652.48	\$104,170	\$53,238.49	\$94,089	\$105,345
N	17923028	1137 SEA BREEZE CT	LAWER DAVID A	75	\$ 94,000	\$ 155,200	\$ 249,200	\$ 249,200	49,008	36,695	\$67,652.48	\$101,960	\$151,869.15	\$217,282	\$105,345
				1,635	\$ 1,046,300	\$ 2,558,300	\$ 3,604,600	\$ 2,512,200	475,924	249,071	\$ 1,474,824	\$ 1,474,824	\$ 1,474,824	\$ 1,474,824	\$ 1,474,824

#2 SEAWALL SPECIAL ASSESSMENT DISTRICT (SAD) ANALYSIS - ARMORED TOE IMPROVEMENT

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

PARCEL ID	KPB PARCEL_ID	LOT ADDRESS	OWNER	LOT CHARACTERISTICS								ALTERNATIVE ASSESSMENTS METHODS					
				DIRECT WALL FRONTAGE (LF)	KPB LAND VALUE	KPB STRUCTURE VALUE	TOTAL ASSESSED VALUE	TAXABLE VALUE	LOT AREA (SF)	BENEFITTED LOT AREA (SF)	% TIERED BENEFIT	DIRECT WALL FRONTAGE	KPB PROPRTY VALUE	LOT AREA	BENEFITTED LOT AREA	TIERED BENEFIT	EQUAL SHARE
A	17718019	829 OCEAN DRIVE LOOP	NEWBY REVOCABLE TRUST	200	\$ 127,200	\$ 325,500	\$ 452,700	\$ 102,700	50,682	39,500	100	\$190,916	\$107,185	\$102,738	\$122,101	\$71,943	\$56,724
B	17718016	869 OCEAN DRIVE LOOP	SZAJKOWSKI JOHN J & JANET L	100	\$ 120,900	\$ 366,800	\$ 487,700	\$ 137,700	25,329	18,719	100	\$95,458	\$115,471	\$51,345	\$57,864	\$71,943	\$56,724
C	17717701	895 OCEAN DRIVE LOOP	HUEPER MARILYN	110	\$ 117,000	\$ 461,500	\$ 578,500	\$ 528,500	25,679	17,122	100	\$105,004	\$136,970	\$52,054	\$52,927	\$71,943	\$56,724
D	17717702	917 OCEAN DRIVE LOOP	NORMAN W SCHUMACHER TRUST	115	\$ 64,600	\$ 118,900	\$ 183,500	\$ 183,500	26,568	10,582	100	\$109,777	\$43,447	\$53,856	\$32,711	\$71,943	\$56,724
E	17717703	939 OCEAN DRIVE LOOP	IRWIN PATRICK L	100	\$ 53,700	\$ 71,900	\$ 125,600	\$ 75,600	27,411	7,209	100	\$95,458	\$29,738	\$55,565	\$22,284	\$71,943	\$56,724
F	17717704	957 OCEAN DRIVE LOOP	PFEFFER MARK E REVOCABLE TRUST	100	\$ 44,900	\$ 1,500	\$ 46,400	\$ 46,400	28,247	6,128	100	\$95,458	\$10,986	\$57,260	\$18,943	\$71,943	\$56,724
G	17717705	979 OCEAN DRIVE LOOP	ABBOTT FINDLAY	100	\$ 31,900	\$ 1,500	\$ 33,400	\$ -	29,075	5,310	100	\$95,458	\$7,908	\$58,938	\$16,414	\$71,943	\$56,724
H	17717706	997 OCEAN DRIVE LOOP	HOMER CITY OF	100	\$ 2,100	\$ -	\$ 2,100	\$ -	29,977	3,414	100	\$95,458	\$497	\$60,767	\$10,553	\$71,943	\$56,724
I	17717707	1017 OCEAN DRIVE LOOP	HOMER CITY OF	100	\$ 2,600	\$ -	\$ 2,600	\$ -	42,759	5,500	100	\$95,458	\$616	\$86,677	\$17,001	\$71,943	\$56,724
J	17717904	3102 LAKE ST	JUMP CHARLENE A	100	\$ 106,000	\$ 148,300	\$ 254,300	\$ -	30,555	12,735	100	\$95,458	\$60,210	\$61,939	\$39,366	\$71,943	\$56,724
K	17717903	1065 KRUETH WAY	GOODE LARRY JACK LIVING TRUST	140	\$ 111,500	\$ 405,100	\$ 516,600	\$ 516,600	37,135	13,948	100	\$133,641	\$122,314	\$75,277	\$43,116	\$71,943	\$56,724
L	17923036	1103 KRUETH WAY	KING LAWRENCE A	130	\$ 96,700	\$ 320,700	\$ 417,400	\$ 417,400	56,319	56,319	100	\$124,095	\$98,827	\$114,165	\$174,091	\$71,943	\$56,724
M	17923026	1121 SEA BREEZE CT	FRANKLIN CAMARRON JAY	75	\$ 73,200	\$ 181,400	\$ 254,600	\$ 254,600	17,180	15,890	100	\$71,593	\$60,281	\$34,826	\$49,119	\$71,943	\$56,724
N	17923028	1137 SEA BREEZE CT	LAWER DAVID A	75	\$ 94,000	\$ 155,200	\$ 249,200	\$ 249,200	49,008	36,695	100	\$71,593	\$59,002	\$99,345	\$113,430	\$71,943	\$56,724
O	17923029	1143 SEA BREEZE CT	LAWER DAVID A & BETSY		\$ 99,100	\$ 452,700	\$ 551,800	\$ 551,800	46,649	28,273	50		\$130,648	\$94,563	\$87,397	\$35,971	\$56,724
P	17923030		LAWER CHILDRENS TRUST		\$ 37,600	\$ -	\$ 37,600	\$ 37,600	13,510	13,510	50		\$8,902	\$27,386	\$41,762	\$35,971	\$56,724
Q	17923033	1136 SEA BREEZE CT	LAWER SARAH 2012 TRUST		\$ 62,800	\$ 145,300	\$ 208,100	\$ 208,100	25,035	25,035	50		\$49,271	\$50,749	\$77,387	\$35,971	\$56,724
R	17923027	1120 SEA BREEZE CT	LAWER SARAH 2012 TRUST		\$ 31,300	\$ 1,500	\$ 32,800	\$ 32,800	15,726	15,726	50		\$7,766	\$31,878	\$48,612	\$35,971	\$56,724
S	17717807		SCHEFFEL TIM		\$ 42,400	\$ -	\$ 42,400	\$ 42,400	21,504	21,504	50		\$10,039	\$43,591	\$66,472	\$35,971	\$56,724
T	17717808	1054 KRUETH WAY	MATTHEWS KELLY E		\$ 38,200	\$ 455,100	\$ 493,300	\$ 443,300	14,294	14,294	50		\$116,797	\$28,976	\$44,185	\$35,971	\$56,724
U	17717614	3119 LAKE ST	TALBOTT JOSEPH C		\$ 58,200	\$ 210,700	\$ 268,900	\$ -	15,539	15,539	50		\$63,667	\$31,499	\$48,034	\$35,971	\$56,724
V	17717615	1002 OCEAN DRIVE LOOP	JAMES HARRY W		\$ 59,100	\$ 223,700	\$ 282,800	\$ -	16,096	16,096	50		\$66,958	\$32,628	\$49,755	\$35,971	\$56,724
W	17717616	984 OCEAN DRIVE LOOP	SOTELO ED		\$ 46,300	\$ -	\$ 46,300	\$ 46,300	30,038	30,038	50		\$10,962	\$60,891	\$92,852	\$35,971	\$56,724
X	17717610	964 OCEAN DRIVE LOOP	O'CONNOR ABIGAIL		\$ 37,900	\$ 19,100	\$ 57,000	\$ 57,000	13,942	13,942	50		\$13,496	\$28,262	\$43,097	\$35,971	\$56,724
Y	17717611	946 OCEAN DRIVE LOOP	HAAS ANDREW H		\$ 37,900	\$ 166,900	\$ 204,800	\$ 154,800	13,942	13,942	50		\$48,490	\$28,262	\$43,097	\$35,971	\$56,724
Z	17718013	811 OCEAN DRIVE LOOP	RENNER MARTIN		\$ 117,300	\$ 281,300	\$ 398,600	\$ 338,600	25,349	20,139	100		\$94,375	\$51,385	\$62,253	\$71,943	\$56,724
				1,545	\$ 1,597,100	\$ 4,233,300	\$ 5,830,400	\$ 4,086,300	702,199	477,109		\$ 1,474,824	\$ 1,474,824	\$ 1,474,824	\$ 1,474,824	\$ 1,474,824	\$ 1,474,824

#3 SEAWALL OVERALL ASSESSMENT ANALYSIS

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

PARCEL ID	KPB PARCEL ID	LOT ADDRESS	OWNER	LOT CHARACTERISTICS				ASSESSMENT SCENARIOS - Equal Share Assessment							
				KPB LAND VALUE	KPB STRUCTURE VALUE	TOTAL ASSESSED VALUE	TAXABLE	CURRENT DISTRICT BOUNDARY				POTENTIAL EXPANDED DISTRICT BOUNDARY			
								TOTALSAD EQUAL SHARE ASSESSMENT (ARMOR ROCK TOE)	ANNUALSAD EQUAL SHARE ASSESSMENT (ARMOR ROCK TOE) 30 YRS @ 2%	ANNUALSSD ASSESSMENT (20 MIL) FOR MAINTENANCE	TOTALANNUAL ASSESSMENT (ROCK + MAINTENANCE)	TOTALSAD EQUAL SHARE ASSESSMENT (ARMOR ROCK TOE)	ANNUALSAD EQUAL SHARE ASSESSMENT (ARMOR ROCK TOE) 30 YRS @ 2%	ANNUALSSD ASSESSMENT (6 MIL) FOR MAINTENANCE	TOTALANNUAL ASSESSMENT (CONST + MAINTENANCE)
A	17718019	829 OCEAN DRIVE LOOP	NEWBY REVOCABLE TRUST	\$ 127,200	\$ 325,500	\$ 452,700	\$ 102,700	\$105,345	\$4,704	\$2,054	\$6,758	\$56,724	\$2,533	\$616	\$3,149
B	17718016	869 OCEAN DRIVE LOOP	SZAJKOWSKI JOHN J & JANET L	\$ 120,900	\$ 366,800	\$ 487,700	\$ 137,700	\$105,344.57	\$4,704	\$2,754	\$7,458	\$56,724	\$2,533	\$826	\$3,359
C	17717701	895 OCEAN DRIVE LOOP	HUEPER MARILYN	\$ 117,000	\$ 461,500	\$ 578,500	\$ 528,500	\$105,344.57	\$4,704	\$10,570	\$15,274	\$56,724	\$2,533	\$3,171	\$5,704
D	17717702	917 OCEAN DRIVE LOOP	2016 NORMAN W SCHUMACHER REVOCABLE TRUST	\$ 64,600	\$ 118,900	\$ 183,500	\$ 183,500	\$105,344.57	\$4,704	\$3,670	\$8,374	\$56,724	\$2,533	\$1,101	\$3,634
E	17717703	939 OCEAN DRIVE LOOP	IRWIN PATRICK L	\$ 53,700	\$ 71,900	\$ 125,600	\$ 75,600	\$105,344.57	\$4,704	\$1,512	\$6,216	\$56,724	\$2,533	\$454	\$2,986
F	17717704	957 OCEAN DRIVE LOOP	PFEFFER MARK E REVOCABLE TRUST	\$ 44,900	\$ 1,500	\$ 46,400	\$ 46,400	\$105,344.57	\$4,704	\$928	\$5,632	\$56,724	\$2,533	\$278	\$2,811
G	17717705	979 OCEAN DRIVE LOOP	ABBOTT FINDLAY	\$ 31,900	\$ 1,500	\$ 33,400	\$ -	\$105,345	\$4,704	\$0	\$4,704	\$56,724	\$2,533	\$0	\$2,533
H	17717706	997 OCEAN DRIVE LOOP	HOMER CITY OF	\$ 2,100	\$ -	\$ 2,100	\$ -	\$105,345	\$4,704	\$0	\$4,704	\$56,724	\$2,533	\$0	\$2,533
I	17717707	1017 OCEAN DRIVE LOOP	HOMER CITY OF	\$ 2,600	\$ -	\$ 2,600	\$ -	\$105,345	\$4,704	\$0	\$4,704	\$56,724	\$2,533	\$0	\$2,533
J	17717904	3102 LAKE ST	JUMP CHARLENE A	\$ 106,000	\$ 148,300	\$ 254,300	\$ -	\$105,345	\$4,704	\$0	\$4,704	\$56,724	\$2,533	\$0	\$2,533
K	17717903	1065 KRUETH WAY	GOODE LARRY JACK LIVING TRUST	\$ 111,500	\$ 405,100	\$ 516,600	\$ 516,600	\$105,345	\$4,704	\$10,332	\$15,036	\$56,724	\$2,533	\$3,100	\$5,632
L	17923036	1103 KRUETH WAY	KING LAWRENCE A	\$ 96,700	\$ 320,700	\$ 417,400	\$ 417,400	\$105,345	\$4,704	\$8,348	\$13,052	\$56,724	\$2,533	\$2,504	\$5,037
M	17923026	1121 SEA BREEZE CT	FRANKLIN CAMARRON JAY	\$ 73,200	\$ 181,400	\$ 254,600	\$ 254,600	\$105,345	\$4,704	\$5,092	\$9,796	\$56,724	\$2,533	\$1,528	\$4,060
N	17923028	1137 SEA BREEZE CT	LAWER DAVID A	\$ 94,000	\$ 155,200	\$ 249,200	\$ 249,200	\$105,345	\$4,704	\$4,984	\$9,688	\$56,724	\$2,533	\$1,495	\$4,028
O	17923029	1143 SEA BREEZE CT	LAWER DAVID A & BETSY	\$ 99,100	\$ 452,700	\$ 551,800	\$ 551,800					\$56,724	\$2,533	\$3,311	\$5,844
P	17923030		CUDDY JANE TRUSTEE LAWER CHILDRENS TRUST	\$ 37,600	\$ -	\$ 37,600	\$ 37,600					\$56,724	\$2,533	\$226	\$2,758
Q	17923033	1136 SEA BREEZE CT	LAWER SARAH 2012 IRREVOCABLE TRUST	\$ 62,800	\$ 145,300	\$ 208,100	\$ 208,100					\$56,724	\$2,533	\$1,249	\$3,781
R	17923027	1120 SEA BREEZE CT	LAWER SARAH 2012 IRREVOCABLE TRUST	\$ 31,300	\$ 1,500	\$ 32,800	\$ 32,800					\$56,724	\$2,533	\$197	\$2,730
S	17717807		SCHEFFEL TIM	\$ 42,400	\$ -	\$ 42,400	\$ 42,400					\$56,724	\$2,533	\$254	\$2,787
T	17717808	1054 KRUETH WAY	MATTHEWS KELLY E	\$ 38,200	\$ 455,100	\$ 493,300	\$ 443,300					\$56,724	\$2,533	\$2,660	\$5,193
U	17717614	3119 LAKE ST	TALBOTT JOSEPH C	\$ 58,200	\$ 210,700	\$ 268,900	\$ -					\$56,724	\$2,533	\$0	\$2,533
V	17717615	1002 OCEAN DRIVE LOOP	JAMES HARRY W	\$ 59,100	\$ 223,700	\$ 282,800	\$ -					\$56,724	\$2,533	\$0	\$2,533
W	17717616	984 OCEAN DRIVE LOOP	SOTELO ED	\$ 46,300	\$ -	\$ 46,300	\$ 46,300					\$56,724	\$2,533	\$278	\$2,811
X	17717610	964 OCEAN DRIVE LOOP	O'CONNOR ABIGAIL	\$ 37,900	\$ 19,100	\$ 57,000	\$ 57,000					\$56,724	\$2,533	\$342	\$2,875
Y	17717611	946 OCEAN DRIVE LOOP	HAAS ANDREW H	\$ 37,900	\$ 166,900	\$ 204,800	\$ 154,800					\$56,724	\$2,533	\$929	\$3,462
Z	17718013	811 OCEAN DRIVE LOOP	RENNER MARTIN	\$ 117,300	\$ 281,300	\$ 398,600	\$ 338,600					\$56,724	\$2,533	\$2,032	\$4,564
				\$ 1,597,100	\$ 4,233,300	\$ 5,830,400	\$ 4,086,300	\$1,474,824	\$65,851	\$50,244		\$1,418,100	\$65,851	\$26,549	

Seawall - Armor Rock Toe Protection

Conceptual Cost Estimate

5/28/2020

Assumptions:

Wall length = 1700 LF

Filter rock (type 2) = 75 lbs to 300 lbs (200 lb average)

Armor Stone (type 3) = 750 lb to 2250 lb (1500 lb average)

Armor Stone (type 4) = 1000 lb to 3000 lb (2000 lb average)

25% of armor rock is type 3; 75% of armor rock is type 4

Item of Work	Quantity	Quantity Unit	Unit Price	Item Cost
Mobilization/Demobilization	1	LS	\$20,000	\$20,000
Geotextile Fabric	4,722	SY	\$6	\$28,333
F&I Filter Stone (Type 2)	7,064	Tons	\$70	\$494,511
F&I Primary Armor Stone (Type 3)	1,704	Tons	\$85	\$144,821
F&I Primary Armor Stone (Type 4)	6,609	Tons	\$105	\$693,902

Total Construction **\$1,381,568**

Design \$69,078

Permitting \$10,362

Inspection \$13,816

Total Project Cost **\$1,474,824**

Timeline - Seawall Armored Rock Installation

Assumptions: 1) work needs to be complete by November 30, 2020

Task	JUN	JUL	AUG	SEPT	OCT	NOV
Form SAD	[Blue bar spanning JUN and JUL]		[Blue bar in AUG]			
Design		[Blue bar spanning JUL and AUG]				
Permitting		[Blue bar spanning JUL and AUG]				
Financing in Place		[Blue bar in JUL]				
Bidding			[Blue bar in AUG]			
Construction Contract Award			[Blue bar in AUG]			
Quarry Rock				[Blue bar spanning SEPT and OCT]		
Construction					[Blue bar in OCT]	[Blue bar in NOV]

Conclusions: 1) City Council must authorize design start at last meeting in June, form SAD at the first meeting in August, and award the construction contract at the last meeting in August.



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Memorandum 20-074

TO: Mayor Castner and Homer City Council
FROM: Marvin Yoder, Interim City Manager
DATE: June 3, 2020
SUBJECT: Follow-up to May 18, 2020 Seawall Worksession

At the May 18 worksession, Council requested staff answer the first two questions posed in City Engineer Meyer's 14 memo as well as additional follow-up questions. Below provides responses compiled by staff in Administration, the Clerk's Office, Public Works, and Finance. Prompt response from homeowners and Council is required in order for the installation of armor stone to occur this year. Otherwise, the Seawall in its current form must be reinforced before the winter storms hit.

From May 14 memo - 1) Does Council wish to consider and have staff evaluate expanding the ODLSA to incorporate properties receiving indirect benefit from the Seawall as demonstrated by the Coastal Erosion Study?

Council requested staff address this question. City Engineer Meyer has provided this information in his June 3 memo that includes a map and associated spreadsheets for review.

From May 14 memo - 2) What is the will of City Council to install the proposed Seawall Armor Rock improvements (estimated at \$1.5M - 2.1M) with City financing that would create a new special assessment district (also known as a local improvement district)?

Staff have received mixed responses from Councilmembers regarding their interest in the City financing the Seawall's improvements itself. An alternative suggested by staff is Council granting authority for the City to pursue an Alaska Department of Environmental Conservation/Environmental Protection Agency revolving loan which has a low interest rate that otherwise would be difficult to secure with private financing. The benefit to the City using its own financing for this project is there would be no interest rate or the City could potentially establish a low interest rate to the SAD for borrowing funds from the City to construct the improvement, however City financing would require obligating public dollars for this project. Private financing would most likely have a higher interest rate, adding cost to the project.

Insuring the Seawall

In the fall of 2019, staff contacted the Alaska Municipal League Joint Insurance Association to follow up on homeowners' requests to see if the City's insurance would consider covering the Seawall again. Below is the response received from AMLJIA'S Executive Director Kevin Smith:

"Originally, I worked with Walt Wrede on this issue when Homer first built the Seawall for the neighborhood/district. Until we had losses, I was unclear that the ownership was not the city's, as Rachel

points out in her email below. As [Alaska Statute 21.76.010 \(a\)](#) spells out, the AMLJIA can only cover “Municipalities and their public corporations, city and borough school districts, and regional educational attendance areas” for risks to the participants on a group basis. Our interpretation has long been that pooling is not allowed for private individual homeowners, Native corporations, or others that, albeit lucrative, would not satisfy a strict reading of state law. For this reason, the AMLJIA declines to cover the sea wall.”

Clarity on How an Assessment District Gets Set Up

Per HCC 17.02.040 Initiation of special assessment district:

a. A special assessment district may be initiated by:

1. A resolution, initiated by a Council member, the City Manager, or through the developer reimbursement application process set forth in this title and approved by a vote of not less than three-fourths of Council; or
2. A petition signed by 50 percent of the total record owners who receive notice from the City Clerk’s office that they will be assessed a portion of the costs of a single capital improvement.

Staff to present how a SAD would work for the Seawall - Staff will be pulling together an outline of a possible SAD process for a shoreline stabilization/seawall protection project, including: an improvement plan that further nails down and details costs, a proposed district (see above notes/questions on impacted properties), several allocation methods with detailed fiscal impacts (similar to what Carey provided in tonight's packet), and a memo outlining the process for notification and what is required to move forward.

Please see the attachments provided in City Engineer Meyer’s June 3 memo. This includes the map, spreadsheets, cost estimate, and timeline enclosure. City Clerk Jacobsen outlines the process for notification and what is required to move forward below (this process is also briefly explained in Resolution 20-056):

If Council adopts Resolution 20-056 to initiate the SAD by a vote of not less than three-fourths the City Clerk shall:

- Schedule a neighborhood meeting for owners of real property in the proposed district, properly notice the meeting by mail and newspaper advertisement, and
- Refer the district to the Public Works director who shall prepare an improvement plan to be provided at the neighborhood meeting as outlined in HCC 17.02.040(c)(2)
- Set a time for a public hearing on the necessity of the improvements and proposed improvement plan and mail notices not less than 60 days before the hearing
- A record property owner in the proposed district may file a written objection to the plan no later than the day before the date of the public hearing of the improvement plan
- If owners of real property that would bear 50 percent or more of the assessed cost of the improvement file timely written objections, the Council may not proceed with the improvement unless it revises the improvement plan to reduce the assessed cost of the improvement that is borne by objecting record owners to less than 50 percent of the assessed cost of the improvement.
- At the noticed date and time, Council shall hold a public hearing and shall adopt a resolution approving the assessment if Council finds, via resolution, that the improvement is necessary and benefits the properties that will be assessed. Council must also approve the proposed improvement plan.

- If record owners of all real property in the proposed assessment district waive in writing the notice, protest period and public hearing required under this section, the question of creating the district may be submitted to Council without such notice, protest period or public hearing.

Staff to show the \$45k in maintenance and how that differs from the \$100k in replacing wooden planks

The \$45K was spent so far this year to complete routine maintenance (several timber panels repaired, sink holes at two locations repaired). The \$100K represents estimated costs to repair an additional twenty timber panels that are recommended to be repaired before significant damage occurs (damage would be expected during next winter storms, with significant potential of severe damage if not addressed). If the armor stone improvement can occur before this winter's upcoming storms, the timber panels may not have to be fixed so the potential \$100k cost can be allocated to another maintenance need.

If we talk about modeling out to 2054, we can see the road is wiped out and thus all of the 'downstream' (or down-road) properties possibly no longer have access? Or maybe their access from the other side makes it a moot point? It would be wise to put a critical eye on the evaluation of 'impacted' properties.

The map provided by City Engineer Meyer in his June 3 memo shows road access to many of the lots in the proposed district would be lost if anticipated erosion occurs.

What value does the City's right-of-way have in that assessment?

The 60' wide Lake Street right-of-way and the 30' wide pedestrian assess right-of-way (between Ocean Drive Loop and the seawall) have no real value to the City; they do not provide valuable access to any lots and no City owned utilities exist within these rights-of-ways. They do have frontage on the wall, therefore when seawall construction costs were assessed in 2002 on a linear foot of wall basis, the City assumed some costs for wall construction because of these two ROW portions. These ROWs are depicted in spreadsheet #1. The other rights-of-way within the area (Ocean Drive Loop, Krueth Way and Lake Street north of Ocean Loop Drive) projected to be impacted by erosion by 2054 provide road and utility access to properties within the proposed districts. If erosion was to occur as projected, this right-of-way (that serves these lots) would be of no value to the City, since the lots that benefit from the right-of-way would no longer exist. It is therefore not recommended that additional rights-of-way be factored in to the City's contribution towards the potential Seawall Improvement SAD.

Timeline for Project

The timeline for the armor stone capital improvement project is contingent upon how the project is initiated.

There was interest from a homeowner currently residing in the ODLSA (Ocean Drive Loop Service Area) to expand its boundaries through the Special Assessment District process outlined in code under HCC 17.02.040. If that application and filing fee were received, the Clerk would have 10 days from time of receipt to send the application for Public Works Director and Finance Director review and notify the applicant of any insufficiencies if present. Once complete, the Clerk would: 1) send out a petition to all record owners of property in the proposed district no more than 30 days after the petition application is approved and 2)

schedule a neighborhood meeting with all properties included in the proposed district. Petition signatures of the record owners of real property in the district to be benefitted must be received by the City Clerk within 60 days after the mailing of the petition. Approval of the SAD would then be granted by resolution.

If the City does not receive an application and filing fee from a benefitted property owner, Council could initiate the SAD to install armor stone through a resolution (like the resolution before Council at the June 8th meeting). If the resolution is passed, below is a tentative, idealistic timeline for the armor stone capital improvement project to occur per the City Clerk. This timeline assumes the City is willing to finance the project as it is currently unknown what financing options could be provided through private or state issued loans and what liabilities each of those loans would place on the City.

Tentative/Idealistic Timeline

- June 8 - Council adopts a resolution initiating the Seawall Improvement SAD
- Week of June 8 - City Clerk schedules a meeting of record owners of real property in the proposed district
- Week of June 8 - Public Works works with coastal engineering firm to perform a more detailed analysis regarding the installation of armor stone to advance the designs to a preliminary level and obtain more informed potential costs. This is funded by the account that collects mill rate deposits and the City's annual \$10,000 contribution.
- Week of June 8 - City Clerk notifies the record owners by mail of the date, time and location of the meeting, and includes a copy of the notice in the City's regular meeting advertisement
- June 24 or 25 - Neighborhood meeting is held. Public Works presents improvement plan for the proposed district.
- July – Design complete; Corps permit submitted, Financing in place.
- August – Plans competitively bid, Bids opened,
- August 24 - Council holds a public hearing and adopts a resolution approving the assessment if Council finds, via resolution, that the improvement is necessary and benefits the properties that will be assessed. Council must also approve the proposed improvement plan. At this same meeting, Council passes a resolution expanding the Service Area to include all new properties incorporated by the Assessment District and awards construction contract.
- Week of August 24- Public Works issues Notice to proceed for construction of armor rock installation.
- September 1 – Contractor begins quarrying rock
- October 13- Contractor begins placing armor rock
- November 30 – Armor rock placement complete.

Mill Rates

At the May 26th Council Meeting, City Manager Yoder provided a memo clarifying maximum mil rates for the Service Area.

Alaska State Statute 29.45.090 Tax limitation: “(a) A municipality may not, during a year, levy an ad valorem tax for any purpose in excess of three percent of the assessed value of property in the municipality. All

property on which an ad valorem tax is levied shall be taxed at the same rate during the year.” Ten mills is synonymous with 1% so the maximum mill rate the City of Homer could set is 30. If there is bonded debt, the mill rate could exceed 30.

Maintenance and Mill Rate

There was a request for additional information on what the maintenance budget would look like if the mill rate is not raised. In July, property tax bills are issued by the Borough and are due in one installment by Oct. 2020 or in two installments due September and November 2020. Staff provided Council with an updated projection at the May 26th Council meeting, estimating \$26,886 will be received by the City in mill rate deposits by the end of the year. Please see financials enclosure. If this is the case and no additional maintenance work occurs by the end of 2020, there will be an estimated \$92,959 remaining in the maintenance account.

History

There was a request for history concerning the Seawall. Resolution 20-XXX briefly outlines the history of the Seawall’s creation. Staff have also provided a few letters that were sent to homeowners over the years for context along with one letter from property owners sent to the City.

Responses to Memorandum 20-008

Staff did not receive a written response from Attorney Gatti concerning Memorandum 20-008. Instead, Attorney Gatti elected to address Council regarding those questions at the May 18th executive session.

Consider using cement block to 75% for more volume then come in with armor rock as a more economical approach.

Per City Engineer Meyer, the use of cement block should be evaluated during the design of armor rock placement. Based on my experience, concrete block cost more per ton than rock and would not break down wave energy as effectively as rock.

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

3 Mayor/Lord/Aderhold

4 **RESOLUTION 20-057**

5
6 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA
7 ESTABLISHING A SMALL BUSINESS ECONOMIC RELIEF GRANT
8 (SBERG) PROGRAM IN RESPONSE TO THE ECONOMIC UPHEAVAL
9 CAUSED BY THE MEASURES TAKEN TO ASSURE PUBLIC SAFETY IN
10 THE FACE OF THE COVID-19 PANDEMIC

11
12 WHEREAS, On January 31, 2020, the United States Department of Public Health and
13 Human Services Secretary, Alex Azar, declared a public emergency for the novel coronavirus
14 (Covid-19) beginning on January 27, 2020; and

15
16 WHEREAS, On March 11, 2020, Governor Mike Dunleavy signed a Public Health Disaster
17 Emergency Declaration that provided for health mandates to be issued when deemed
18 necessary by the Alaska Department of Health and Social Services, the Alaska Chief Medical
19 Officer, the Alaska Division of Public Health, and the Office of the Governor; and

20
21 WHEREAS, On March 17, 2020, Governor Dunleavy, in recognition of the tremendous
22 negative economic consequences of imposing social and business restrictions to avoid a rapid
23 spread of the virus effects created the Alaska Economic Stabilization Team, a bipartisan group
24 of leaders working with the Dunleavy administration on a plan to protect the state's economy
25 from the impact of Covid-19 in Alaska; and

26
27 WHEREAS, On March 18, 2020, Ken Castner, Mayor of the City of Homer, issued a
28 Declaration of a Local Emergency, later ratified and extended by the Homer City Council
29 through Resolution 20-029, that found there to be "a wide-spread financial and public health
30 emergency that will require unexpected expenditures of public funds that should be separately
31 accounted, to perhaps be eligible for Emergency Disaster Relief"; and

32
33 WHEREAS, The Dunleavy administration has issued a series of compulsory, and later
34 suggestive, directives and mandates that closed many businesses, placed restrictions on those
35 businesses that might remain open, ceased most interstate and intrastate travel, and generally
36 kept most citizenry isolated and at home; and

37
38 WHEREAS, The Dunleavy administration has issued a series of compulsory, and later
39 suggestive directives and mandates including "stay at home" orders, the banning of all
40 gatherings of more than 10 people for social, spiritual, and recreational purposes, and further
41 imposed that any activities outside the home meet social distancing and personal safety
42 requirements; and

43 WHEREAS, The message of avoiding unnecessary personal interactions as a preventive
44 measure also caused more online shopping, and a reduction of local trade; and
45 WHEREAS, the cumulative effects of the State mandates and restrictions have caused
46 significant negative economic impacts on Homer’s small businesses and workers; and

47
48 WHEREAS, Small businesses are the backbone of the City’s economy and provide
49 employment opportunities and provide essential services to the community; and

50
51 WHEREAS, the continued disruption and slow reentry have depleted reserves of many
52 small businesses and created a serious, and in many cases critical, danger to their economic
53 viability; and

54
55 WHEREAS, The State of Alaska received \$562.5 million in federal funding under the
56 Coronavirus Aid, Relief, and Economic Security Act (CARES Act) that is directed to Alaska’s
57 municipalities for direct relief designed to help meet each community’s costs associated with
58 coping with Covid-19; and

59
60 WHEREAS, Funds from this program may be used to provide small business grants to
61 businesses that suffered interruptions caused by the required State restrictions and mandates
62 related to Covid-19; and

63
64 WHEREAS, The City of Homer’s total allocation is \$7,899,085.29; and

65
66 WHEREAS, on May 26, 2020, the Homer City Council passed Resolution 20-051 accepting
67 the CARES Act grant and authorizing the City Manager to sign the grant agreement; and

68
69 WHEREAS, the first distribution to the City is scheduled to be in the amount of
70 \$3,867,758.79; and

71
72 WHEREAS, The Homer City Council believes the Covid-19 pandemic and actions taken
73 as a result to protect public health as described above have created immediate necessity for
74 economic relief to the small businesses within the City of Homer.

75
76 NOW THEREFORE BE IT RESOLVED that the City of Homer establishes a Small Business
77 Economic Relief Grant (SBERG) Program to respond to the economic hardships for businesses
78 in the City of Homer as a matter of necessity as a result of the Covid-19 pandemic and
79 associated health mandates.

80
81 BE IT FURTHER RESOLVED that the parameters of the SBERG Program are adopted as
82 the SBERG Program Policy under this resolution.

83

84 BE IT FURTHER RESOLVED that the City of Homer will exercise best efforts to
85 communicate the opportunity for this program throughout the community and provide
86 technical assistance to those working to submit successful applications to the grant program.
87

88 BE IT FURTHER RESOLVED that City administration will provide regular reports to the
89 Homer City Council about the status of the SBERG Program including information such as the
90 number of applications received, number of applications processed, and account balances of
91 the program fund.
92

93 BE IT FURTHER RESOLVED that nothing in this Resolution shall preclude the Homer City
94 Council from creating additional distributions to businesses, organizations, or individuals that
95 follow CARES Act prescriptions, and that the provisions of this Resolution become effective
96 upon adoption and shall continue until further formal action of the Homer City Council or until
97 the date that all CARES Act funds must be expended on eligible costs by December 30, 2020.
98

99 PASSED AND ADOPTED by the Homer City Council on this ____ day of _____, 2020.

100
101 CITY OF HOMER
102

103
104 _____
105 KEN CASTNER, MAYOR
106

107 ATTEST:
108
109

110 _____
111 MELISSA JACOBSEN, MMC, CITY CLERK
112

113 Fiscal Note: N/A

**CITY OF HOMER COVID-19
SMALL BUSINESS ECONOMIC RELIEF GRANT (SBERG) PROGRAM POLICY
GRANT PROCEDURES AND CRITERIA**

Purpose

The City of Homer's Small Business Economic Relief Grant (SBERG) Program is designed to provide the maximum amount of funds to the maximum number of businesses that have a place of business in Homer, have a recent history of City of Homer sales tax collection, and can certify they have suffered a loss of revenue due to the novel coronavirus (Covid-19). The City of Homer, using Coronavirus Aid, Relief, and Economic Security (CARES) Act funding, has allocated \$3,000,000 to be distributed through this program in \$3,000 grants.

Eligibility Criteria

1. Must have a physical place of business situated within the City of Homer (Examples include but are not limited to an office, home-based business, restaurant, store). The primary business activity must occur within the City limits.
2. Must be considered a small business as defined by the State of Alaska AK CARES Grant Program, which states that a small business has, on average, 50 or fewer full-time equivalent employees.
3. Must have filed a sales tax report with the Kenai Peninsula Borough within the third quarter of 2019, the fourth quarter of 2019, or the first quarter of 2020, that indicates City of Homer taxable sales.
4. Must not be delinquent on payments and filed returns with the Kenai Peninsula Borough Tax Department with no missed filings or balance due on record.
5. All applicants must disclose and certify and provide a brief explanation as to how the business suffered a loss of revenue because of the Covid-19 pandemic. The business must agree it was/is negatively impacted by the COVID pandemic either through rapid expansion or adaptation to serve the community or because of forced closure in the name of public health. If it is determined the SBERG funds were used for an ineligible purpose, the applicant may be required to return those funds back to the City.
6. Cannot be a marijuana related business or a business that has filed for bankruptcy.
7. A business may only apply one time for this grant.
8. The City reserves the right interpret the terms of this program.

Grant funds may be used for:

1. Payment of rent or required monthly loan payments (i.e., mortgage)
2. Payments of essential wages, taxes, and normal benefits to employees essential to maintain business
3. Normal operating costs that are included in "cost of goods sold" on business's income statement (raw materials for manufacturers, component pieces for assemblers, items for resale for retailers, food for restaurants, etc.)
4. Normal operating expenses that are included in "operating expenses" on businesses' income statement (utilities, insurance, professional services, etc.)
5. Normal draw or wages on a weekly or monthly basis to owner
6. Purchase of personal protective equipment required by the business
7. Expenses incurred to replenish inventory or other necessary re-opening expenses

Grant funds may not be used for:

1. Any expense that would not be considered an eligible business expense by IRS rules
2. Political contributions
3. Bonuses to owners or employees
4. Wages to any member of owner's family who is not a bona fide employee
5. Charitable contributions
6. Gifts or parties
7. Draw or salary to owner that exceed the amount that they were paid on a weekly or monthly basis for the same period in 2019
8. Pay down or pay off debt by more than required in underlying debt instrument
9. Any expense considered ineligible under the State of Alaska CARES Act grant program

Process

1. The City will begin collecting applications as soon as practicable once City administration has developed and staffed the program. The deadline for applications is September 25, 2020 or the date when appropriated funds have been expended (whichever comes first). Applications will be accepted on a rolling basis.
2. Business information provided in the SBERG application will be kept confidential to the extent authorized by law.
3. The business owner must fill out the application available online at the City of Homer website or paper application available from the Clerk's office. Paper applications must be returned to the Finance Department.

4. The application must be submitted with a W-9 form from the Internal Revenue Service.
5. Upon receipt of a complete application and verification of eligibility requirements, a grant payment in the amount of \$3,000 shall be disbursed to the applicant. Payments shall be dispersed to eligible applicants on a rolling basis. Applicants will be notified via email once their application has been approved.
6. Applicants who submit incomplete applications or whose requests are denied will be notified via email.
7. A 1099 Misc. income form will be provided by the end of the year.
8. It is the responsibility of the applicant to determine whether:
 - a. Proceeds from the grant are taxable, or
 - b. The receipt of a grant under this program precludes eligibility for any other grant or aid programs.
9. Grant proceeds are to be used for eligible Covid-19 emergency related expenses, whether those expenses were previously paid, are currently unpaid, or are held in arrears.
10. Grants under this program are subject to audit. Businesses are required to maintain records for a period of 6 years.



Memorandum 20-070

TO: HOMER CITY COUNCIL

FROM: MAYOR CASTNER AND COUNCILMEMBERS LORD AND ADERHOLD

DATE: JUNE 8, 2020

SUBJECT: CITY OF HOMER CARES ACT FUNDING

The City will be receiving over \$7.8M from the State of Alaska in federal CARES Act funds. During a worksession on May 6, 2020, the Council discussed opportunities for economic assistance payments for Homer's small businesses as well as individuals/households within the City.

Resolution 20-051 authorized the City Manager to sign the CARES Act funding grant agreement with the State and accept funding. A copy of the signed grant agreement is included as backup. Included with this memorandum are backup documents from the Alaska Municipal League (AML) and the Foraker Group regarding grant program guidance for using these funds. Council has received previous attachments with Federal Treasury Guidance for local government use of funds.

For our June 8th meeting, Council will have Ordinance 20-25 & 20-25(S), appropriating the first CARES Act payment. Resolution 20-057 outlines the parameters of a Small Business Economic Relief Grant (SBERG) Program, with the accompanying policy document, which is funded through Ordinance 20-25/(S). The program policy takes into consideration the guidance from AML/Foraker who encourage simple and concise applications for small business grants under \$25,000.

The Mayor has been in contact with the Kenai Peninsula Borough Finance Department and Kenai Peninsula Economic Development District (KPEDD). From his communications, we have a basic idea of the potentially qualifying businesses in the City of Homer. The Kenai Peninsula Borough reported that 943 businesses filed first quarter reports and collected City of Homer tax, and 79 businesses that normally collect City of Homer sales tax filed first quarter reports with no sales tax collection. Of those 1,022 businesses, 33 were in arrears of payments and 17 had missing prior reports; under the proposed guidelines these 50 businesses would not be eligible for grant payments until they are again in good standing with the Kenai Peninsula Borough Tax Department. A blank sales tax return form is included with this memorandum. The sponsors recommend using Q3 2019, Q4 2019, or Q1 2020 borough tax filings as a filter for business eligibility. This takes into consideration businesses that may have requested to pre-file for a period of time over the winter. We're likely considering a small number of businesses in this potential gray area.

The full Council should develop a further strategy for the full amount of CARES Act funding, understanding the guidance and grey areas existing around authorized uses. All uses of the funds must be clearly and logically demonstrated to be necessary responses to the Covid-19 pandemic, as determined by the Council. Council will also

need to come to a decision as to whether or not staff should pursue FEMA reimbursement for FEMA-eligible expenses, as that will impact the CARES Act appropriation in Ordinance 20-25/(S).

Priorities discussed include:

- Small Business Assistance (funded within the current legislation before Council): Governments have discretion to determine what payments are necessary. US Treasury guidelines and expanded discussion state that a program that is aimed at assisting small businesses with the costs of business interruption caused by required closures should be tailored to assist those businesses in need of such assistance. Program policy, including eligible expenses, has been outlined in the SBERG Program policy document that accompanies Resolution 20-057.
- Household Assistance (ideas discussed include direct payments, utility payments, rent assistance)
- Nonprofit Assistance (consider exploring the Homer Foundation Covid-19 response fund, and understanding potential drawbacks to pass-through funding outlined by AML/Foraker Group)
- Covering eligible municipal costs both incurred and anticipated

We should also acknowledge the unknowns before us in terms of potential response costs in the coming months for the City as well as for the community. The guidance document from AML/Foraker Group encourages municipalities to think of providing assistance now, as well as 3-9 months from now. Again, when considering plans for CARES Act funds, Council must also consider potential FEMA funds available and the overall funding strategy for Covid-19 response that maximizes opportunity and is in the best interest of the community.