



Agenda

City Council Regular Meeting

Monday, October 23, 2023 at 6:00 PM

Cowles Council Chambers In-Person & Via Zoom Webinar

Homer City Hall

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

Zoom Webinar ID: 205 093 973 Password: 610853

<https://cityofhomer.zoom.us>
Dial: 346-248-7799 or 669-900-6833;
(Toll Free) 888-788-0099 or 877-853-5247

CALL TO ORDER, PLEDGE OF ALLEGIANCE

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

MAYORAL PROCLAMATIONS AND RECOGNITIONS

PUBLIC COMMENT ON MATTERS ALREADY ON THE AGENDA

RECONSIDERATION

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

- a. Homer City Council Unapproved Regular Meeting Minutes of October 9, 2023. City Clerk. Recommend adoption.
- b. Memorandum CC-23-237 from Mayor Re: Re-appointment of Ingrid Harrald to the Parks Art Recreation and Culture Advisory Commission and Appointment of Beatrix McDonough as Student Representative to the Library Advisory Board. Recommend approval.
- c. Ordinance 23-53, An Ordinance of the City Council of Homer, Alaska Amending the FY24 Capital Budget by Accepting \$66,650 from the State of Alaska Department of Corrections for Reimbursement for the Purchase of the Jail Van. City Manager/Police Chief. Recommended dates Introduction October 23, 2023 Public Hearing and Second Reading November 13, 2023.

Memorandum CC-23-238 from Police Chief as backup.
- d. Ordinance 23-54, An Ordinance of the City Council of Homer, Alaska Amending the FY24 Capital Budget by Appropriating \$15,000 from the Port Reserves Fund for Repair of the Deep Water Dock Sink Hole. City Manager/Port Director. Recommended dates Introduction October 23, 2023, Public Hearing and Second Reading November 13, 2023.

Memorandum CC-23-239 from Port Director as backup.

- e. Resolution 23-111, A Resolution of the City Council of Homer, Alaska Approving the Updated City of Homer Americans with Disabilities Act (ADA) ADA Transition Plan for City Facilities. Aderhold. Recommend adoption.

Memorandum CC-23-240 from Deputy City Clerk/ADA Coordinator as backup.

- f. Resolution 23-112, A Resolution of the City Council of Homer, Alaska Approving the City of Homer Americans with Disabilities Act (ADA) Transition Plan for Parks, Play Areas, and Campgrounds and will be included as a Chapter of the City of Homer ADA Transition Plan for City Facilities, Services and Programs. Aderhold. Recommend adoption.

Memorandum CC-23-241 from Deputy City Clerk/ADA Coordinator as backup.

- g. Resolution 23-113, A Resolution of the City Council of Homer, Alaska Approving a Task Order to Coble Geophysical Services, LLC in the Not to Exceed Amount of \$53,000 to Design Storm Water Works for the Kachemak Green Infrastructure Storm Water Management Project, and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Public Works Director. Recommend adoption.

Memorandum CC-23-242 from Public Works Director as backup.

- h. Resolution 23-114, A Resolution of the City Council of Homer, Alaska Approving a Contract with Kachemak Heritage Land Trust in the not to exceed Amount of \$30,000 to Assist with Acquisition of Properties for the Kachemak Sponge Green Infrastructure Storm Water Management Project and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Public Works Director. Recommend adoption.

Memorandum CC-23-243 from Public Works Director as backup.

- i. Resolution 23-115, A Resolution of the City Council of Homer, Alaska Authorizing the City Manager to Apply to the Environmental Protection Agency for a Multipurpose Brownfield Grant in Support of Revitalization of the Homer Education and Recreation Complex (HERC) Site. City Manager. Recommend adoption.

Memorandum CC-23-244 from Economic Development Manager as backup.

- j. Resolution 23-116, A Resolution of the City Council of Homer, Alaska Approving a Lobbyist Contract with J&H Consulting, LLC of Juneau, Alaska for a Term of One Year Commencing December 15, 2023 and Ending December 15, 2024 in the Amount of \$42,000 and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager. Recommend adoption.

Memorandum CC-23-245 from Special Projects & Communications Coordinator as backup.

- k. Resolution 23-117, A Resolution of the City Council of Homer, Alaska Approving an Amendment to the Copper River Seafoods Lease for a Portion of Lot 13B, City of Homer Port Industrial

Subdivision No. 2 According to the Plat No. 80-92, KPB Parcel 18103425. City Manager. Recommend adoption.

Memorandum CC-23-246 from Port Lease Manager as backup.

- [L](#). Resolution 23-118, A Resolution of the City Council of Homer, Alaska Directing City Administration to Investigate Potential Locations and Related Costs for a Future City of Homer Multi Use Community Recreation Center for Council Review. Aderhold/Erickson. Recommend adoption.

Memorandum CC-23-247 from Recreation Manager as backup.

VISITORS

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

- a. Worksession Report
- b. Committee of the Whole Report
- c. Mayor's Report
- d. Borough Report
- e. Economic Development Advisory Commission
- f. Port and Harbor Advisory Commission
- g. ADA Advisory Board
- h. Library Advisory Board
- i. Parks Art Recreation and Culture Advisory Commission
- j. Prince William Sound Regional Citizens Advisory Council
 - [i](#). Prince William Sound Regional Citizens Advisory Council written report

PUBLIC HEARING(S)

- [a](#). Ordinance 23-52, An Ordinance of the City Council of Homer, Alaska Amending the FY24 Capital Budget by Appropriating an Additional \$7,000 from the Port Fleet Reserves Fund to Purchase a Plow Truck. City Manager/Port Director. Recommended dates Introduction October 9, 2023, Public Hearing and Second Reading October 23, 2023.

Memorandum CC-23-230 from Port Director as backup.

- [b](#). Ordinance 23-21(S)(A), An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Section 22.010.050 to Specify that Preliminary Plats Approved by the City Shall Include all Development Commitments Made to the City. Davis/Erickson. Introduction April

10, 2023 and Refer to Planning Commission, Public Hearing August 28, 2023, Public Hearing and Second Reading October 23, 2023.

Memorandum CC-23-249 from City Planner as backup.

Memorandum CC-23-217 from City Planner as backup.

ORDINANCE(S)

CITY MANAGER'S REPORT

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

PENDING BUSINESS

NEW BUSINESS

- [a.](#) Memorandum CC-23-250 from City Clerk re: Selection of Mayor Pro Tem for 2023/2024.
- [b.](#) Memorandum CC-23-251 from Mayor re: Proposal for 2023/2024 Work Plan.

RESOLUTIONS

- [a.](#) Resolution 23-119, A Resolution of the City Council of Homer, Alaska Awarding a Contract to Agnew::Beck Consulting of Anchorage, Alaska for an Amount not to Exceed \$650,000 for the Purpose of Developing a New Comprehensive Plan and Complete Update of the Title 21 Zoning and Planning Code and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager.

Memorandum CC-23-248 from City Planner as backup.

- [b.](#) Resolution 23-120, A Resolution of the City Council of Homer, Alaska Providing Detail and Direction for Working with Staff to Update Financial Reporting to the Council and Develop a Financial Plan for the City. Lord/Erickson/Mayor.

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, November 13, 2023 at 6:00 p.m., Work Session at 4:00 p.m. and Committee of the Whole at 5:00 p.m. All meetings are scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

Session 23-20 a Regular Meeting of the City Council of Homer, Alaska was called to order on October 9, 2023 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, DAVIS, ERICKSON, HANSEN, LORD, VENUTI

STAFF: CITY MANAGER DUMOUCHEL
CITY CLERK JACOBSEN
FINANCE DIRECTOR WALTON
PORT DIRECTOR HAWKINS
LIBRARY DIRECTOR BERRY
PUBLIC WORKS DIRECTOR KEISER
SPECIAL PROJECTS & COMMUNICATIONS COORDINATOR CARROLL
RECREATION MANAGER ILLG
CHIEF TECHNOLOGY OFFICER JIRSA
CITY ATTORNEY GATTI

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

Mayor Castner announced the supplemental items: **CONSENT AGENDA** Resolution 23-108, A Resolution of the City Council of Homer, Alaska Confirming the Assessment Roll, Establishing Dates for Payment of Special Assessments and Establishing Delinquency, Penalty, and Interest Provisions for the Tasmania Court Water and Sewer Special Assessment Districts. City Clerk. Final Assessment Roll attachment to the Resolution **PUBLIC HEARING** Ordinance 23-49, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Title 2, Chapters 2.32 Departments and Boards, 2.44 Department of Administration, 2.48 Public Library, and Enacting Chapters, 2.46 Department of Information Technology and 2.57 Department of Community Development. City Manager. Written public comments. **CITY MANAGER'S REPORT** FY23 4th Quarter Financial Report and Memorandum from Acting City Manager Re: Homer Fury Exercise **RESOLUTIONS** Resolution 23-110(S), A Resolution of the City Council of Homer, Alaska Certifying the Results of the City of Homer Regular Election held October 3, 2023 to Elect Two City Council Members for Three Year Terms each. City Clerk/Canvass Board. Certificate of Election and Election Percentages Report.

ADERHOLD/VENUTI MOVED TO ADOPT THE AGENDA.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

MAYORAL PROCLAMATIONS AND RECOGNITIONS

PUBLIC COMMENT ON MATTERS ALREADY ON THE AGENDA

RECONSIDERATION

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

- a. Homer City Council Unapproved Regular Meeting Minutes of September 25, 2023. City Clerk. Recommend adoption.
- b. Memorandum CC-23-228, from City Clerk Re: Authorizing travel for the Mayor and up to Six Council Members to attend the Alaska Municipal League Annual Conference in Anchorage, Alaska, December 4 - 8, 2023. Recommend approval.
- c. Memorandum CC-23-229, from City Clerk Re: Expressing Non-Objection to the Renewal of the Standard Marijuana License Renewal for Alaska Loven It, LLC dba Wildflower Farms. Recommend approval.
- d. Ordinance 23-52, An Ordinance of the City Council of Homer, Alaska Amending the FY24 Capital Budget by Appropriating an Additional \$7,000 from the Port Fleet Reserves Fund to Purchase a Plow Truck. City Manager/Port Director. Recommend dates Introduction October 9, 2023, Public Hearing and Second Reading October 23, 2023.

Memorandum CC-23-230 from Port Director as backup.

- e. Resolution 23-103, A Resolution of the City Council of Homer, Alaska Approving a Sole Source Contract with Fritz Creek Welding in the amount of up to \$18,000 to Fabricate Custom Metal Parts for the Beluga Slough Green Infrastructure Project, and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Public Works Director. Recommend adoption.

Memorandum 23-231 from Public Works Director as backup.

- f. Resolution 23-104, A Resolution of the City Council of Homer, Alaska Approving a Sole Source Contract with Jay Rand in the amount of \$85,000 to Fabricate a Custom Concrete Vault for the Beluga Slough Green Infrastructure Project and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Public Works Director. Recommend adoption.

Memorandum 23-232 from Public Works Director as backup.

- g. Resolution 23-105, A Resolution of the City Council of Homer, Alaska Authorizing a Change Order to Coble Geophysical Services, LLC in the Amount of \$23,000 to Continue Work on the Beluga Slough Green Infrastructure Project and Authorizing the City Manager to Negotiate and

Execute the Appropriate Documents. City Manager/Public Works Director. Recommend adoption.

Memorandum 23-233 from Public Works Director as backup.

- h. Resolution 23-106, A Resolution of the City Council of Homer, Alaska Accepting the Donation from Homer Drawdown of Wind Chimes for Trails Enhancement and as a Display of Appreciation for the Volunteers who have Worked to Improve the Experience and Condition of Homer's Local Trails. City Clerk/PARCAC. Recommend adoption.

Memorandum 23-234 from PARCAC as backup.

- i. Resolution 23-107, A Resolution of the City Council of Homer, Alaska Approving a One Year Subscription in the Amount of \$15,500 to Environmental Systems Research Institute, Inc. for GIS Software and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manger/Public Works Director. Recommend adoption.

Memorandum 23-235 from Public Works Director as backup.

- j. Resolution 23-108, A Resolution of the City Council of Homer, Alaska Confirming the Assessment Roll, Establishing Dates for Payment of Special Assessments and Establishing Delinquency, Penalty, and Interest Provisions for the Tasmania Court Water and Sewer Special Assessment Districts. City Clerk. Recommend adoption.
- k. Resolution 23-109, A Resolution of the City Council of Homer, Alaska Amending the 2023 City Council Meeting Schedule for November and December by adding a Regular Meeting on November 13th and deleting the meeting on December 11th. City Manager. Recommend adoption.

City Clerk Jacobsen read the consent agenda with recommendations.

ADERHOLD/VENUTI MOVED TO ADOPT THE RECOMMENDATIONS OF THE CONSENT AGENDA AS READ.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

VISITORS

- a. MAPP Community Health Assessment - Hannah Gustafson & Derotha Ferraro (15 minutes)

Derotha Ferraro and Hannah Gustafson presented a power point and an overview of the 2023 Community Health Needs Assessment. They addressed the four sections of the assessment which are community themes & strengths assessment, local public health system assessment, community

health status assessment, and forecast of change assessment. They shared information regarding data limitations and comparisons of the changes in each section since the initial survey in 2008, recurring themes, demographics, and general findings.

b. Walking Action Plan - Pat Case (10 minutes)

Pat Case reviewed the Walking Action Plan he developed in partnership with Alaska Walks for the Walking College of Alaska & New Mexico. It's developed primarily for the downtown Homer area and his interest is promoting sidewalks in the community. He shared an overview of America Walks Walking College and how the cohort worked between Alaska and New Mexico and the member's task of developing an action plan for their own community. His plan includes three main goals which are improve pedestrian safety, connect walking network and ensure accessibility for all, and promote overall community health and wellness.

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

a. Worksession Report

City Manager Dumouchel reported Council received a presentation from Recreation Manager Mike Illg about the future of a multi-use community center and options for locations given ongoing issues with the current HERC site. Council Members Aderhold and Erickson will be working on a resolution for future consideration on how to move forward.

b. Committee of the Whole Report

Council Member Aderhold reported Council discussed Resolutions 23-103,104, and 105 about creating green infrastructure at the Beluga Slough wetlands, Ordinance 23-49 regarding city department re-organization, and an article regarding drug cartels targeting Alaska.

c. Mayor's Report

Mayor Castner reported he's given a lot of thought about the concept of having Council champions on a variety of topics he thinks the Council is interested in getting accomplished. He proposed designating two champions for each topic, and he would be the third so he's aware of how things are going procedurally. A memorandum would be used to get items on the Council's agenda under new business, then a resolution in order to get things moving. Mayor and Council Members discussed this concept and the notion of establishing champions for projects by memorandum to support the work to be done. He will have a memo or a resolution for them to consider regarding Council champions and process.

d. Borough Report

e. Planning Commission

f. Port and Harbor Advisory Commission

PUBLIC HEARING(S)

- a. Ordinance 23-49, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Title 2, Chapters 2.32 Departments and Boards, 2.44 Department of Administration, 2.48 Public Library, and Enacting Chapters, 2.46 Department of Information Technology and 2.57 Department of Community Development. City Manager. Introduction August 14, 2023, Public Hearing and Second Reading October 9, 2023.

Memorandum CC-23-177 from City Manager as backup.
Memorandum CC-23-226 from Library Advisory Board.

Mayor Castner opened the public hearing.

Kate Finn, city resident & Library Advisory Board Member, commented the Library Advisory Board supports the independent Library Department and IT Department. She addressed the importance of role the library plays in our community.

There were no other comments and the hearing was closed.

ADERHOLD/VENUTI MOVED TO ADOPT ORDINANCE 23-49 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

ERICKSON/VENUTI MOVED TO POSTPONE TO THE SECOND WEEK IN APRIL.

Council Member Erickson said she supports the change for the Library and IT, but has concerns about the functioning for recreation in this proposal. She'd like to see how this will play out and would like to push it back to the spring. It was noted the departments and divisions have been functioning for some time. When asked what would need to happen between now and April, Council Member Erickson explained there's a perception that recreation is a low priority but the community is asking for this. Community recreation has the structure working and she thinks recreation should become a fully functioning department.

Council Member Lord commented she doesn't support postponing to April, echoing that there isn't clarity on what the metrics would be or what would be different between now and April. She's considering a postponement until after the November Recreation Work Session. She feels mollified with this as a stepping stone.

Council Member Davis noted the sticking point on this seems to be this big super department of Planning, Economic Development, and Parks and Rec, and asked that since they've been functioning like that, is there something we would learn over six months?

City Manager Dumouchel explained parts of this ordinance have been in operation, like IT and the Library, and there are some teams that are in the Community Development structure. He provided some history of how the departments have integrated and changed in the past, the organization chart,

and that typically any time we get in to the quality of life and rec center conversations, planning and economic development elements are there.

VOTE (postponement): YES: ERICKSON, DAVIS
NO: ADERHOLD, HANSEN, LORD, VENUTI

Motion failed.

VENUTI/ADERHOLD MOVED TO POSTPONE TO THE NEXT MEETING ON THE 25TH

Council Member Venuti hasn't heard from the Planning Commission regarding this and they have a joint work session scheduled for next week.

Council Member Lord reminded that the work session is a continuation of their joint work sessions focused on training with the advisory bodies and not about this ordinance.

In response to a question, City Manager Dumouchel explained the work session on November 27th is the follow up on the Resolution 23-047 and possible pathways to a Parks and Recreation Department within 10 years.

ERICKSON/VENUTI MOVED TO AMEND THE MOTION TO THE FIRST MEETING IN JANUARY.

Council Member Erickson explained this is the next meeting after the November work session and it would give Council time to consider the work session information.

Council Member Lord commented she's heard enough information to feel comfortable moving forward with this ordinance. No matter what happens between now and the next time this comes back, there is one FTE in recreation and until it's staffed up there aren't more resources there. She understands now that we have to take steps to get to that place. She does not support postponing.

Council Member Davis supports postponing and have the Council Members championing recreation to look at what we can do to emphasize to the community and ourselves that we take parks and rec seriously.

VOTE (amendment): YES: HANSEN, VENUTI, LORD, DAVIS, ADERHOLD, ERICKSON

Motion carried.

Council Member Lord encouraged that during the postponement others to think of a path forward they can propose.

VOTE: (main motion as amended): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- b. Ordinance 23-51, An Ordinance of the City Council of Homer, Alaska Amending the FY24 Capital Budget by Accepting and Appropriating a State of Alaska Public Library Assistance Grant for FY24 in the Amount of \$7,000 for Books and Library Materials. City Manager/Library Director. Introduction September 25, 2023 and Public Hearing & Second Reading October 9, 2023.

Memorandum CC-23-218 from Library Director as backup.

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

ADERHOLD/VENUTI MOVED TO ADOPT ORDINANCE 23-51 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

ORDINANCE(S)

CITY MANAGER'S REPORT

- a. City Manager's Report

City Manager Dumouchel reported on the International City Manager's Association conference he recently attended and announced the upcoming Panel Discussion on What's Driving Change in Homer public meeting.

He responded to questions regarding the status of the airport sidewalk repairs, explaining that the project has been out to bid twice with no response so the plan is to advertise in the spring, and work with Public Works on ways to help make the problem area visible until then. Regarding the Mattox property clean-up, the property owners have not responded so the City will be moving forward next steps.

There was discussion on the audit update memorandum and financial reporting, regarding historical timing of receipt of the audit, the need for better reporting is most important, and accurate information on a monthly basis.

PENDING BUSINESS

NEW BUSINESS

RESOLUTIONS

- a. Resolution 23-110, A Resolution of the City Council of Homer, Alaska Certifying the Results of the City of Homer Regular Election held October 3, 2023 to Elect Two City Council Members for Three Year Terms each. City Clerk/Canvass Board.

ADERHOLD/VENUTI MOVED TO ADOPT RESOLUTION 23-110 BY READING OF TITLE ONLY.

ADERHOLD/LORD MOVED TO SUBSTITUTE RESOLUTION 23-110(S) FOR 23-110.

There was no discussion on the motion to substitute.

VOTE (substitution): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

There was no discussion on the main motion.

VOTE (main motion): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Mayor Castner thanked all the candidates who ran for election this year.

City Clerk Jacobsen administered the oath of office to Council Members Lord and Venuti.

COMMENTS OF THE AUDIENCE

Pat Case, city resident, commented he'll be promoting his plan for community benches to extend walking distances.

COMMENTS OF THE CITY ATTORNEY

Attorney Gatti had no comments.

COMMENTS OF THE CITY CLERK

City Clerk Jacobsen commented regarding the Finance team, their commitment to their work, and their ongoing efforts to complete the 22 audit, and preparation for 23. She also reported openings on City advisory bodies.

COMMENTS OF THE CITY MANAGER

City Manager Dumouchel announced job openings in City Planning and encouraged interested people to apply.

COMMENTS OF THE MAYOR

Mayor Caster commented about a movie about places around the earth called blue zones where people live to be 100 years old. There were several attributes but the biggest was that everybody that lived there walked.

COMMENTS OF THE CITY COUNCIL

Council Member Hansen congratulated Council Members Lord and Venuti on their re-election.

Council Member Erickson said it's a pleasure working with Council Members Lord and Venuti.

Council Member Davis thanked the City Clerk for working with him on reporting election percentages.

Council Member Aderhold congratulated Council Members Lord and Venuti and encouraged applying to Board and Commission openings. She'll be at Conversation with a Council Member at the library, she encouraged attending the Tempest at the Mariner Theater, and shared about her recent trip to Ireland.

Council Member Venuti shared it's an honor to serve and thanked everyone who voted. When she was campaigning she saw a lot of unsafe drivers coming out of Heath Street exit of the high school. She recognized the middle school soccer teams on their great season.

Council Member Lord said she's glad to be back for another term, she appreciates everyone who voted, but is bummed about the overall voter turnout. She said the Tempest was great and also encouraged seeing it. Today is Indigenous Peoples Day and Alaska was the second state in the nation to recognize it in 2017. She's thankful for our tribes and the first peoples of Alaska. She honors the sovereignty of the nation and relationship we have with the tribes on paper, and the work they do to see it exist in reality.

ADJOURN

There being no further business to come before the Council Mayor Castner adjourned the meeting at 8:13 p.m. The next Regular Meeting is Monday, October 23, 2023 at 6:00 p.m., Work Session at 4:00 p.m. and Committee of the Whole at 5:00 p.m. All meetings are scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

Melissa Jacobsen, MMC, City Clerk

Approved: _____



MEMORANDUM

Re-Appointment of Ingrid Harrald to the Parks Art Recreation and Culture Advisory Commission and Appointment of Beatrix McDonough as Student Representative to the Library Advisory Board.

Item Type: Action Memorandum
Prepared For: Homer City Council
Date: October 17, 2023
From: Mayor Castner

Ingrid Harrald is re-appointed to the Parks Art Recreation and Culture Advisory Commission. The term expires October 31, 2026.

Beatrix McDonough is appointed to the Library Advisory Board as Student Representative. The term expires with graduation from High School.

Recommendation

Confirm the re-appointment of Ingrid Harrald to the Parks Art Recreation and Culture Advisory Commission and the appointment of Beatrix McDonough to the Library Advisory Board as Student Representative.

Attachments:

Ingrid Harrald application
Beatrix McDonough application



Advisory Body Application For Reappointment to Committees, Commissions, Board & Task Forces

Office of the City Clerk

491 East Pioneer Avenue

Homer, Alaska 99603

Phone: (907) 235-3130

Fax: (907) 235-3143

clerk@cityofhomer-ak.gov

The Information provided on this form will provide the basic information to the Mayor and City Council on your interest in serving on the selected Advisory Body. It is considered public and will be included in the City Council meeting packet. This information will be published in the City Directory and within city web pages if you are reappointed by the Mayor and your reappointment is confirmed by the City Council.

Applicant Information

Full Name: Ingrid Harrald

Physical Address Where you Claim Residency: 40521 Waterman

Mailing Address: PO Box 2665

City: Homer State: AK Zip: 99603

Phone Number(s): 9072994370

Email: ieharrald@alaska.edu

Advisory Body You Are Requesting Reappointment To

- Planning Commission
- Parks, Art, Recreation & Culture Advisory Commission
- Port & Harbor Advisory Commission
- Economic Development Advisory Commission
- Library Advisory Board
- ADA Advisory Board
- Other – Please Indicate _____

Please Answer the Following

Do you have a current Public Official Conflict of Interest Disclosure Statement on file with the City Clerk as required by HCC 1.18.043? Yes No

What resident type is your current seat? City Resident Non-City Resident

Has your residency changed since your last appointment? Yes No

How long have you served on this advisory body? 4 years?

Background Information

Please list any current memberships or organizations that you belong to related to the advisory body you serve on:

KBBI
KBEEA
HBC

Please explain why you wish to be reappointed to the Advisory Body to which you currently serve. This may include information on accomplishments or projects completed, future goals for the body, or any additional information that may assist the Mayor in the decision making process. You may attach an additional page if needed.

I believe that our outdoor spaces and the walkability of our city is what makes Homer such a special place. I want to prioritize trails and sidewalks as well as green space. I would like to help increase bike paths and street safety. I want to be an advocate for our local parks and trails both to the council and our community.



Advisory Body Application For Appointment to Committees, Commissions, Board & Task Forces

Office of the City Clerk
491 East Pioneer Avenue
Homer, Alaska 99603
Phone: (907) 235-3130
Fax: (907) 235-3143
clerk@cityofhomer-ak.gov

The Information provided on this form will provide the basic information to the Mayor and City Council on your interest in serving on the selected Advisory Body. It is considered public and will be included in the City Council meeting packet. This information will be published in the City Directory and within city web pages if you are appointed by the Mayor and your appointment is confirmed by the City Council.

Applicant Information

Full Name: Beatrix McDonough
Physical Address Where you Claim Residency: 470 Mountain View Drive
Mailing Address: 470 Mountain View Drive
City: Homer State: AK Zip: 99603
Phone Number(s): [REDACTED]
Email: [REDACTED]

Advisory Body You Are Requesting Appointment To

- Planning Commission** – Meetings held on the 1st and 3rd Wednesday of each month at 6:30 p.m. and Worksessions at 5:30 p.m. prior to each meeting. No first meeting in July or second meetings in November and December.
- Parks, Art, Recreation & Culture Advisory Commission** – Meetings held on the 3rd Thursday of February through June and August through November at 5:30 p.m.
- Port & Harbor Advisory Commission** – Meetings held on the 4th Wednesday of January, February, March, April, September, and October at 5:00 p.m.; the 4th Wednesday of May, June, July, and August at 6:00 p.m.; and the 2nd Wednesday of December at 5:00 p.m.
- Economic Development Advisory Commission** – Meetings held on the 2nd Tuesday of each month at 6:00 p.m.
- Library Advisory Board** – Meetings held on the 3rd Tuesday of each month, excluding June and July, at 5:30 p.m.
- ADA Advisory Board** – Meetings held on the 2nd Thursday in the months of April, May, June, July, October, November, and as needed at 5:00 p.m.
- Other** – Please Indicate _____

Please Answer the Following

Are you a City Resident? Yes No If yes, how long have you been a City resident? 16 years
16 years

How long have you been a resident of the South Peninsula Area? 16 years
16 years

Background Information

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

I have never served on an advisory body.

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

I am currently a member of National Honor Society and the junior class secretary at Homer High School. I have participated in both NHS and the highschool Student Council for the last 3 years.

Please list any special training, education, or background you may have which is related to your selection(s):

In the past I have volunteered at the Homer Public Library with children's programs and shelving books.

Why are you interested in serving on the selected Advisory Body? This may include information on future goals or projects you wish to see accomplished or any additional information that may assist the Mayor in the decision making process. You may attach an additional page if needed.

I would love to be the high school representative on the Library Advisory Board because I would like to become a more active part of my community. I greatly appreciate the public library and spend a fair amount of time there, and I think I would do a good job representing the younger generation on library issues. I would also like to learn the process Advisory Boards go through in case I'm interested in being in a city council related position in the future.

FOR PLANNING COMMISSION ONLY:

Have you ever developed real property other than a personal residence? If yes, briefly explain:

FOR PORT & HARBOR ADVISORY COMMISSION ONLY:

Do you use the Homer Port and/or Harbor on a regular basis? Yes No

If yes, what is your primary use? Commercial Recreational Other: _____

**MEMORANDUM**

Ordinance 23-53, An Ordinance of the City Council of Homer, Alaska Amending the FY24 Capital Budget by Accepting \$66,650 from the State Department of Corrections for Reimbursement for the Purchase of the Jail Van. City Manager/Police Chief.

Item Type: Backup Memorandum
Prepared For: City Manager Dumouchel
Date: October 11, 2023
From: Mark Robl
Through: Police Chief

The State has issued us a reimbursement check for the purchase and outfitting of our new jail van. The reimbursement process for this purchase did not follow a regular grant process.

On 7-25-2023 I received an email from Justin Francois, the Community Jails Coordinator for the State. Francois advised that funding was available to reimburse us for any money spent for maintenance or repairs cost on our jail during the past year. I replied that our costs were minimal due to the new facility we are in and asked if our jail van purchase could be considered for reimbursement. Francois initially replied that it would not be considered. On August 16th I received another email from Francois and he asked me to send him copies of the receipts for the purchase and told me it would be considered for reimbursement.

I did not have any other communication with Francois on the matter. On October 6th I received an email from Finance advising that they had received a check from the State's Department of Corrections for \$66,650 and asked me what it was for. I determined that the check was reimbursement for the purchase and outfitting of the van. DOC is not treating this as a grant and is not asking for the title to the vehicle or any other action on our part.

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

3 City Manager/
4 Police Chief

5 **ORDINANCE 23-53**

6
7 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
8 AMENDING THE FY24 CAPITAL BUDGET BY ACCEPTING \$66,650
9 FROM THE STATE DEPARTMENT OF CORRECTIONS FOR
10 REIMBURSEMENT FOR THE PURCHASE OF THE JAIL VAN.

11
12 WHEREAS, The purchase and outfit a new jail van for the Homer Police Department
13 (HPD) was approved in the FY22/23 Capital Budget; and

14
15 WHEREAS, After the jail van was purchase and outfitted HPD was advised by the State
16 Community Jails Coordinator that funding was available from the State was available for
17 reimbursement of money spent for maintenance or repairs cost on our jail during the past year;
18 and

19 WHEREAS, HPD requested the purchase of the jail van be considered for reimbursement
20 as no jail maintenance was necessary because the facility is new; and

21
22 WHEREAS, HPD was awarded \$66,650 from the State through this reimbursement
23 program.

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

26
27 Section 1. The Homer City Council hereby amends the FY24 Capital Budget by
28 accepting \$66,650 from the State of Alaska as follows:

29
30

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
151-xxxx	SOA DOC Jail Van Reimbursement	\$66,650

31
32
33 Section 2. The Homer City Council hereby amends the FY24 Capital Budget by
34 appropriating \$66,650 from the State of Alaska reimbursing the City for the purchase and
35 outfitting of the new jail van as follows:

36
37 Transfer to:
38

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
152	General Fund Fleet CARMA	\$66,650

39
40
41 Section 2. This Ordinance is a budget Ordinance only, is not permanent in nature, and
42 shall not be codified.
43

44 ENACTED BY THE HOMER CITY COUNCIL this _____ day of November, 2023.

45

46

CITY OF HOMER

47

48

49

KEN CASTNER, MAYOR

50

51

52

ATTEST:

54

55

56

MELISSA JACOBSEN, MMC, CITY CLERK

58

59 YES:

60 NO:

61 ABSTAIN:

62 ABSENT:

63

64 First Reading:

65 Public Hearing:

66 Second Reading:

67 Effective Date:

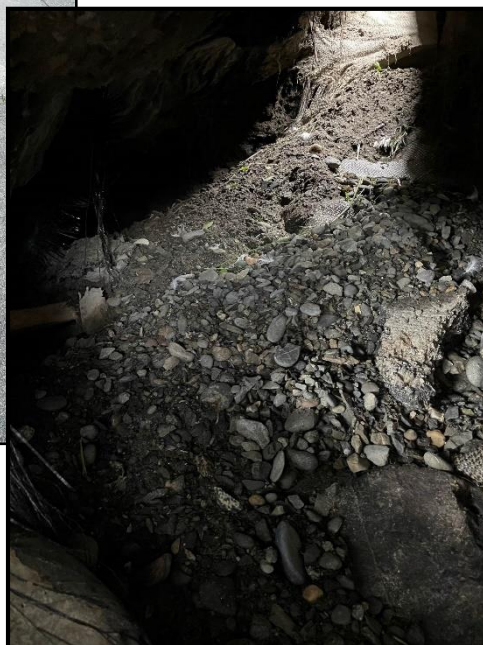


MEMORANDUM

Ordinance 23-54, An Ordinance of the City Council of Homer, Alaska Amending the FY24 Capital Budget by Appropriating \$15,000 from the Port Reserves Fund for Repair of the Deep Water Dock Sink Hole. City Manager/Port Director.

Item Type: Backup Memorandum
Prepared For: City Council
Date: October 10, 2023
From: Bryan Hawkins, Port Director
Through: Rob Dumouchel, City Manager

This July staff noticed a hole showing up next to the approach to the Deep Water Dock. When we investigated we found that erosion had occurred from under the approach that led from where the dock trestle transitions to shore. We could actually see daylight all the way through to the road surface. Upon discovering the damage we immediately closed off one lane of the trestle so as to keep the dock schedule open. We then reached out to the City manager, and also to Public Works and HDR engineering (one of the current engineering firms under city contract), and at their advice rented a large 1” steel plate to span over the damage so as to accommodate trucks and crane movement as we worked toward a better solution. The city manager agreed to utilize the FY24 budget for Deep Water Dock annual maintenance line item to address the repairs, due to the emergent nature of the need, with a thought that it could maybe better be represented/accounted for with Port Reserve funds as things resolved.



Working with Public Works and HDR we came up with a plan for what we hope will be a permanent solution. The affected area was excavated out. It was then built back with concrete blocks and heavy road fabric and re-enforced with concrete. The next step will be to asphalt and seal the surface. That will complete the necessary immediate repair and bring the Deep Water Dock approach up to full operational status.



The cost total for all the invoices to date for this project is \$10,960. The anticipated cost of the asphaltting and sealing is approximately \$2,250. Currently, these costs are being coded to the budget for Deep water dock annual maintenance because of the exigent circumstances. However, due to the one time nature of the repair I believe it would be better represented if we used the Port Reserves Fund set up for projects like this one. Ordinance 23-xx addresses this and we're requesting that City Council approve an allocation of \$13,300 to fund the deep water dock sink hole repair instead of the annual deep water dock maintenance line item in the operating budget to help Finance keep an accurate picture to help with future budget planning.

Recommendation

Approval of **Ordinance 23-xx** appropriating \$13,300 from the port reserves to fund the repair of the Deep Water Dock and authorize the City Manager to execute the appropriate documents.

CITY OF HOMER
FINANCIAL SUPPLEMENT

PROJECT NAME	<u>Deep Water Dock Repairs - Sink Hole Damage</u>	DATE	<u>10/17/2023</u>
DEPARTMENT	<u>Port and Harbor</u>	SPONSOR	<u>City Manager/Port Director</u>
REQUESTED AMOUNT	<u>\$ 15,000</u>		

DESCRIPTION	<p>At the end of July a sink hole was discovered, caused by erosion that had occurred under the dock where the dock trestle transitions to the shore to the extent that daylight could be seen all the way through to the road surface. The Port Director contacted the City Manager who authorized using the FY24 budget amount set aside for Deep Water Dock maintenance, including the possibility of overrun, due to the emergent circumstances of the needed repair.</p> <p>To date, repairs have progressed by: acquiring engineer services, renting a steel plate for temporary support of the damaged area, removing the degraded and compromised material, and filling the area with retaining wall block and concrete. Asphaltting and permeant sealing must now be done to complete the project. The total of all the individual invoices related to this project so far is approximately \$10,960. The anticipated cost of the asphaltting and sealing is \$2,250 dependent on exact square footage of the damaged area. Due to the one time nature of the repair these costs are better represented by allocating funds from the Port Reserve Fund rather than utilizing FY24 Deep Water Dock annual maintenance budget.</p>
-------------	---

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

FUNDING SOURCE 1: PORT RESERVES	FUNDING SOURCE 2:	FUNDING SOURCE 3:
Current Balance <u>\$ 1,510,104</u>	Current Balance _____	Current Balance _____
Encumbered <u>\$ 972,593</u>	Encumbered _____	Encumbered _____
Requested Amount <u>\$ 15,000</u>	Requested Amount _____	Requested Amount _____
Other Items on Current Agenda <u>\$ 0</u>	Other Items on Current Agenda _____	Other Items on Current Agenda _____
Remaining Balance <u>\$ 522,511</u>	Remaining Balance _____	Remaining Balance _____
FUNDING SOURCE 4:	FUNDING SOURCE 5:	FUNDING SOURCE 6:
Current Balance _____	Current Balance _____	Current Balance _____
Encumbered _____	Encumbered _____	Encumbered _____
Requested Amount _____	Requested Amount _____	Requested Amount _____
Remaining Balance _____	Remaining Balance _____	Remaining Balance _____

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

3 City Manager/
4 Port Director

5 **ORDINANCE 23-54**

6
7 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
8 AMENDING THE FY24 CAPITAL BUDGET BY APPROPRIATING
9 \$15,000 FROM THE PORT RESERVES FUND FOR THE REPAIR OF
10 THE DEEP WATER DOCK SINK HOLE.

11
12 WHEREAS, At the end of July a sink hole was discovered, caused by erosion that had
13 occurred under the dock where the dock trestle transitions to the shore to the extent that
14 daylight could be seen all the way through to the road surface ; and

15
16 WHEREAS, The Port Director contacted the City Manager who authorized using the FY24
17 budget amount set aside for Deep Water Dock maintenance, including the possibility of
18 overrun, due to the emergent circumstances of the needed repair; and

19
20 WHEREAS, To date, repairs have progressed by: acquiring engineer services, renting a
21 steel plate for temporary support of the damaged area, removing the degraded and
22 compromised material, and filling the area with retaining wall block and concrete. Asphalt
23 and permeant sealing must now be done to complete the project; and

24
25 WHEREAS, The total of all the individual invoices related to this project so far is
26 approximately \$10,960. The anticipated cost of the asphaltting and sealing is up to \$4,040
27 dependent on exact square footage of the damaged area; and

28
29 WHEREAS, Due to the one time nature of the repair these costs are better represented
30 by allocating funds from the Port Reserve Fund rather than utilizing FY24 Deep Water Dock
31 annual maintenance budget.

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

34
35 Section 1. The Homer City Council hereby amends the FY24 Capital Budget by
36 appropriating \$15,000 to make repairs at the Deep Water Dock associated with the discovery
37 of a sink hole as follows:

38
39

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
40 456-0380	Port Reserves	\$15,000

41
42 Section 2. The City Manager is authorized to execute the appropriate documents
43

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

45

46 ENACTED BY THE HOMER CITY COUNCIL this _____ day of November, 2023.

47

48

CITY OF HOMER

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50

51

KEN CASTNER, MAYOR

52

53

54 ATTEST:

55

56

57

MELISSA JACOBSEN, MMC, CITY CLERK

58

60 YES:

61 NO:

62 ABSTAIN:

63 ABSENT:

64

65 First Reading:

66 Public Hearing:

67 Second Reading:

68 Effective Date:



MEMORANDUM

Resolution 23-111, A Resolution of the City Council of Homer, Alaska Approving the Updated City of Homer Americans with Disabilities Act (ADA) ADA Transition Plan for City Facilities. Aderhold.

Item Type: Backup Memorandum
Prepared For: Mayor Castner and Homer City Council
Meeting Date: October 9, 2023
Staff Contact: Renee Krause, MMC, Deputy City Clerk II/ADA Coordinator

Over the course of the last few years staff with Public Works, Building Maintenance, Port & Harbor Maintenance and Parks Maintenance have been working diligently to remove the non-compliance issues reported in the Transition Plan that was adopted by City Council in 2019. This Transition Plan focused on primarily the non-compliant issues within city buildings or facilities that were open to the public or areas of those buildings and or facilities accessible to the public.

The document has been updated to reflect the work that has been accomplished to bring the city into compliance and reformatted to refine the information in an easier to read style. This document will serve as one Chapter of the overall Transition Plan for City Facilities, Services and Programs that are available to the public.

The ADA Advisory Board reviewed the updates at their regular meetings in July and August and approved the document at their regular meeting on August 10, 2023.

Recommendation:

Approve the Updated ADA Transition Plan for City Facilities.

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City of Homer

ADA Transition Plan

for City Facilities

Self-Evaluation on ADA Compliance Issues

Adopted via Resolution 19-024

April 22, 2019

Updated August 10, 2023 Draft v3

24 **INTRODUCTION**

25 **The City of Homer Transition Plan and Responsibilities**

26 **In accordance with the Americans with Disabilities Act (ADA, this document shall serve as the City of**
27 **Homer’s Transition Plan.**

28 **This is an overview of the plan that includes the self-evaluation that identifies barriers to program**
29 **accessibility and municipal owned properties throughout the City and includes project checklists to**
30 **track improvements. The plan consists of an Inventory Assessment, implemented requirements and**
31 **annual reassessment of goals and improvements.**

32 **The City of Homer ADA Coordinator will manage all aspects of ADA Compliance. This plan is available**
33 **on the City of Homer website for review by the general public. Individuals are encouraged to submit**
34 **comments or issues on accessibility of City programs and facilities by contacting the City ADA**
35 **Coordinator.**

36
37 **BACKGROUND, Purpose, & Goals of the Plan**

38 ~~City of Homer’s Resolution 16-019 established the Americans with Disabilities Act (ADA) Compliance~~
39 ~~Committee. **and appointed then Deputy City Clerk Melissa Jacobsen as ADA Coordinator.** to develop a~~
40 ~~Transition Plan and establish a grievance procedure to comply with ADA requirements; it also appointed~~
41 ~~Melissa Jacobsen, then Deputy City Clerk, as the ADA Coordinator for the City of Homer.~~

42 **Resolution 16-057 established t**~~The ADA grievance procedure~~ **which sets out a system for resolving**
43 **complaints of disability discrimination in a prompt and fair manner.**~~was adopted May 23, 2016 per~~
44 ~~Resolution 16-057.~~

45 **Resolution 17-75(A) Committed the City to continual work towards becoming a universally accessible**
46 **city.**

47 **Resolution 19-024 established the Transition Plan for City Facilities.** ~~and grievance forms are now~~
48 ~~available on the City of Homer’s website and through the City Clerk’s Office.~~

49 **Resolution 19-055 confirmed the ADA Compliance Committee as a Standing Committee of the City**
50 **Council. This resolution further outlined the need for the Committee and stated the ongoing**
51 **responsibility to review any new programs, activities and services within the City of Homer; perform**
52 **and develop transition plans for other areas of the City including but not limited to the city parks,**
53 **trails, campgrounds and programs to comply with ADA requirements.**

54 **Resolution 20-114 Appointed Renee Krause, Deputy City Clerk to assume the duties of ADA Coordinator**
55 **for the City.**

56 **Ordinance 22-53(A) Created the Americans with Disability Act Advisory Board to codify the body to**
57 **reflect the City of Homer’s commitment to Title II of the ADA Regulations and efforts to accessibility**
58 **to all.**

59
60 **PURPOSE**

61 **The federal legislation known as the American with Disabilities Act (ADA), enacted on July 26, 1990,**
62 **provides comprehensive civil rights protections to persons with disabilities in the areas of**

63 employment, state and local government services, and access to public accommodations,
64 transportation, and telecommunications.

65 Title II of the ADA specifically applies to state and local governments, referred to as “public entities,”
66 and their programs and services. Title II, Article 8, requires public entities to take several steps
67 designed to achieve compliance.

68 For the Transition Plan, the outlined scope of work included:

- 69 ○ Preparing a self-evaluation of the City’s policies and practices and analyze whether these policies and
70 practices adversely affect the full participation of individuals with disabilities in its programs,
71 activities, and services
- 72 ○ Performing a self-evaluation of City facilities for compliance with ADA requirements for accessibility
73 by individuals with disabilities
- 74 ○ Developing a Transition Plan based on the self-evaluations that lists the physical barriers of the City’s
75 facilities that limit the accessibility of its programs, activities, or services to individuals with
76 disabilities; the methods to be used to remove the barriers and make the facilities accessible; and the
77 schedule for taking necessary steps to achieve compliance.

78 ~~City Council appropriated \$25,000 in the 2017 budget to engage professional support to the committee to~~
79 ~~develop the self-evaluation and Transition Plan, and adopted Resolution 17-75(A) committing to continual~~
80 ~~work towards becoming a city that is universally accessible to all.~~

81

82 SELF-EVALUATION PROCESS

83 City of Homer Staff and ADA ~~Compliance Committee~~ **Advisory Board** (formerly known as ADA Compliance
84 Committee) members received training on performing self-evaluations and Transition Plans from ~~David~~
85 ~~Barton~~ of the Northwest ADA Center. The Northwest ADA Center is funded by the National Institute on
86 Disability, Independent Living, and Rehabilitation Research (NIDILRR), and is part of the ADA National
87 Network Centers which are a national platform comprised of ADA professionals and experts charged with
88 assisting businesses, state and local governments, and people ~~with disabilities to be user friendly to~~
89 ~~disability and the effect the variety of health conditions can have on society.~~

90 Following the training, the ADA ~~Compliance Committee~~ **Advisory Board** ~~reviewed Transition Plans prepared~~
91 ~~by other Alaska municipalities and discussed whether to contract the self-evaluation and Transition Plan~~
92 ~~development or self-perform the work. The committee decided to self-perform~~ **ed** the work with the support
93 of City of Homer staff, with the option of contracting for aspects of the self-evaluation and **initial** Transition
94 Plan that exceeded the expertise of the ~~committee~~ **Board** and City staff.

95 City facilities included in the **primary** self-evaluation:

- | | | | |
|-----|--|-----|---|
| 96 | • City Hall | 103 | • Baycrest Overlook and Restroom |
| 97 | • Homer Public Library | 104 | • Port and Harbor Office |
| 98 | • Public Works Building (public entry only) | 105 | • Harbor Load and Launch Ramp |
| 99 | • Public Restrooms located on Pioneer Avenue and | 106 | • Small Boat Harbor Ramps and Float System |
| 100 | Homer Spit | 107 | • Harbor Facility Parking including Fee Pay |
| 101 | • HVFD Fire Hall (public entry only) | 108 | Lots |
| 102 | • Airport (public spaces) | 109 | • Fish Cleaning Stations |

110 • Nick Dudiak Fishing Lagoon

111 Several of the facilities were excluded from the ~~the~~ **this initial** self-evaluation due to the following reasons:

- 112 • **Old** Homer Police Station – At the time of the self-evaluation Homer City Council was evaluating **plans**
113 **for a** new police station building; the ~~current-old~~ Police Station has known ADA compliance issues.
114 ~~that will be addressed in a new building.~~ **This building is currently being used for storage for the**
115 **Fire Department and is not open to the public.**
- 116 • Homer Education and Recreation Complex (HERC) – The HERC consists of the old Homer Middle
117 School (HERC-1) and the old Homer High School (HERC-2); at the time of the self-evaluation the status
118 of HERC-1 was in flux and the ~~committee~~ **ADA Advisory Board** decided to not evaluate the building
119 knowing that any improvements to the building would address known ADA compliance issues; HERC-
120 2 is used by Public Works Maintenance Staff and is not open to the public.
- 121 • City Park Restrooms (e.g. Karen Hornaday Park KHP) ~~were not included in the plan because they were~~
122 ~~constructed prior to standard ADA regulations and are completely out of compliance.~~ The restroom
123 facility at KHP has been demolished and **Plans are in the design phase to construct a new restroom**
124 **facility. In the interim portable toilets are in use.**
- 125 • Bishop's Beach Restrooms **are currently portable toilets. A Water and Sewer Special Assessment**
126 **District Project is in process to construct and install water and sewer to the park and restroom**
127 **facilities are planned for construction in the near term.** ~~were determined to not have ADA issues,~~
128 ~~therefore are not included.~~
- 129 • ADA compliance issues pertaining to Public Works and HVFD's public areas are limited to just their
130 entrances; the remainder of the buildings/facilities are employee access only and therefore not
131 subject to this Transition Plan.

132 Staff from the City Clerk's Office and Public Works, members of the ADA ~~Compliance Committee~~ **Advisory**
133 **Board**, and interested members of the public visited City facilities and (using standardized evaluation sheets
134 from the Northwest ADA Center) measured/evaluated parking areas, curbs and sidewalks, building
135 entrances, counter spaces, seating, restrooms, and other public spaces for accessibility ~~by individuals with~~
136 ~~disabilities.~~

137 While conducting the facility evaluations, City staff and the ADA ~~Compliance Committee~~ **Advisory Board**
138 developed a list of questions related to ADA compliance requirements. Additionally, many of the harbor
139 facilities, such as the ramps, float system, and fish cleaning stations, required specialized expertise to
140 evaluate. To address these issues, the City established a contract with the Northwest ADA Center and David
141 Barton to assist with answering questions and evaluating the more-specialized areas/facilities; those
142 facilities were included in an assessment report by the Northwest ADA Center which has been incorporated
143 into this Transition Plan.

144 Following all measurements/evaluations, the ~~committee~~ **Board** reviewed the data to determine where
145 facilities were in compliance and where they were not. Items not in compliance were compiled into a
146 spreadsheet as part of this **Facilities** Transition Plan.

147

148 **TRANSITION PLAN DEVELOPMENT**

149 The ADA Compliance Committee **Advisory Board** reviewed the spreadsheet with Public Works and Port and
150 Harbor staff to refine the list into a more efficient, applicable plan. During the process, some issues were
151 removed for several reasons:

- 152 • Items were corrected at the time of measurement (e.g., the effort required to open a door) and will continue
153 to be ongoing maintenance items per Public Work’s policy and/or Building Maintenance job descriptions.
- 154 • Items were easily correctable, and were resolved during or shortly after the self-evaluation was conducted
155 (e.g., materials blocking an accessible counter).
- 156 • **Some** Items identified at the harbor by the Northwest ADA Center were incorrect and the Port and Harbor
157 Director provided more detailed information regarding facility use that was not readily available at the time
158 of evaluation.

159 These items are included in an Addendum at the end of the **Facility** Transition Plan to acknowledge and
160 document the initial findings.

161 **PRIORITY RANKING:** Once an accurate list of non-compliant items was compiled, the ADA Compliance
162 Committee **Advisory Board** ranked each item based on the following priorities for resolution as per ADA
163 standards for accessible design:

164 Priority 1: Building accessibility including parking, access routes, and main building entrances

165 Priority 2: Equitable access to goods and services

166 Priority 3: Restrooms

167 Priority 4: All other measures to improve accessibility

168 **COST/IMPACT RANKING:** Public Works and Port and Harbor Staff were consulted to rank each compliance
169 issue based on the level of impact to the department’s budget and staff time required to complete the
170 project. Definitions for Cost/Impact Rankings are:

- 171 1 – Project can be completed by City of Homer staff at low cost and with a low amount of effort.
- 172 2 – Project can be completed by City of Homer staff, the cost would be moderate and/or would require
173 a moderate level of scheduling in association with other staff duties to complete.
- 174 3 – Project can be completed by City of Homer staff; however, the cost for materials would be high
175 and/or the time required to complete would be high. Use of a contractor would allow project
176 completion sooner.
- 177 4C – Project requires specialized tools, skills, and/or level of warranting the use of a contractor.

178 **TIMELINE RANKING:** Public Works and Port and Harbor department staff also evaluated the items based
179 on current department workloads and schedules for when in-house and contractor-hired projects could be
180 completed. The timelines for projects completed in-house would be as follows:

- 181 A – Project can be completed in between regularly schedule work as time allows, with completion
182 within one year.
- 183 B – Project requires additional scheduling and budgeting and may be completed within one or two
184 years.

185 C – Project requires significant scheduling and budgeting and may be completed within three to five
186 years; could be completed sooner if done by a contractor.

187 If a contractor is hired to complete a project they may have a more definitive timeline because they must be
188 budgeted in advance. For these items, the Transition Plan lists the estimated year that staff will prepare an
189 Invitation to Bid, include it in their budget requests to City Council, and have the project completed by.

190 Implementation of the Transition Plan

191 The ADA Compliance Committee **Advisory Board** will review and update the Transition Plan annually or as
192 needed to identify work that has been completed, add barriers that may arise in the future, and identify
193 interim steps. If the time period for achieving compliance is longer than one year, the plan ~~should~~ **will**
194 identify the interim steps that ~~will~~ **should** be taken during each year of the transition period to achieve
195 compliance with Title II of the ADA.

196 Persons Involved in the Process **ACKNOWLEDGEMENTS**

197 A team consisting of City Staff, ADA Compliance Committee members, City residents, and a contractor
198 participated in the initial self-evaluation, development, and review of the **Facility** Transition Plan. The table
199 below outlines the individuals involved and their roles in developing the **Facility** Transition Plan.

INDIVIDUAL	AFFILIATION AND ROLE IN DEVELOPING THE TRANSITION PLAN
Rick Malley	ADA Compliance Committee Chair
Linda Munns	ADA Compliance Committee Chair; support in development of self-evaluation and Transition Plan
Tess Dally	ADA Compliance Committee Vice Chair; participated in measurements for self-evaluation, support in development of Transition Plan
Joyanna Geisler	ADA Compliance Committee member; participated in measurements for self-evaluation, support in development of Transition Plan
Pam Van Hoozer	ADA Compliance Committee member; support in development of self-evaluation and Transition Plan
Donna Aderhold	ADA Compliance Committee, City Council Representative; participated in measurements for self-evaluation, support in development of Transition Plan
Melissa Jacobsen	City Clerk’s Office, City Clerk and ADA Coordinator; staff assigned to the ADA Compliance Committee, lead in developing the self-evaluation
Rachel Tussey	City Clerk’s Office, Deputy City Clerk I; Transition Plan preparer
Dan Gardner	Public Works Superintendent; participated in measurements for self-evaluation, estimates for time, cost, and level of effort for the Transition Plan
Mike Riley	Public Works Building Maintenance; participated in measurements for self-evaluation, estimates for time, cost, and level of effort for the transition plan

Bryan Hawkins	Port Director/Harbormaster; consultation on port and harbor-specific ADA compliance issues identified in the self-evaluation and Transition Plan
Aaron Glidden	Port Maintenance Supervisor; provided estimates for time, cost, and level of effort for Transition Plan items at harbor facilities
David Lewis	City Council member and Independent Living Representative; participated in measurements for self-evaluation
David Barton	Northwest ADA Center; aided with measurements and provided support/consultation for self-evaluation

200

201

EVALUATION NOTES

202

203

204

- City Hall, Library, Airport, Public Works, Homer Volunteer Fire Department (HVFD), and City Restrooms were evaluated by ADA Compliance Committee Members, City staff, and supporting members.

205

206

207

- Port and Harbor facilities were inspected by David Barton, Northwest ADA Center, with support from ADA Compliance Committee Members and City staff; his final report was merged into this transition plan.

208

209

- Cost/impact rankings, in-house/contractor determinations, and timeline estimates were made by Public Works and Port and Harbor Staff.

210

211

- City Park Restrooms (e.g. Karen Hornaday Park) were not included in the plan because they were constructed prior to standard ADA regulations and ~~are~~ **were** completely out of compliance.

212

- The **Old** Police Station was not included due to the approval of building a new Police Station.

213

214

215

- The Homer Education and Recreation Complex (HERC) buildings were not included since City Council is still determining the future use or demolition of the buildings per a recent Task Force report.

216

- Bishop's Beach Restrooms were determined to not have ADA issues, therefore are not included.

217

218

- Public Works and HVFD's public areas are limited to just their entrances; the remainder of the buildings/facilities are employee access only.

219

220

221

- Public Works Staff Comments: "If the City does the in-house items, it will take a long time to accomplish, but it could be done. Another approach is to put out a contract to tackle everything."

RANKING NOTES

Priority Rankings based on ADA Standards for Accessible Design	Cost/Impact Rankings based on how cost will affect department's budget, and staff time required to complete project
Priority 1: Parking, Access Route, & Main Entrances	1 = In-House Low Cost/Impact

222

Priority 2: Equitable Access To Goods & Services	2 = In House Medium Cost/Impact
Priority 3: Restrooms	3 = In House High Cost/Impact
Priority 4: All Other Measures To Improve Accessibility	4C = Requires Hiring/Bid Process for a Contractor

TIMELINE

Timelines for Staff-Completed Projects: If City Staff completes the in-house items, timeline for completion will vary significantly.	Timelines for Contractor Projects: Projects completed by a contractor may have a more defined timeline since they have to be budgeted in advance. Timeline lists estimated year of completion.
2019/2020 = Can be completed in between regularly scheduled work as time allows; within 1 year.	
2019/2021 = Requires additional scheduling/budgeting; may be completed within 1-2 years.	
2019/2024 = Requires significant scheduling/budgeting; may be completed within 3-5 years, could be completed sooner if done by a contractor.	

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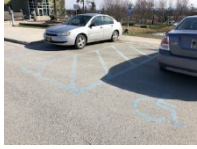

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ADA COMPLIANCE ISSUES





226
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The following list details the physical barriers of the City’s facilities that limit the accessibility of its programs, activities, or services to individuals with disabilities, and the methods to be used to remove the barriers, make the facilities accessible, and the schedule for taking necessary steps to achieve compliance.

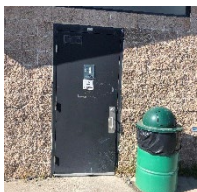



Location	Image	ADA Code Reference	Priority Level	Cost/ Impact	Timeline	Accessibility Issue, Solution/Remedy & City Staff Direction
Baycrest Overlook		Van Accessible Space [502.2]	1	1	2019/2020 2021 PW Ops 2023	Repaint lines. Public Works to schedule/correct as time & budget allows. Completion of three areas remain
Harbor Ramp 4: Paved Parking		Van Accessible Space [502.2]	1	2	2019/ 2020 2021 2023	Install "Van Accessible" sign at van space.
Library: Parking		"Van Accessible" Signs [502.6]	1	2	2019/ 2020 2023	Install "Van Accessible" sign at van space. Port & Harbor to schedule/correct as time & bud
Public Works: Parking		"Van Accessible" Signs [502.6]	1	2	2019/ 2020 2023	Install "Van Accessible" sign at van space. Port & Harbor to schedule/correct as time & budget allows.
Animal Shelter: Parking		Van Accessible Space [502.2] "Van Accessible" Signs [502.6] Exterior Ramp Cross Slope [403.3]	1	4C	2019/ 2021 2024	Repaint lines. Install "Van Accessible" sign at van space. Regrade cross slope to 1:48 max. Public Works to prepare cost estimate to resolve all parking/pavement entrance issues; include as 2024 budget item & issue RFP in-2024/2025 (incl. design & construction). Could be included in RFP for other paving projects. Possibly evaluate ADA grant funding.



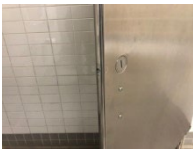

Location	Image	ADA Code Reference	Priority Level	Cost/ Impact	Timeline	Accessibility Issue, Solution/Remedy & City Staff Direction
City Hall: Back Entrance		Exterior Ramp Cross Slope [403.3]	1	4C	2019/ 2021 <u>2025/2026</u>	Regrade cross slope to 1:48 max. Public Works to prepare cost estimate to resolve all parking/ pavement entrance issues; include as 2025 budget item & issue RFP in 2025/2026 (incl. design & construction).
Fire Hall: Parking		Exterior Ramp Cross Slope [403.3]	1	4C	2019/ 2021 <u>2025/2026</u>	Regrade cross slope to 1:48 max Public Works to prepare cost estimate to resolve all parking/ pavement entrance issues; include as 2025 budget item & issue RFP FOR 2025/2026 (incl. design & construction). Could be included in RFP for other paving projects. Possibly evaluate ADA grant funding.
Library: Parking		Slope of Accessible Parking Spaces [502.4] Exterior Ramp Cross Slope [403.3]	1	4C	2019/ 2021 <u>2024</u>	Regrade surface to maintain max 1:48 slope. Regrade cross slope to 1:48 max. Public Works to prepare cost estimate to resolve all parking/ pavement entrance issues; include as 2024 budget item & issue RFP in 2024/2025 (incl. design & construction). Could be included in RFP for other paving projects. Possibly evaluate ADA grant funding.
Load & Launch Ramp: Gravel Parking		ADA Parking Sign Placement [502.6]	1	4C	2019/ 2021 <u>Scheduled for 2023</u>	Adjust height on existing handicap signage to comply with 60" minimum from ground. Public Works and/or Port & Harbor to prepare cost estimate to resolve all parking/ pavement entrance issues; include as 2020 budget item & issue RFP in 2020/21 (incl. design & construction).


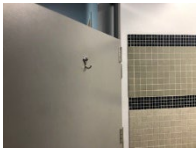
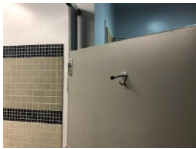


Location	Image	ADA Code Reference	Priority Level	Cost/ Impact	Timeline	Accessibility Issue, Solution/Remedy & City Staff Direction
Nick Dudiak Fishing Hole Lagoon		Ramp [405] Walking Surfaces [403]	1	4C	2019 2024/2025	The Nick Dudiak Fishing Hole Lagoon is extremely outdated and in need of significant repairs. An Invitation to Bid (ITB) will be required to bring it fully into compliance. City Staff/Port & Harbor to continue working with Alaska Department of Fish & Game for funding to repair ramps.
Public Works: Parking		Exterior Ramp Cross Slope [403.3]	1	4C	2019/ 2021 2027	Regrade cross slope to 1:48 max. Public Works to prepare cost estimate to resolve all parking/pavement entrance issues; include as 2027 budget item & issue RFP in 2027 (incl. design & construction). Could be included in RFP for other paving projects. Possibly evaluate ADA grant funding.
Harbor Docks: Transient/ Reserved Moorage		Door Hardware [404.2.7] Operable Parts [309]	2	1	2019/ 2020 Scheduled for 2023	Round water spigot control(s).
Harbor Uplands: Fish Cleaning Station/Tables at Ramp 4, Ramp 6, & Fishing Lagoon		Reach Ranges [308]	2	1	2019/ 2020 Scheduled for 2023	Reach to dispose gut material into these wagons is too high and beyond the maximum reach range of 48 inches. Port & Harbor to add a fish disposal bucket under each accessible table section at all three locations; to be replaced as time & budget allows.
Library		Clear Area to Side of Front-pulling Door [404.2.4]	2	1	2019/ 2020 2023	Copy Room is tight; install sign to ask for assistance with opening door. Remove Door Public Works to schedule/correct as time & budget allows.


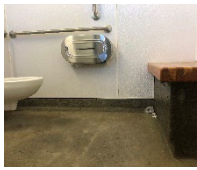

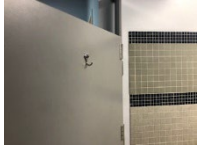

Location	Image	ADA Code Reference	Priority Level	Cost/ Impact	Timeline	Accessibility Issue, Solution/Remedy & City Staff Direction
Harbor Uplands: Benches & Viewing Areas		Benches [903]	2	3	2019/ 2021 Scheduled for 2024	Retrofit existing benches to have back support, or provide accessible seating area -benches that meet ADA standard (i.e. seating with back support). Port & Harbor to incorporate into upcoming harbor improvement project.
Airport		Depth of Counter at Accessible Portion [904.4]	2	4C	2019/ 2024 2024	Alter accessible portion so it's the same depth as the standard countertop. City Staff & Public Works to work with DOT&PF ADA Coordinator to discuss resolving all airport issues in one project & seek out potential grant funding. Research Kenai Airport. Is separate table allowed May require capital project with Counter Replacements
City Hall: Upstairs		Dimensions of Elevator's Interior [407.4.1]	2	4C	2019/ 2021 Future Unk.	Depth of elevator too short; replace elevator. Requires new elevator shaft/tower - Cost prohibitive in existing City Hall. ADA Access to individual floors, policy in place for staff to meet with public on floor they come in on to provide service.
Harbor Uplands: Ramp 2 Disposal Sheds		Changes in Surface Level [303] Ramps [405] Openings [302.3]	2	4C	2019/ 2024 2023	RAMP 2 Oil Shed has two steel grated ramps with slopes as steep as 30 degrees with no clear floor space to maneuver or reach any of the three different disposal opportunities. In addition, the ramp and floor grates are not in compliance as they allow passage of a sphere more than 1/2" (13 mm) diameter through a grate opening. Provide a proper accessible route and reach ranges to at least one of the two locations designated for chemical waste dumping or



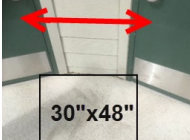
Location	Image	ADA Code Reference	Priority Level	Cost/ Impact	Timeline	Accessibility Issue, Solution/Remedy & City Staff Direction
						<p>provides some sort of “equivalent facilitation.”</p> <p>Port & Harbor to evaluate; could be incorporated into upcoming harbor improvement project.</p>
Harbor Uplands: Ramp 8 Disposal Sheds		Changes in Surface Level [303]	2	4C	2019/ 2024 2023	<p>RAMP 8 Oil Shed has a concrete perimeter barrier with a change in level that is more than 1/4” with no clear floor space to maneuver or reach any of the different disposal opportunities. Surface level along accessible route must be free of changes in surface level. Surface level changes cannot exceed ¼” in height.</p> <p>Port & Harbor to post signage at Ramp 8 that directs persons requiring assistance to contact staff, or to go to ADA compliant Ramp 2 facility.</p> <p>Port & Harbor to evaluate; could be incorporated into upcoming harbor improvement project.</p>
Load & Launch Ramp: Staging Area		Ground Surfaces/ Changes in Surface Level [302, 303]	2	4C	2019/ 2024 2024	<p>Provide ground surface that is firm, stable, and slip resistant. Maintain to ensure changes in level issues do not occur throughout a season.</p> <p>Paving Staging Area will require a contractor; at a 2 rating staff could designate a paved area for ADA loading, but during summer will require significant staff time to monitor.</p> <p>Port & Harbor to evaluate; could be incorporated into upcoming harbor improvement project.</p>
Baycrest Overlook		Toilet Room Sign Locations [703.4.2]	3	1	2019/ 2020 2023	<p>Move signs to comply w/ location requirements.</p> <p>Public Works to evaluate: Option 1— Schedule/ correct as time & budget allows; or Option 2— Prepare cost estimate to resolve all public restroom issues; include as</p>

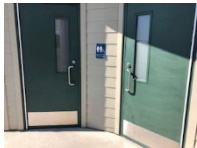

Location	Image	ADA Code Reference	Priority Level	Cost/ Impact	Timeline	Accessibility Issue, Solution/Remedy & City Staff Direction
						2020 budget item & issue RFP in 2020/21 (incl. design & construction). PW to Review Contract with State for responsibility
Harbor Ramp 4: Restroom		Toilet Room Sign Locations [703.4.2]	3	1	2019/ 2020 2020/2021 2023	Move signs to comply w/ location requirements.
Harbor Ramp 5: Restroom		Toilet Room Sign Locations [703.4.2]	3	1	2019/ 2020 2023 Bldg Maint.	Move signs to comply w/ location requirements. Public Works to evaluate: Option 1 – Schedule/ correct as time & budget allows; or Option 2 – Prepare cost estimate to resolve all public restroom issues; include as 2020 budget item & issue RFP in 2020/21 (incl. design & construction).
Harbor Ramp 6: Restroom		Toilet Room Sign Locations [703.4.2]	3	1	2019/ 2020 2023 Bldg. Maint.	Move signs to comply w/ location requirements. Public Works to evaluate: Option 1 – Schedule/ correct as time & budget allows; or Option 2 – Prepare cost estimate to resolve all public restroom issues; include as 2020 budget item & issue RFP in 2020/21 (incl. design & construction).
Load & Launch Ramp: Restroom		Toilet Room Sign Locations [703.4.2]	3	1	2019/ 2020 2020/ 2021 Bldg Maint 2023	Move signs to comply w/ location requirements. Public Works to evaluate: Option 1 – Schedule/ correct as time & budget allows; or Option 2 – Prepare cost estimate to resolve all public restroom issues; include as 2020 budget item & issue RFP in 2020/21 (incl. design & construction).

Location	Image	ADA Code Reference	Priority Level	Cost/ Impact	Timeline	Accessibility Issue, Solution/Remedy & City Staff Direction
Airport: Women's Restroom		Threshold Entrance Height [404.2.5, 303.2]	3	2	2019/2021 2024	Replace threshold that meets bevel and height restrictions. Public Works to evaluate: Option 1 – Schedule/ correct as time & budget allows; or Option 2 – City Staff & Public Works to work with DOT&PF ADA Coordinator to discuss resolving all airport issues in one project & seek out grant funding.
Bartlett & Pioneer: Restroom		Toilet Room Sign Locations [703.4.2]	3	2	2019/ 2020 2020/ 2021 2023	Sign is missing; install signs to comply w/ location requirements. Public Works to evaluate: Option 1 – Schedule/ correct as time & budget allows; or Option 2 – Prepare cost estimate to resolve all public restroom issues; include as 2020 budget item & issue RFP in 2020/21 (incl. design & construction).
Library: Men's Restroom		Stall Door Pulls on Both Sides [604.8.1.2]	3	2	2019/ 2020 2020/ 2021 Bldg Maint 2023	Replace hardware. Public Works to evaluate: Option 1 – Schedule/ correct as time & budget allows; or Option 2 – Prepare cost estimate to resolve all public restroom issues; include as 2020 budget item & issue RFP in 2020/21 (incl. design & construction). PW Review for Completion
Library: Women's Restroom		Stall Door Pulls on Both Sides [604.8.1.2]	3	2	2019/ 2020 2020/2021 Bldg Maint 2023	Replace hardware. Public Works to evaluate: Option 1 – Schedule/ correct as time & budget allows; or Option 2 – Prepare cost estimate to resolve all public restroom issues; include as 2020 budget item & issue RFP in 2020/21 (incl. design & construction). PW Review for Completion

Location	Image	ADA Code Reference	Priority Level	Cost/ Impact	Timeline	Accessibility Issue, Solution/Remedy & City Staff Direction
Load & Launch Ramp: Restroom		Threshold Entrance Height [404.2.5, 303.2]	3	2	2019/ 2021 2021/ 2022 2023	Replace threshold that meets bevel and height restrictions. Public Works to evaluate: Option 1 – Schedule/ correct as time & budget allows; or Option 2 – Prepare cost estimate to resolve all public restroom issues; include as 2020 budget item & issue RFP in 2020/21 (incl. design & construction). Review for Completion
Airport: Men's Restroom		Stall Door Self-closing [604.8.1.2]	3	3	2019/ 2024 2024	For stall doors inside restroom, add closer or replace door. Public Works to evaluate: Option 1 – Schedule/ correct as time & budget allows; or Option 2 – City Staff & Public Works to work with DOT&PF ADA Coordinator to discuss resolving all airport issues in one project & seek out potential grant funding. Review for Completion
Airport: Women's Restroom		Stall Door Self-closing [604.8.1.2]	3	3	2019/ 2024 2024	For stall doors inside restroom, add closer or replace door. Public Works to evaluate: Option 1 – Schedule/ correct as time & budget allows; or Option 2 – City Staff & Public Works to work with DOT&PF ADA Coordinator to discuss resolving all airport issues in one project & seek out potential grant funding. Review for Completion
Airport: Women's Restroom		Toilet's Flush Control on Open Side of Closet [604.6]	3	3	2019/ 2024 2024	Move control or replace toilet. Public Works to evaluate: Option 1 – Schedule/ correct as time & budget allows.
City Hall: Downstairs Restroom		Stall Lock Operability [309.4]	3	3	2019/ 2021 2024	Replace lock so it can be used with one hand and w/o tight grasping/pinching. Public Works to evaluate: Option 1 – Schedule/ correct as time & budget allows.

Location	Image	ADA Code Reference	Priority Level	Cost/ Impact	Timeline	Accessibility Issue, Solution/Remedy & City Staff Direction
City Hall: Downstairs Restroom		Stall Door Self-closing [604.8.1.2]	3	3	2019/ 2024 2024	For stall doors inside restroom, add closer or replace door. Public Works to evaluate: Option 1 – Schedule/ correct as time & budget allows;
Harbor Ramp 5: Restroom		Space from Partition to Toilet's Centerline [604.2]	3	3	2019/ 2021 PW will review 2024	Shorten wooden bench top to meet space requirements between bench and toilet. Public Works to evaluate: Option 1 – Schedule/ correct as time & budget allows; or Option 2 – Prepare cost estimate to resolve all public restroom issues; include as 2020 budget item & issue RFP in 2020/21 (incl. design & construction).
Library: Women's Restroom		Stall Door Self-closing [604.8.1.2]	3	3	2019/ 2024 2024	For stall doors inside restroom, add closer or replace door. Public Works to evaluate: Option 1 – Schedule/ correct as time & budget allows; or Option 2 – Prepare cost estimate to resolve all public restroom issues; include as 2020 budget item & issue RFP in 2020/21 (incl. design & construction).
Airport: Men's Restroom		Privacy Wall & Door Configuration [404.2.4]	3	4C	2019/ 2024 2024	Reconfigure space to meet minimum space requirements. City Staff & Public Works to work with DOT&PF ADA Coordinator to discuss resolving all airport issues in one project & seek out potential grant funding.
Airport: Men's Restroom		Space from Partition to Toilet's Centerline [604.2]	3	4C	2019/ 2024 2024	Move or replace toilet. City Staff & Public Works to work with DOT&PF ADA Coordinator to discuss resolving all airport issues in one project & seek out potential grant funding.

Location	Image	ADA Code Reference	Priority Level	Cost/ Impact	Timeline	Accessibility Issue, Solution/Remedy & City Staff Direction
Airport: Women's Restroom		Clear Turn-Around Space for Wheelchair [603.2.1]	3	4C	2019/ 2024 2024	Space limited near sink; move/remove partitions, fixtures or objects. City Staff & Public Works to work with DOT&PF ADA Coordinator to discuss resolving all airport issues in one project & seek out potential grant funding.
Bartlett & Pioneer: Restroom		Maneuvering Clearance [404.2.4]	3	4C	2019/ 2024 2024	Door opening clearance on both stalls have limited maneuvering clearance or the clear floor space overlaps. Recommend reverse the door opening swing (outward) on both doors to the opposite latch to provide greater maneuvering clearance for entering and exiting. Another alternative is the door swinging inward if proper clear floor space is provided beyond the arc of the door. Public Works to prepare cost estimate to resolve all public restroom issues; include as 2020 budget item & issue RFP in 2020/21 (incl. design & construction).
Deep Water Dock: Restrooms		Maneuvering Clearance [404.2.4]	3	4C	2019/ 2024 2024	Door opening clearance on both stalls have limited maneuvering clearance or the clear floor space overlaps. Recommend reverse the door opening swing (outward) on both doors to the opposite latch to provide greater maneuvering clearance for entering and exiting. Another alternative is the door swinging inward if proper clear floor space is provided beyond the arc of the door. Public Works to prepare cost estimate to resolve all public restroom issues; include as 2020 budget item & issue RFP in 2020/21 (incl. design & construction).

Location	Image	ADA Code Reference	Priority Level	Cost/ Impact	Timeline	Accessibility Issue, Solution/Remedy & City Staff Direction
Nick Dudiak Fishing Hole Lagoon		Pedestrian Ramp [405] Walking Surfaces [403]	1	4C	2019/2024 2026/2027	The Nick Dudiak fishing Hole Lagoon is extremely outdate and in need of significant repairs. An Invitation to Bid (ITB) will be required to bring fully into compliance. Design recommendations have been completed in 2022 Staff to continue working with ADF&G and other options for funding sources for new accessible fishing pier and boardwalk
WKFL Park: Restroom		Maneuvering Clearance [404.2.4]	3	4C	2019/ 2024	Door opening clearance on both stalls have limited maneuvering clearance or the clear floor space overlaps. Recommend reverse the door opening swing (outward) on both doors to the opposite latch to provide greater maneuvering clearance for entering and exiting. Another alternative is the door swinging inward if proper clear floor space is provided beyond the arc of the door. Public Works to prepare cost estimate to resolve all public restroom issues; include as-2020 budget item & issue RFP in 2020/21 (incl. design & construction).
Airport		Drinking Fountain Spout Placement [602.5] Protrusion of Drinking Fountain [307.2]	4	1 or 4C	2019/ 2020 or 2019/ 2024 2024	Replace drinking fountain with one that complies with all sizing requirements. Drinking fountain sticks too far out; replace or add tactile warning. Replacing fountain in airport improvement project with water bottle type.

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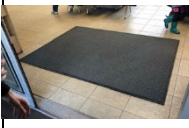



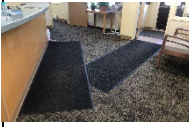
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233 **ADDENDUM**



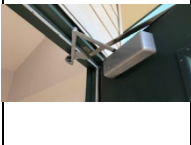
234 Throughout the evaluation process, some of the issues that were noted in staff’s self-evaluations and
 235 the Northwest ADA Center’s Port and Harbor report were either:

- 236 1. Addressed immediately;
 237 2. Were determined by staff to no longer be an issue; or
 238 3. An ongoing compliance issue that staff addresses regularly through routine building
 239 maintenance.

240 To ensure this Transition Report documents all ADA compliance issues/resolutions, those items
 241 determined as “N/A”, “Completed”, or “Recurring” have been listed separately in this section. **in the**
 242 **following separate sections.**

Location	Image	ADA Code Reference	Priority Level	Cost/Impact	Accessibility Issue, Solution/Remedy & City Staff Direction
Airport		Secured Edges of Carpets/Mats [302.2]	1	Recurring	Secure carpeting or mats at edges. Mats get replaced regularly through routine building maintenance.
Airport: Main Entrance		Main Door Closer Timing [404.2.8]	1	Recurring	Adjust door so it takes at least 5 seconds to close. Door closers adjusted regularly through routine building maintenance.
City Hall: Back Entrance		Door Closer Timing [404.2.8]	1	Recurring	Adjust door so it takes at least 5 seconds to close. Door closers adjusted regularly through routine building maintenance.
City Hall: Back Entrance		Secured Edges of Carpets/Mats [302.2]	1	Recurring	Secure carpeting or mats at edges. Mats get replaced regularly through routine building maintenance.
City Hall: Front Entrance		Secured Edges of Carpets/Mats [302.2]	1	Recurring	Secure carpeting or mats at edges. Mats get replaced regularly through routine building maintenance.


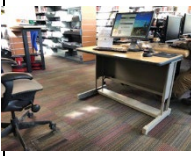
Location	Image	ADA Code Reference	Priority Level	Cost/Impact	Accessibility Issue, Solution/Remedy & City Staff Direction
Harbor Docks: Amenities & Program Services		<p>Clear Floor or Ground Space [305]</p> <p>Reach Ranges [308]</p> <p>Operable Parts [309]</p>	1	Recurring	<p>Ensure all the surrounding amenities and services that serve these specific accessible slips are made accessible. Examples such as water supply facets and hoses, outlets for electricity and cable TV, etc. will require:</p> <ul style="list-style-type: none"> •Proper clear floor space of at least 30” by 48”, •Reach ranges from floor surface of minimally 15” to 48” maximum, •Operating controls shall be operable with one hand and shall not require tight grasping, pinching, or twisting of the wrist. The force required to activate operable parts shall be 5 lbs. maximum. <p>All utility pedestals on the docks are ADA compliant; harbor staff patrolling regularly monitors that items aren’t blocking dock pathways/ pedestals.</p>
City Hall: Downstairs		Interior Door Closer Timing [404.2.8]	2	Recurring	<p>Adjust door so it takes at least 5 seconds to close.</p> <p>Door closers adjusted regularly through routine building maintenance.</p>
Airport: Men’s Restroom		Door Closer Timing [404.2.8.1]	3	Recurring	<p>Adjust main door so it takes at least 5 seconds to close.</p> <p>Door closers adjusted regularly through routine building maintenance.</p>
Baycrest Overlook		<p>Door Closer Timing [404.2.8.1]</p> <p>Force to Open Door [404.2.9]</p>	3	Recurring	<p>Adjust main door so it takes at least 5 seconds to close.</p> <p>Door closers adjusted regularly through routine building maintenance.</p>
City Hall: Downstairs Restroom		<p>Door Closer Timing [404.2.8.1]</p> <p>Force to Open Door [404.2.9]</p>	3	Recurring	<p>Adjust main door so it takes at least 5 seconds to close.</p> <p>Door closers adjusted regularly through routine building maintenance.</p>
Corner of Bartlett & Pioneer: Restroom		Force to Open Door [404.2.9]	3	Recurring	<p>Adjust main door so it takes at least 5 seconds to close.</p> <p>Door closers adjusted regularly through routine building maintenance.</p>
End of the Road Park		<p>Door Closer Timing [404.2.8.1]</p> <p>Force to Open Door [404.2.9]</p>	3	Recurring	<p>Adjust main door so it takes at least 5 seconds to close.</p> <p>Door closers adjusted regularly through routine building maintenance.</p>
Harbor Ramp 4: Restroom		Door Closer Timing [404.2.8.1]	3	Recurring	<p>Adjust main door so it takes at least 5 seconds to close.</p>




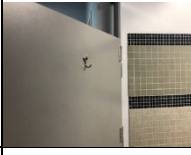
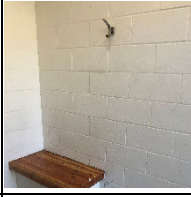
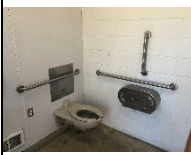
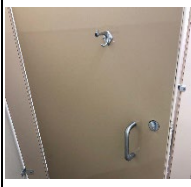
Location	Image	ADA Code Reference	Priority Level	Cost/Impact	Accessibility Issue, Solution/Remedy & City Staff Direction
					Door closers adjusted regularly through routine building maintenance.
Harbor Ramp 6: Restroom		Door Closer Timing [404.2.8.1]	3	Recurring	Adjust main door so it takes at least 5 seconds to close. Door closers adjusted regularly through routine building maintenance.
Library: Men's Restroom		Door Closer Timing [404.2.8.1] Force to Open Door [404.2.9]	3	Recurring	Adjust main door so it takes at least 5 seconds to close. Door closers adjusted regularly through routine building maintenance.
WKFL Park		Force to Open Door [404.2.9]	3	Recurring	Adjust main door so it takes at least 5 seconds to close. Door closers adjusted regularly through routine building maintenance.






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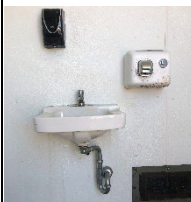
244 **COMPLETED PROJECTS AND NOT APPLICABLE (NA)**




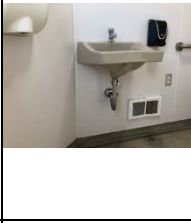

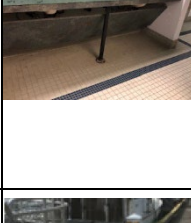

245 The deficiencies that were identified in the compilation of this Transition Plan have been completed and
 246 brought to up to ADA Standards **or were found upon further inspection to be compliant.** This listing will
 247 be updated on an annual basis as the City schedules the projects and funds the necessary changes and
 248 improvements.








Location	Image	ADA Code Reference	Priority Level	Cost/Impact	Timeline	Accessibility Issue, Solution/Remedy & City Staff Direction
Harbor Ramp 8: Gravel Parking		Clear Widths and Slopes for Walking Surfaces [403.5.3]	1	1	2019	Walking and floor surfaces must be firm, stable, and slip resistant. Provide access aisle and curb ramp with smooth transition to connect onto the accessible pathway to meet minimum accessible parking compliance. ADA Parking was moved onto paved area; existing signage was moved and new lines were painted Spring 2019. Completed.
Library		Wheelchair Space Under Work Surface [305.3]	2	1	2019	Table with correct wheelchair dimensions is available; library staff installed computer at table. Completed



Location	Image	ADA Code Reference	Priority Level	Cost/Impact	Timeline	Accessibility Issue, Solution/Remedy & City Staff Direction
Harbor Uplands: Fish Cleaning Station/ Tables at Fishing Lagoon		Changes in Level [303]	2	3	2018	There is a step or change in level barrier at the entrance to the Nick Dudiak Fishing Hole Lagoon Fish Cleaning Station. Recommend adding compacted inter-locking gravel or asphalt at the station entrance connecting to the accessible parking space and harbor pedestrian sidewalk arrival points. Completed.
City Hall: Front Entrance		Minimum 48" Vestibule Door Spacing [404.2.6]	1	1	2019/2020	Remove inner door or change door swing for one or both doors. Public Works to schedule/correct as time & budget allows. Completed 2020
Deep Water Dock: Shelter		Reach Range [308]	2	1	2019/2020	Dog waste bag dispenser's operable part is measured at 54" above the floor and located above a seating area. Lower dispenser operable part to 48" above the floor; relocate away from the circular stone bench as not to protrude into a sitting person's headspace. Port & Harbor to schedule/correct as time & budget allows. Completed 2020
Airport: Men's Restroom		Coat Hook Location [603.4]	3	1	2019/2020	Relocate coat hook to meet location requirements. Completed 2020
Bartlett & Pioneer: Restroom		Coat Hook Location [603.4]	3	1	2019/2020	Relocate coat hook to meet location requirements. Completed 2020
Bartlett & Pioneer: Restroom		Location of Grab Bar on Side Wall [609.4]	3	1	2019/2020	Relocate grab bar to meet all location requirements, specifically re: objects above bar. Completed 2020
City Hall: Downstairs Restroom		Coat Hook Location [603.4]	3	1	2019/2020	Relocate coat hook to meet location requirements. Completed 2020

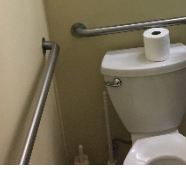


Location	Image	ADA Code Reference	Priority Level	Cost/Impact	Timeline	Accessibility Issue, Solution/Remedy & City Staff Direction
End of the Road Park: Restroom		Coat Hook Location [603.4]	3	1	2019/2020	Relocate coat hook to meet location requirements. Completed 2020
End of the Road Park: Restroom		Location of Grab Bar on Side Wall [609.4]	3	1	2019/2020	Relocate grab bar to meet all location requirements, specifically re: objects above bar. Completed 2020
Library: Kid's Room Restroom		Coat Hook Location [603.4]	3	1	2019/2020	Coat Hook was removed; install coat hook that meets location requirements. Completed 2020
Airport		Objects on Public Area Circulation Paths [307.2]	2	1	2019/2020	Hand sanitizer protrudes; needs to either be replaced or have a tactile warning. Completed 2020.
Harbor Ramp 5: Restroom		Coat Hook Location [603.4]	3	1	2019/2020	Re-install coat hook that meet location requirements. Completed 2020
Load & Launch Ramp: Restroom		Coat Hook Location [603.4]	3	1	2019/2020	Re-install coat hook that meet location requirements. Completed 2020.
WKFL Park: Restroom		Coat Hook Location [603.4]	3	1	2019/2020	Install coat hook to meet location requirements. Completed 2020.
WKFL Park: Restroom		Location of Grab Bar on Side Wall [609.4]	3	1	2019/2020	Relocate grab bar to meet all location requirements, specifically re: objects above bar. Completed 2020.

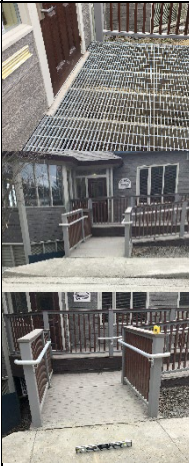

Location	Image	ADA Code Reference	Priority Level	Cost/Impact	Timeline	Accessibility Issue, Solution/Remedy & City Staff Direction
Airport: Men's Restroom		Threshold Entrance Height [404.2.5, 303.2] Force to Open Door [404.2.9]	3	2	2019/ 2021	Adjust or replace closer; Install lighter door. Replace threshold that meets bevel and height restrictions. Public Works to evaluate: Option 1 – Schedule/ correct as time & budget allows; or Option 2 – City Staff & Public Works to work with DOT&PF ADA Coordinator to discuss resolving all airport issues in one project & seek out potential grant funding. Completed 2020
Airport: Men's Restroom		Toilet Seat Height [604.4] Location of Grab Bar on Rear & Side Wall [604.5.1, 604.5.2, 609.4]	3	2	2019/ 2021	Toilet seat too high; replace toilet. Relocate grab bar to meet all location and length requirements. Completed 2021
Airport: Women's Restroom		Toilet Seat Height [604.4] Location of Grab Bar on Rear & Side Wall [604.5.1, 604.5.2, 609.4]	3	2	2019/ 2021	Toilet seat too high; replace toilet. Relocate grab bar to meet all location and length requirements. Public Works to evaluate: Option 1 – Schedule/ correct as time & budget allows; Completed 2020
Deep Water Dock: Restrooms		Pipes Below Lavatory Protected/ Insulated [606.5]	3	2	2019/ 2020	Install insulation or cover panel to protect pipes under sink. Public Works to evaluate: Option 1 – Schedule/ correct as time & budget allows Completed 2020
End of the Road Park: Restroom		Pipes Below Lavatory Protected/ Insulated [606.5]	3	2	2019/ 2020	Install insulation or cover panel to protect pipes under sink. Public Works to evaluate: Option 1 – Schedule/ correct as time & budget allows Completed 2020
Harbor Ramp 4: Restroom		Pipes Below Lavatory Protected/ Insulated [606.5]	3	2	2019/ 2020	Install insulation or cover panel to protect pipes under sink. Public Works to evaluate: Option 1 – Schedule/ correct as time & budget allows






Location	Image	ADA Code Reference	Priority Level	Cost/Impact	Timeline	Accessibility Issue, Solution/Remedy & City Staff Direction
						Completed 2020
Bartlett & Pioneer: Restroom		Pipes Below Lavatory Protected/ Insulated [606.5]	3	2	2019/2020	Install insulation or cover panel to protect pipes under sink. Public Works to evaluate: Option 1 – Schedule/ correct as time & budget allows Completed 2020
Harbor Ramp 5: Restroom		Pipes Below Lavatory Protected/ Insulated [606.5]	3	2	2019/2020	Install insulation or cover panel to protect pipes under sink. Public Works to evaluate: Option 1 – Schedule/ correct as time & budget allows Completed 2020
Harbor Ramp 6: Restroom		Pipes Below Lavatory Protected/ Insulated [606.5]	3	2	2019/2020 Completed 2020	Install insulation or cover panel to protect pipes under sink. Public Works to evaluate: Option 1 – Schedule/ correct as time & budget allows Completed 2020
WKFL Park: Restroom		Pipes Below Lavatory Protected/ Insulated [606.5]	3	2	2019/2020	Install insulation or cover panel to protect pipes under sink. Public Works to evaluate: Option 1 – Schedule/ correct as time & budget allows Completed 2020
Library: Men's Restroom		Toilet's Flush Control on Open Side of Closet [604.6]	3	3	2019/2024	Move control or replace toilet. Public Works to evaluate: Option 1 – Schedule/ correct as time & budget allows Completed 2020
Airport: Men's Restroom		Toe Clearance Under Sink [306.3.3]	3	4C	2019/2024	Move or replace sink to meet under-sink clearance. City Staff & Public Works to work with DOT&PF ADA Coordinator to discuss resolving all airport issues in one project & seek out potential grant funding. Completed 2020
Harbor Docks: Transient/ Reserved Moorage		Clear Floor or Ground Space [305]	1	2	2019/2020	Ensure an accessible path of travel and clear floor space for boarding at each accessible slip. Provide a clear floor space of at least 30" by 48" for either forward or parallel. Modify





Location	Image	ADA Code Reference	Priority Level	Cost/Impact	Timeline	Accessibility Issue, Solution/Remedy & City Staff Direction
						any pier barriers or edge protection that may hinder access. Completed 2020.
Port & Harbor Office: Entrance		Notification Board Location too High [703.4.1]	1	1	2019/2020	Lower access to bottom edge of board to 48" to 60" max. Bottom edge of board at 50.5". Completed 2020
Port & Harbor Office		Accessible Service Counter [904.4]	1	1	Completed	Clear ADA Counter space so it is usable; provide a chair for patrons. Staff completed at time of inspection.
Airport: Parking		Van Accessible Space [502.2]	1	1	2019/2020 PW Ops 2021	Repaint lines to meet measurement requirements. Public Works to schedule/correct as time & budget allows. Completed in 2021.
Airport: Parking		ADA Parking Sign Placement [502.6]	1	1	2019/2020 PW Ops 2021	Adjust height on existing handicap signage to comply with 60" minimum from ground. Public Works to schedule/correct as time & budget allows. Completed in 2021.
City Hall: Back Entrance		Van Accessible Space[502.2]	1	1	2019/2020 PW Ops 2021	Repaint lines. PW will schedule/correct as time and budget allows. Completed 2022.
City Hall: Front Entrance		Van Accessible Space [502.2]	1	1	2019/2020 2021 PW Ops	Repaint Lines. Public Works will schedule/correct as time and budget allows. Completed 2021.
Fire Hall: Parking		Van Accessible Space [502.2]	1	1	2019/2020 2021 PW Ops	Repaint Lines. Public Works to Evaluate: Option 1 – Schedule/correct as time & budget allows or Option 2 – Prepare cost estimate to resolve all parking/pavement entrance issues include as 2020 budget item and issue RFP in 2020/21 Completed in 2022.


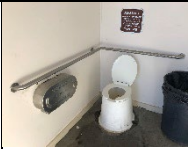
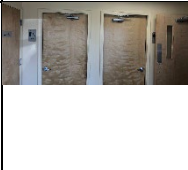
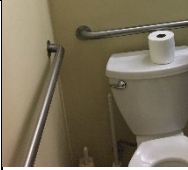


Location	Image	ADA Code Reference	Priority Level	Cost/Impact	Timeline	Accessibility Issue, Solution/Remedy & City Staff Direction
Library: Parking		ADA Parking Sign Placement	1	1	2019/2020 2021 PW Ops	Adjust height on existing signage to comply with 60" minimum distance from ground. Public Works to schedule/correct as time and budget allows. Completed 2021.
Public Works Parking		Van Accessible Space [502.2]	1	1	2019/2020 PW Ops 2021	Repaint Lines. Public Works to schedule/correct as time and budget allows. Completed 2021.
Airport: Parking		Van Accessible Space [502.6]	1	1	2019/2020 2021 PW Ops	Replace & Install Van Accessible Signage at van space. Public Works to schedule and correct as time/budget allows. Completed 2021
City Hall: Front Entrance		Van Accessible Space [502.6]	1	1	2019/2020 2021 PW Ops	Replace & Install Van Accessible Signage at van space. Public Works to schedule and correct as time/budget allows Completed 2021
Fire Hall: Parking		Van Accessible Space [502.6]	1	1	2019/2020 2021 PW Ops	Replace & install Van Accessible Signage at van space. Public Works to schedule and correct as time/budget allows. Completed 2021
Harbor Docks Transient/Reserved Moorage		Boat Slip Clearance[100 3.3.1] Informational Sign & Marking Accessible Zones/Areas	1	2	2019/2020 2020/2021	For every 120 inches (10 feet) of lineal pier edge serving these accessible slips there is a clear opening at least 60" wide. Provide clear markings on all designated loading zone area(s). Ex: painting blue lines inside of existing yellow lines, red lines for easier detection and recognition of these accessible areas/features. Stall modifications completed in 2020. Marking and painting completed 2021






Location	Image	ADA Code Reference	Priority Level	Cost/Impact	Timeline	Accessibility Issue, Solution/Remedy & City Staff Direction
Library Parking		Van Accessible Signage [502.6]	1	2	2019/2020 2021 PW Ops	Replace and Install Van Accessible Signage at van space. Public Works to schedule and correct as time/budget allows. Completed 2022
Public Works Parking		Van Accessible Signage [502.6]	1	2	2019/2020 2021 PW ops	Replace & install Van Accessible signage at van space. Completed 2021
Harbor Ramp 5: Gravel Parking		Van Accessible Space 502.2	1	4C	2019/2020 2021/2022	Create van accessible parking spaces with proper signage, lines and paved slope. Public Works and or Port & Harbor to prepare cost estimate to resolve all parking pavement entrance issues, include as budget item and issue ITB Completed 2022.
City Hall: Upstairs Restroom		Toilet's Flush Control on Open Side of Closet [604.6]	3	3	2019/2024	Move control or replace toilet. Public Works to evaluate: Option 1 – Schedule/ correct as time & budget allows; or Option 2 – Prepare cost estimate to resolve all public restroom issues; include as 2020 budget item & issue RFP in 2020/21 (incl. design & construction). Completed 2021 installed automatic flush system.
City Hall: Downstairs Restroom		Toilet's Flush Control on Open Side of Closet [604.6]	3	3	2019/2024	Move control or replace toilet in Men's Restroom. Public Works to evaluate: Option 1 – Schedule/ correct as time & budget allows; or Option 2 – Prepare cost estimate to resolve all public restroom issues; include as 2020 budget item & issue RFP in 2020/21 (incl. design & construction). Completed 2022 Installed auto flush system.
Baycrest Overlook		Van Accessible Space [502.2]	1	2	2019/2020 2021 PW Ops	Install "Van Accessible" sign at van space. Completed 2022






Location	Image	ADA Code Reference	Priority Level	Cost/Impact	Timeline	Accessibility Issue, Solution/Remedy & City Staff Direction
Harbor Docks: Transient/Reserved Moorage		Boat Slip Clearance [1003.3.1] Informational sign & marking accessible zones/areas [703.4.1]	1	2	2019/ 2020 2020 Stall Mods Completed Marking & painting 2021	For every 120 inches (10 ft.) of linear pier edge serving these accessible slips there is a clear opening at least 60 inches wide. Provide clear markings on all designated loading zone area(s). For example, painting a thin blue line inside the yellow transient moorage area lines or red loading zone lines for easier detection and recognition of these accessible areas/features. Completed 2022
City Hall: Front Entrance		Grates in Wheelchair Route [302.3] Level Landing at Top of Curb Ramp [406.4] Level Landing Where Ramp Changes Direction [405.7.4] Ramp Handrail Extension & Return [505.10.1] Minimum 32" Door Opening [404.2.3]	1	4C	2019/ 2021	Replace grate to meet opening requirement of 1/2" or less. Reconfigure curb ramp so there's a level landing at least 36" long. Alter landing ramp to meet minimum measurements. Alter/replace handrails. Alter main door, possibly with offset hinges. Public Works to prepare cost estimate to resolve all City Hall Front Entrance ADA compliance issues; include as 2020 budget item & issue RFP in 2020/21 (incl. design & construction). Could be included in RFP for other construction items. Possibly evaluate for ADA grant funding. Add to Capital Improvement Plan. Completed 2021
End of the Road Park: Parking		Van Accessible Space [502.2] "Van Accessible" Signs [502.6] Exterior Ramp Cross Slope [403.3]	1	4C	2019/ 2021 2021/ 2022	Create van accessible parking spaces with proper signage, lines, and paved slope. Public Works and/or Port & Harbor to prepare cost estimate to resolve all parking/ pavement entrance issues; include as 2020 budget item & issue RFP in 2020/21 (incl. design & construction). Could be included in RFP for other paving projects. Possibly evaluate ADA grant funding. Completed 2022


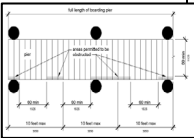


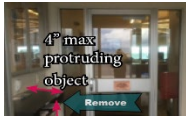

Location	Image	ADA Code Reference	Priority Level	Cost/Impact	Timeline	Accessibility Issue, Solution/Remedy & City Staff Direction
Harbor Ramp 3: Gravel Parking		Accessible Parking Dimensions [502.2, 502.3, 502.6]	1	4C	2019/ 2021 2021	For greater access to Ramp 3, provide additional accessible paved parking spaces located nearest to this specific dock access point. Consider providing at least 5% or greater accessible parking stalls. Public Works and/or Port & Harbor to prepare cost estimate to resolve all parking/ pavement entrance issues; include as 2020 budget item & issue RFP in 2020/21 (incl. design & construction). Completed
Harbor Ramp 4: Gravel Parking		Accessible Parking Dimensions [502.2, 502.3, 502.6]	1	4C	2019/ 2021 2021	Designate more accessible parking spaces that serve the Ramp 4/Ramp 3 Areas (which are primary-function locations) that is connected with an even, stable, firm, and slip resistant surface. Public Works and/or Port & Harbor to prepare cost estimate to resolve all parking/ pavement entrance issues; include as 2020 budget item & issue RFP in 2020/21 (incl. design & construction). Completed
Harbor Ramp 4: Gravel Parking		Clear Widths and Slopes for Walking Surfaces [403.5.3]	1	4C	2019/ 2021 Scheduled for 2021	Walking and floor surfaces must be firm, stable, and slip resistant. Provide access aisle and curb ramp with smooth transition to connect onto the accessible pathway to meet minimum accessible parking compliance. Public Works and/or Port & Harbor to prepare cost estimate to resolve all parking/ pavement entrance issues; include as 2020 budget item & issue RFP in 2020/21 (incl. design & construction). Completed
Harbor Ramp 5: Gravel Parking		Van Accessible Space [502.2]	1	4C	2019/ 2021 Scheduled for 2021	Create van accessible parking spaces with proper signage, lines, and paved slope. Public Works and/or Port & Harbor to prepare cost estimate to resolve all parking/ pavement entrance issues; include as 2020 budget item & issue RFP in 2020/21 (incl. design & construction). Completed
Load & Launch Ramp: Parking		Accessible Parking Dimensions [502.2, 502.3, 502.6]	1	4C	2019/ 2021 Scheduled for 2021	Replace surface material with compact gravel or asphalt in all ADA parking areas. Public Works and/or Port & Harbor to prepare cost estimate to resolve all parking/ pavement entrance issues; include as 2020 budget item




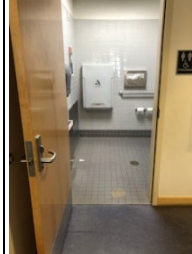


Location	Image	ADA Code Reference	Priority Level	Cost/Impact	Timeline	Accessibility Issue, Solution/Remedy & City Staff Direction
						& issue RFP in 2020/21 (incl. design & construction). Completed
Airport		Wheelchair Space in Waiting Rooms [802.1.2, 802.1.3]	2	1	2019/ 2020 2020/ 2021 Bldg Maint.	Space is there but it needs signage designation so it remains clear. Public Works to evaluate: Option 1 – Schedule/ correct as time & budget allows; or Option 2 – City Staff & Public Works to work with DOT&PF ADA Coordinator to discuss resolving all airport issues in one project & seek out potential grant funding. Completed
Library		Tactile Interior Signs [703.5, 703.2, 703.3]	2	1	2019/ 2020 2020/ 2021 Bldg Maint.	Install tactile signs Public Works to schedule/correct as time & budget allows. Completed
City Hall: Upstairs		Tactile Interior Signs [703.5, 703.2, 703.3]	2	2	2019/ 2020 2020/ 2021 Bldg. Maint.	In permanent rooms, replace all room/space placards with tactile signs in proper locations. Public Works to schedule/correct as time & budget allows. Completed
City Hall: Downstairs		Tactile Interior Signs [703.5, 703.2, 703.3]	2	2	2019/ 2020	Replace all room/space placards with tactile signs in proper locations. Public Works to schedule/correct as time & budget allows. Completed
Harbor Uplands: Fish Cleaning Station/Tables at Ramp 4, Ramp 6, & Fishing Lagoon		Floor or Ground Surfaces [302]	2	4C	2019/ 2021	There is at least one accessible vehicular parking space designated near each of the three independent stations; however, as reported in the parking section the path-of-travel surface material is loose gravel and may not be firm, stable, and slip resistant unless it is inter-locking compacted gravel. Ground and surface level in any directions of parking spaces must be firm, level, and slip resistance. Scheduled for 2021. Completed.

Location	Image	ADA Code Reference	Priority Level	Cost/Impact	Timeline	Accessibility Issue, Solution/Remedy & City Staff Direction
Airport: Men's Restroom		Toilet Paper Dispenser Location [604.7]	3	1	2019/ 2020 2020/ 2021 Bldg. Maint.	Relocate toilet paper dispenser to meet all location requirements. Public Works to evaluate: Option 1 – Schedule/ correct as time & budget allows; or Option 2 – City Staff & Public Works to work with DOT&PF ADA Coordinator to discuss resolving all airport issues in one project & seek out potential grant funding. Completed
Baycrest Overlook		Toilet Paper Dispenser Location [604.7]	3	1	2019/ 2020	Relocate toilet paper dispenser to meet all location requirements. Public Works to evaluate: Option 1 – Schedule/ correct as time & budget allows; or Option 2 – Prepare cost estimate to resolve all public restroom issues; include as 2020 budget item & issue RFP in 2020/21 (incl. design & construction). Completed
City Hall: Downstairs Restroom		Toilet Room Sign Locations [703.4.2, 703.4.1]	3	1	2019/ 2020 2020/ 2021 PW Ops	Move signs to comply w/ height requirements so they're not blocked by other doors. Public Works to schedule/correct as time & budget allows. Completed.
City Hall: Upstairs Restroom		Location of Grab Bar on Side Wall [604.5.1]	3	1	2019/ 2020 2020/ 2021	Relocate grab bar to meet all location requirements. Public Works to evaluate: Option 1 – Schedule/ correct as time & budget allows; or Option 2 – Prepare cost estimate to resolve all public restroom issues; include as 2020 budget item & issue RFP in 2020/21 (incl. design & construction). Completed.
Library: Men's Restroom		Soap Dispenser Location [308.2.2]	3	1	2019/ 2020 2020/ 2021 Bldg Maint	Relocate soap dispenser to meet all location requirements. Public Works to evaluate: Option 1 – Schedule/ correct as time & budget allows; or Option 2 – Prepare cost estimate to resolve all public restroom issues; include as 2020 budget item & issue RFP in 2020/21 (incl. design & construction). Completed.
Library: Men's Restroom		Location of Grab Bar on Side Wall [609.4]	3	1	2019/ 2020 2020/ 2021 Bldg Maint	Relocate grab bar to meet all location requirements. Public Works to evaluate: Option 1 – Schedule/ correct as time & budget allows; or Option 2 – Prepare cost estimate to resolve all public restroom issues; include as 2020 budget item & issue RFP in 2020/21 (incl. design & construction). Completed.

Location	Image	ADA Code Reference	Priority Level	Cost/Impact	Timeline	Accessibility Issue, Solution/Remedy & City Staff Direction
Airport: Women's Restroom		Toilet Paper Dispenser Location [604.7]	3	2	2019/ 2020	Relocate toilet paper dispenser to meet all location requirements. Public Works to evaluate: Option 1 – Schedule/ correct as time & budget allows; or Option 2 – City Staff & Public Works to work with DOT&PF ADA Coordinator to discuss resolving all airport issues in one project & seek out potential grant funding. Completed.
Baycrest Overlook		Location of Grab Bar on Side & Rear Wall [609.4]	3	2	2019/ 2021	Relocate grab bar to meet all location requirements, specifically re: objects below bar. Public Works to evaluate: Option 1 – Schedule/ correct as time & budget allows; or Option 2 – Prepare cost estimate to resolve all public restroom issues; include as 2020 budget item & issue RFP in 2020/21 (incl. design & construction). Completed
Harbor Ramp 4: Restroom		Force to Activate Flush Control [605.4]	3	2	2019/ 2021	Change/adjust toilet flush control so it takes less than 5lbs of force to activate. Public Works to evaluate: Option 1 – Schedule/ correct as time & budget allows; or Option 2 – Prepare cost estimate to resolve all public restroom issues; include as 2020 budget item & issue RFP in 2020/21 (incl. design & construction). Completed.
Harbor: Policies & Procedures For All Facilities		Policy and procedures. Schedules for accessible feature(s) maintenance	3	2	2019/ 2020	Review and modernize current/associated policies and operational procedures to reflect how these accessible slips are requested, utilized, and maintained for short-term or long-term moorage harboring opportunities. Port & Harbor to review/revise policies & procedures for ADA compliance; include Port & Harbor Advisory Commission where appropriate. Completed.
Library: Kid's Room Restroom		Location of Grab Bar on Side Wall [609.4]	3	2	2019/ 2020 2020/2021	Relocate grab bar to meet all location requirements re: surrounding objects. Public Bldg Maint Works to evaluate: Option 1 – Schedule/ correct as time & budget allows; or Option 2 – Prepare cost estimate to resolve all public restroom issues; include as 2020 budget item & issue RFP in 2020/21 (incl. design & construction). Completed.

Location	Image	ADA Code Reference	Priority Level	Cost/Impact	Timeline	Accessibility Issue, Solution/Remedy & City Staff Direction
City Hall: Upstairs Restroom		Toilet's Flush Control on Open Side of Closet [604.6]	3	3	2019/ 2024	Move control or replace toilet. Public Works to evaluate: Option 1 – Schedule/ correct as time & budget allows Completed.
Harbor Ramp 3: Gravel Parking		Clear Widths and Slopes for Walking Surfaces [403.5.3] Ground Floor Surfaces [302.1, 302.3]	1	1	2019/2021	Walking and floor surfaces must be firm, stable, and slip resistant. Provide access aisle and curb ramp with smooth transition to connect onto the accessible pathway to meet minimum accessible parking compliance. Clear asphalt-to-gravel issues & regrade to have cross slope less than 2%. Staff inspected Ramp 3 Parking Lot; the paved portion has been cleared of any gravel/debris, lines repainted, and a drainage issue fixed at the head of the parking lot. The unpaved parking area near the top of Ramp 3 is the parking lot for Harbor Grill, not for Ramp 3 access; the two parking areas are delineated by a physical barrier. Completed.
Harbor Ramp 3: Paved Parking		Clear Widths and Slopes for Walking Surfaces [403.5.3]	1	2	2021	The clear floor space to use the automated parking meter that serves Ramp 3 parking lot can become uneven with foot-traffic use and ongoing weathering due to the asphalt-to-gravel transition. This change-in-level barrier could be easily remedied and likely permanently maintained with a little additional asphalt around the base of the meter. Area around meter was paved when meter was replaced with a different model. Completed.
Harbor Ramp 4: Paved Parking		Van Accessible Space [502.2]	1	2	2019	Repaint lines to meet measurement requirements. Lines were repainted Spring 2019. Completed.
Harbor Uplands: Fish Cleaning Station/ Tables at Ramp 6		Operation [309.4] Faucets [606.4]	2	1	2021	At the Ramp 6 Fish Cleaning Station, the operating controls for the water hoses at the accessible table sections are round. Staff is replacing controls with lever mechanisms as they wear out and need replacing. Completed

Location	Image	ADA Code Reference	Priority Level	Cost/Impact	Timeline	Accessibility Issue, Solution/Remedy & City Staff Direction
Harbor Ramp 6: Restroom		Toilet's Flush Control on Open Side of Closet [604.6]	3	3	2019/ 2024	Move control or replace toilet. Public Works to evaluate: Option 1 – Schedule/ correct as time & budget allows; or Option 2 – Prepare cost estimate to resolve all public restroom issues; include as 2020 budget item & issue RFP in 2020/21 (incl. design & construction). Completed.
Harbor Docks: Transient/ Reserved Moorage		Boat Slip Clearance [1003.3.1]	1	N/A		Formally commit to designating the required eleven (11) accessible stalls by slip locations. Designate at least one accessible slip location for each of the available classes, then locate the remaining four slips in the most widely utilized and popular boat sizes used and moored in the harbor. Place them on the shortest accessible route to the RAMP 3 arrival point. Staff designated stalls; separately listed issue addresses staff's efforts to show designations on port and harbor maps. Completed.
Library: Main Entrance		Grates in Exterior Wheelchair Route [302.3]	1	N/A		Replace grate to meet opening requirement of 1/2" or less. Staff confirmed that no grate exists at the Library Entrance.
Load & Launch Ramp: Parking		Ground/Walking Surfaces [302, 403]	1	N/A		Relocate ADA parking spaces to open asphalt surfacing already adjacent to and around the restroom building. Existing pavement area is for Load & Launch Ramp staging; cannot be relocated.
Port & Harbor Office		Protruding Object Over 4" at Entrance [307.2, 305]	1	N/A		Move entrance shelf to provide clear floor space of 30"x48" min for door approach. Not applicable since the shelf does not protrude 4" into the door space.
City Hall: Downstairs		Accessible Service Counter [904.4.1]	2	N/A		Rebuild a portion of City Clerk's counter for accessibility. Not necessary since a present workaround exists; table that meets ADA compliance is available.

Location	Image	ADA Code Reference	Priority Level	Cost/Impact	Timeline	Accessibility Issue, Solution/Remedy & City Staff Direction
City Hall: Upstairs		Depth of Counter at Accessible Portion [904.4]	2		N/A	Rebuild Finance's counter for accessibility. Staff re-measured, meets requirements.
Harbor Docks: Transient/Reserved Moorage		Clear Floor Space [606.2]	2		N/A	Provide a clear floor space of at least 30" by 48" for either forward or parallel to access other available amenities like electricity. Dock in photo is not the ADA designated stalls; the designated stalls are compliant with accessible route requirements.
Harbor Uplands: Ice Bait & Automated Machines		Reach Range [308]	2		N/A	The Bait Box machine operating controls are too high (52 1/2 inches) for proper high reach range clearance of 48 inches above the floor. Recommend replacing this automated machine with one that does comply with the 2010 ADA Standards in the design and operation of the control mechanisms. This machine is privately owned, not maintained by the City.
Library: Kid's Room Restroom		Minimum 48" Vestibule Door Spacing [404.2.6] Privacy Wall & Door Configuration [404.2.4]	3		N/A	Remove inner door or change door swing for one or both doors. Reconfigure space to meet minimum space requirements. Restroom is a Single Unit, does not have an inner door.
Library: Kid's Room Restroom		Toilet Paper Dispenser Location [604.7]	3		N/A	Relocate toilet paper dispenser to meet all location requirements. Staff re-measured, meets requirements.
Load & Launch Ramp		Boarding Piers at Boat Launch Ramps [1003.2.2]	4		N/A	Not required or prioritized; but recommend due to the steeper slope consider enhancing and improving the ramp safety features and texture of the surface to improve safety, ambulation, and traction during inclement weather. Staff ensures the launch ramp is slip resistant/safe.

**CITY OF HOMER
HOMER, ALASKA**

Aderhold

RESOLUTION 23-111

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA
APPROVING THE UPDATED CITY OF HOMER AMERICANS WITH
DISABILITIES ACT (ADA) TRANSITION PLAN FOR CITY FACILITIES.

WHEREAS, The City of Homer ADA Transition Plan for City Buildings (Facilities Transition Plan) was approved by Resolution 19-024; and

WHEREAS, One of the responsibilities of the Americans with Disabilities Act (ADA) Advisory Board is to review and update the transition plans; and

WHEREAS, Since the Facilities Transition Plan was approved there has been a lot of progress in bringing the City into compliance; and

WHEREAS, This update will bring the information current in the plan, amends the format of the document and identifies the items that were completed from those that still need to be done.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska hereby approved the Updated City of Homer Americans with Disabilities Act Transition Plan for City Facilities.

PASSED AND ADOPTED by the Homer City Council this 23rd day of October, 2023.

CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

Fiscal note: N/A



MEMORANDUM

Resolution 23-112, A Resolution of the City Council of Homer, Alaska, Approving the City of Homer Americans with Disabilities Act (ADA) Transition Plan for Parks, Play Areas, and Campgrounds and will be included as a Chapter of the City of Homer ADA Transition Plan for City Facilities, Services and Programs. Aderhold.

Item Type: Backup Memorandum
Prepared For: Mayor Castner and Homer City Council
Meeting Date: October 9, 2023
Staff Contact: Renee Krause, MMC, Deputy City Clerk II/ADA Coordinator

In the summer of 2021 and 2022 the ADA Advisory Board working with Parks Staff and the ADA Coordinator performed site audits and evaluations on the following city parks, play areas and campgrounds:

- Karen Hornaday Park, Play Area and Campground
- Mariner Park Day Use and Campground
- Seafarer’s Memorial Park
- Fishing Hole Campground
- Bishop’s Beach Park and Beluga Slough Trail
- Jack Gist Park
- Bayview Park

These parks, play areas and campgrounds were selected based on the high volume of usage by residents and visitors.

The ADA Transition Plan for Parks, Play Areas and Campgrounds (Parks Transition Plan) was drafted similar to the format of the Facilities Transition Plan with the intent to combine all transition plans into one document at a future date.

The ADA Advisory Board determined that it would be easier to perform site audits and evaluations on city trails, recreational programs and services separate from the Parks Transition Plan due to the amount of work involved and capacity of staff.

The Parks Transition Plan lists the ADA regulations that address the non-compliance issues found at each location from the following regulatory documents: 2010 ADA Standards for Accessible Design; ADA Accessibility Guidelines (ADAAG); and Federal Outdoor Developed Areas Guidelines (ODAG).

Certain park elements do not yet have a final adopted standard, these include trails, picnic areas and campgrounds. On these elements, the ODAG was used.

The Parks Transition Plan provides a brief description with photograph of the barriers and performance-based solutions in the form of project recommendations along with a projected timeline. Some of these projects may require further design prior to implementation. All improvements will require maintenance to ensure continued compliance with these guidelines and should be accounted for in future budgets. Further methods to make programs or services accessible are referenced in the plan.

Recommendation:

Approve the City of Homer ADA Transition Plan for Parks, Play Areas and Campgrounds.

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City of Homer ADA Transition Plan Parks, Play Areas & Campgrounds

Self-Evaluation on ADA Compliance Issues
Draft September 7, 2023 v4

20 **Acknowledgements**

21

22 **Mayor & City Council**

23 Ken Castner, Mayor

24 Donna Aderhold

25 Caroline Venuti

26 Shelly Erickson

27 Rachel Lord

28 Jason Davis

29 Storm Hansen

30

31 **ADA Advisory Board**

32 Joyanna Geisler

33 Donna Aderhold

34 Christine Thorsrud

35 Vikki Deadrick

36 Nona Safra

37 Bradley Parsons

38 Cassidi Sorter

39 Jim Lepley

40

41 **Parks Arts Recreation & Culture Advisory Commission Representatives**

42 Deb Lowney

43 David Lewis

44

45 **Interested Community Members**

46 Devony Lehner, TRAILS

47 Lora Haller, US Fish & Wildlife Service, Islands & Ocean Visitor Center Manager

48

49 **City of Homer Staff**

50 Renee Krause, MMC, Deputy City Clerk/ADA Coordinator

51 Owen Meyer, Project Technician, Public Works Department

52 Matt Steffy, Associate Planner for Trails and Parks

53 Chad Felice, Parks Maintenance Coordinator

54

55

56

57

58

59

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92 **1.0 Introduction**

93 The ADA National Network estimates the overall rate of people with disabilities in the US population
94 is around 54 million. In Alaska, the numbers reported having a disability overall were 13.2 percent.
95 The data show that disability increases with age, for people 65 and over it was reported that 32.9
96 percent of Alaska residents had some form of disability. In Homer, according to the 2021 US Census
97 ACS 5 year Survey out of 5416 residents (including children) there are 2129 adults over the age of 50
98 and of those residents 1123 are over the age of 65. In short, hundreds of people in our community
99 face disabilities and many of those use Homer’s parks, play areas and campgrounds on a regular
100 basis.

101 Homer’s mission is to be a dynamic community where all can live, play, work and invest. To make
102 that mission a reality, it needs to be accessible. The City of Homer owns and manages 17 parks,
103 comprised of over 520 acres of land, along with 5.41 miles of maintained trails. These range from
104 small pocket parks and multi-use trails to forested natural areas, larger established parks with play
105 areas, campgrounds, and sports fields. To ensure our parks, play areas and campgrounds are
106 accessible to all, the City commenced the development of an Americans with Disabilities Act (ADA)
107 Parks, Play areas & Campgrounds Transition Plan in 2021. This document will be incorporated with
108 the ADA Facilities Transition Plan adopted by City Council in 2019.

109 **1.1 ADA Background**

110 The ADA is a civil rights law that requires all state and local governments to provide equal access to
111 programs and services for all community members. It was signed into law by President George H.W.
112 Bush on July 26, 1990 and went into effect in 1992. The ADA is a landmark civil rights law that
113 prohibits discrimination against individuals with disabilities in access to jobs, public
114 accommodations, government services and programs, public transportation, and
115 telecommunications. The ADA treats access as a civil right.

116 **Title I** of the ADA prohibits private employers, state and local governments, employment agencies
117 and labor unions from discriminating against qualified individuals with disabilities in job application
118 procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions,
119 and privileges of employment. The City of Homer is an Equal Employment Opportunity Employer
120 and adheres to the requirements of Title I.

121 **Title II** of the ADA adopts the general prohibitions against discrimination contained in Section 504
122 of the Rehabilitation Act of 1973, but applies to all state and local governments, regardless of
123 whether or not they receive federal funding. It prohibits the City from denying persons with
124 disabilities the equal opportunity to participate in its services, programs or activities, either directly
125 or indirectly through contractual arrangements. It is the policy of the City of Homer to make every
126 reasonable effort to provide equal access to all City facilities, services, programs, and activities for
127 citizens with disabilities in accordance with the ADA and Section 504 of the Rehabilitation Act of
128 1973.

129 **Title III** applies to public accommodations, which include businesses open to the public and
130 requires them to make reasonable modifications to accommodate individuals with disabilities.

131 **1.2 Community Involvement**

132 Community involvement is a priority of Homer and an essential part of the ADA requirements. The
133 City is required to involve the public in the evaluation and prioritization process. To ensure the
134 community had various ways to engage the public, meetings were held via electronic means as well
135 as in person. The public was invited to attend and participate in the facilities review and site
136 accessibility audits.

137 **2.0 Regulatory Standards and Guidance**

138 **2.1 Audit Standards**

139 Multiple federal guidelines were applied to the parks, play areas and campgrounds accessibility
140 audits. The first is the Americans with Disabilities Act Accessibility Guidelines (ADAAG), also known
141 as the 1991 standards, which addresses entries, doors, service counters, showers, curb cuts on
142 sidewalks, pathways and trails within parks, and other typical building elements when applicable.
143 The second is 2010 Standards for Accessible Design, effective March 15, 2012 that includes
144 requirements for play areas, fishing areas, boating areas, and more.

145
146 The Access Board issued accessibility guidelines for newly constructed and altered recreation
147 facilities in 2002, these supplement the ADAAG. All newly designed, constructed, and altered
148 recreation facilities covered by ADA were required to comply.

149
150 Certain parks elements do not yet have a final standard, these include trails, picnic areas and
151 campgrounds. On these elements, the Federal Outdoor Developed Areas Guidelines (ODAG) were
152 used. The site accessibility reports cite both the ADAAG 2010 Standards and the Outdoor Developed
153 Areas Guidelines.

154
155 This report identifies the barriers and performance-based solutions in the form of project
156 recommendations. Some of these projects will require further design prior to implementation. All
157 improvements will require maintenance to ensure continued compliance with these guidelines.

158 159 **2.2 Transition Plan Requirements**

160 The Parks, Play Areas & Campgrounds ADA Transition Plan (Parks Transition Plan) development
161 includes the following features:

- 162 • A list of physical barriers that limit accessibility of programs or activities to individuals with
163 disabilities, also known as a self-evaluation.
- 164 • A description of the methods that will be used to remove the barrier.
- 165 • The official responsible for implementation of the plan.
- 166 • A timeline for corrections.

167 The Parks Transition Plan timeline is designed to provide flexibility to the City around specific parks,
168 play areas, and campgrounds, ensuring that continuous access and improvements are being made.

169 In 2019, the City Council adopted the City of Homer Facilities ADA Transition Plan (Transition Plan),
 170 which identified the ADA coordinator, evaluated communications and other city facilities, and
 171 developed a dispute process and modifications request.

172
 173 This information is available on the City of Homer website or at the City Clerk's Office. The Facilities
 174 Transition Plan began the audit process with the evaluation of entrances, restrooms, sidewalks,
 175 parking areas and curb ramps at all city facilities.

176
 177 The Parks Transition Plan describes those barriers to and within Homer's parks, play areas, and
 178 campgrounds, and provides recommendations to remove barriers found. This document will
 179 supplement the earlier Facilities Transition Plan to fulfill the requirements in Title II of the ADA.

180
 181 The Parks Transition Plan and the previously approved Facilities Transition Plan will be integrated
 182 into a single overall Transition Plan after completion.

183
 184 **2.3 Program Access Recommendations**

185 The US Department of Justice test for existing facilities is known as the program access test. A
 186 program is an opportunity made available by the individual department, in this case Parks. A
 187 program is not just an activity for which a person registers and pays a fee. It can be the program of
 188 picnicking, parking or fishing. It is a program if it is an activity made available by the Parks, Harbor
 189 or Recreation department.

190
 191 The program access test does not apply to new construction or alterations and additions. New
 192 construction, alterations or additions must be designed and constructed to comply with the 2010
 193 Standards for Accessible Design.

194
 195 There are multiple ways in which a program can be made accessible. In Title II regulations, Section
 196 35.150(b) describes the methods an entity can use to make programs accessible. They include:

- 197
- 198 • Redesign or acquisition of equipment;
 - 199 • Move program to accessible buildings;
 - 200 • Assignment of aides to program beneficiaries;
 - 201 • Delivery of services at alternate accessible sites;
 - 202 • Alteration of existing facilities and construction of new facilities;
 - 203 • Use of accessible rolling stock or other conveyances; and
 - 204 • Any other methods that result in making its services, programs and activities readily
 205 accessible to and usable by individuals with disabilities.

206 The program access recommendations are based on a minimum of **one out of three assets should**
 207 **be accessible**. All unique assets should be accessible.

208 Some barriers, identified in the site accessibility reports will not need to be changed until a
 209 renovation or rebuild based on the technical infeasibility, historical preservation, construction
 210 tolerance or that no current guidance is available.

211

212 **3.0 Methodology**

213 The methodology of this portion of the transition plan included the following elements:

214

215 **3.1 Access Audits**

216 Members of the ADA Advisory Board, Public Works Staff, and members of the Parks, Arts, Recreation
217 & Culture Advisory Commission (PARC), and interested community members conducted
218 accessibility audits for six parks, including campgrounds, one separate campground and one
219 memorial park. These audits were conducted July through September 2021 and 2022.

220

221 The site visit accessibility audits consisted of an overall site report and individual checklists that
222 covered parking, accessible routes and means of access, play areas, shelters/picnic areas, outdoor
223 recreation amenities such as fire rings or bar-b-que grills and park site.

224 • The overall site report for each park facility includes the following:

- 225 ○ a description of the specific barriers at each location
- 226 ○ reference to the regulation or guideline citation
- 227 ○ digital images of the barrier
- 228 ○ location within the site
- 229 ○ methods to meet accessibility requirements
- 230 ○ or recommendations to address the barrier
- 231 ○ priority ranking in accordance with federal guidelines

232

233 **3.2 Findings**

234 The accessibility audits identified multiple access deficits. This represented a better than average
235 number of access deficits, meaning City of Homer parks, play areas and campgrounds are less
236 accessible than many larger communities, but comparable to similar communities across Alaska.
237 Projects were prioritized using Department of Justice (DOJ) guidance which considers the following
238 priorities.

- 239 1. Accessible approach and entry (parking, accessible routes)
- 240 2. Access to programs and services
- 241 3. Access to Restrooms
- 242 4. Access to other items (drinking fountains, trash receptacles, grills, benches, etc.)

243

244 **3.3 Community Priorities**

245 Each location was prioritized based on community usage, survey responses, public comment or
246 participation, access to park amenities such as playground, trails, and campgrounds and was given
247 a higher priority.

248

249 **4.0 Transition Plan**

250 The accessibility audits identified multiple access deficits across the system. To effectively and
251 efficiently improve accessibility they were prioritized over a ten (10) year timeline to ensure
252 program access. The prioritized list includes barriers to access all features at each location.

253 This prioritization of the projects within the Parks Transition Plan was accomplished through
254 meetings and site visits open to members of the community, in collaboration with the ADA Advisory

255 Board members and Public Works Staff. This work sought to identify the most efficient and effective
 256 way to make the City’s parks, play areas and campgrounds more accessible. The prioritization
 257 focused on all of the deficiencies that could be addressed in the recommended timeframe while
 258 working on program access.

259 These priorities concentrated on which parks, play areas, and campgrounds were most used by the
 260 community and visitors to improve accessibility, evaluating which deficiencies to correct first for
 261 the most benefit. Lastly, that all program types are accessible somewhere within the system.

262 The transition plan works toward this goal with the expectation that any new construction will be
 263 fully compliant and help the departments move over time to a completely accessible parks system
 264 within the City of Homer.

265 See Exhibit A for Accessibility Audits on the following:

- 266 1. Karen Hornaday Park including playground, campground and ballfields
- 267 2. Mariner Park including Day Use Area and campground
- 268 3. Beluga Slough Trail
- 269 4. Bishop’s Beach Park
- 270 5. Bayview Park
- 271 6. Jack Gist Park including ballfields and access to the Disc Golf Course
- 272 7. Seafarer’s Memorial

273

274 **5.0 Cost Estimating and Financing**

275

276 **5.1 Cost Estimating**

277 The timeline for this work outlined in the Parks Transition Plan is ten years which takes advantage
 278 of the biennial budgeting process the City follows. Initial work has been focused on cost estimates
 279 for the projects undertaken in the biennium budget period and a five-year proposed project list.
 280 Maintenance and smaller capital projects would occur in the annual budget established and as
 281 needed. Detailed development of budget offers would be written and submitted over the next three
 282 biennia. More detailed cost estimates for future projects would be developed for those budget
 283 offers. Any new construction undertaken is required to be fully accessible.

284

285 Upon completion of the prioritization, the City of Homer Public Works performed cost estimating
 286 with park maintenance operations, administration and planning to further understand the project
 287 groupings and how we might contract for certain work such as paving parking lots vs. a discrete set
 288 of access projects at a single park. Original cost estimates were based on past experience with
 289 similar projects and assumptions regarding future economic conditions and related to construction
 290 only (no design or project costs).

291

292 These numbers were reviewed and revised with a multiplier to bring to 2024 cost estimates.
 293 Additional work on costs will occur leading up to development. Potential cost savings may be
 294 realized from strategic scaling of contracts. Analysis of the project list identified 6 major types of
 295 work that include the following six trades or project types:

- 296 • Parking/Paving/Concrete
- 297 • Labor
- 298 • Plumbing
- 299 • Electrical
- 300 • Signage
- 301 • Potential Capital Improvement Plan Project

302 Further costing will evaluate opportunities to do multiple projects across the park, play area or
303 campground system, such as all sign upgrades.

304

305 **5.1.1. Cost/Impact Ranking**

306 Public Works and Port and Harbor Staff were consulted to rank each compliance issue based on the
307 level of impact to the department's budget and staff time required to complete the project.

308 Definitions for Cost/Impact Rankings are:

- 309 1 – Project can be completed by City of Homer staff at low cost and with a low amount of effort.
- 310 2 – Project can be completed by City of Homer staff, the cost would be moderate and/or would
311 require a moderate level of scheduling in association with other staff duties to complete.
- 312 3 – Project can be completed by City of Homer staff; however, the cost for materials would be
313 high and/or the time required to complete would be high. Use of a contractor would allow
314 project completion sooner.
- 315 4C – Project requires specialized tools, skills, and/or level of warranting the use of a contractor.

316

317 **5.2 Funding**

318 There is no dedicated source of federal funds for accessibility renovations to existing sites. The work
319 will be done through three main funding channels as follows:

- 320 • Maintenance and repair
- 321 • Small capital projects
- 322 • Capital Improvement Plan (CIP) projects.
 - 323 ○ Current CIP projects will be reviewed to see if they may be amended to capture
324 additional access improvements. An example of this might be the Bayview Park.
325 This will increase the available number of accessible play areas.
- 326 • Available Grant funding and other sources that could help implement some of this work
 - 327 ○ ADA modifications are common, and grants will be competitive. Some
328 opportunities may be available through the following:
 - 329 ▪ Community Development Block Grant Funds: Many agencies receive
330 federal Community Development Block Grant (CDBG) funds for
331 accessibility renovations at existing sites. CDBG funds often have a
332 scale of priority. It is important to establish accessibility as a priority for
333 CDBG applications.
 - 334 ▪ State/Federal Grant Programs such as the Land & Water Conservation
335 Fund, The Great American Outdoors Act; Community Facilities Direct
336 Loan & Grant Program in Alaska, or Recreational Trails Program

- 337
- 338
- 339
- 340
- 341
- State Appropriations: The City has successfully competed for appropriations for larger projects and if offered by the State, would be an avenue for funding.
 - Local organizations such as Rotary, Homer Foundation, Rasmussen, etc.

342 **5.3 Timeline Ranking**

343 Public Works and Port and Harbor department staff also evaluated the items based on current
344 department workloads and schedules for when in-house and contractor-hired projects could be
345 completed. The timelines for projects completed in-house would be as follows:

- 346
- 347 A. Project can be completed in between regularly schedule work as time allows, with
348 completion within one year.
- 349 B. Project requires additional scheduling and budgeting and may be completed within one
350 or two years.
- 351 C. Project requires significant scheduling and budgeting and may be completed within three
352 to five years; could be completed sooner if done by a contractor.

353

354 If a contractor is hired to complete a project they may have a more definitive timeline because they
355 must be budgeted in advance. For these items, the Transition Plan lists the estimated year that
356 staff will prepare an Invitation to Bid, include it in their budget requests to City Council, and have
357 the project completed by.

358 **6.0 Recommendations**

359 In addition to the audit findings, opportunities to improve accessibility via policies and procedures
360 were identified through the self-evaluation. The following recommendations are not an exhaustive
361 policy review, but highlighting best practices based on discussions with staff, ADA Advisory Board
362 members, PARC Commissioners and interested members of the community.

- 363
- 364
- 365 1. Implement modifications according to the approach proposed in Section 4.0 and the
366 Parks, Play Areas and Campground Transition Plan to accommodate all users.
- 367 2. Develop maintenance staff training and checklists to improve accessibility during
368 routine maintenance.
- Items such as accessible routes, gaps, changes in level, door closing force and
369 common obstructions can be scheduled as part of ongoing routine maintenance
370 work.
- 371
- 372 3. Update website with more details regarding ADA access at each park, play area or
373 campground. This would include parking and restroom accessibility, along with what is
374 accessible so patrons can make informed decisions before traveling to a specific park, play
375 area, or campground.
- 376 4. Ensure all contracts have language regarding ADA compliance and or modifications that a
377 contractor will make to provide equal access to services, programs and activities.





- 378 5. Involvement of the ADA Coordinator in review of project design to ensure the contractor is
- 379 fully aware that ADA regulations and guidelines are to be included within the project at the
- 380 beginning.
- 381 6. Improve wayfinding signage so people with disabilities can more easily and
- 382 conveniently navigate the park system and the city as a whole.
- 383 7. If portable toilets are provided make sure at least one is accessible.
- 384



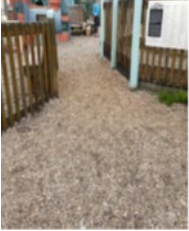


DRAFT







385 **7.0 Parks Listing**





386 The following details the physical barriers of the City parks, play areas and campgrounds that limit
 387 the accessibility of its programs, activities or services to individuals with disabilities and the
 388 methods suggested to remove those barriers, make the area accessible and the schedule for
 389 achieving compliance.

390 **7.1 ADA Compliance Issues**





Location	Image	ADA Code Reference	Priority Level	Cost Impact Level	Timeline	Accessibility Issue, Solution/Remedy & City Staff Direction
FACILITY NAME: Karen Hornaday Hillside Park		TIME OF ASSESSMENT: JULY – SEPTEMBER 2021				
STRUCTURES/FACILITY/AREA(S): Karen Hornaday Hillside Park has only portable toilets at the time of accessibility surveys. Project is in the planning stages for redesign of entrance road, parking lot, pedestrian trail and new restroom facilities. A new updated master plan is in funding process for FY24/FY25 Capital Budget. The campground has been closed temporarily and was not audited.						
Karen Hornaday Park		206.2.1; 206.2.2	1	2	A	No Accessible route from Parking lot to Pavilion or ballfields. Accessible route is required to all sports fields and to the pavilions from parking area
Karen Hornaday Park		208.2; 502.2; 502.3; 502.6	1	1	A	Designated accessible parking stall not identified; no signage Recommend paving parking stalls and striping, installation of signage
Karen Hornaday Park		1011.2.1	4	2	A	Pavilion has one ADA Compliant Picnic Table recommend to place at minimum one additional due to high use of pavilion
Karen Hornaday Park		302.1; 402.2; 403.2	1	4	C	Activity is surrounded by rocks with no accessible entry. Remove rocks to allow for accessible access. Suggest installation of materials to have firm stable ground.



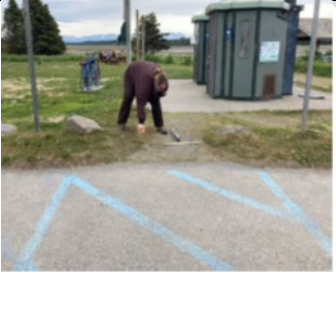
Location	Image	ADA Code Reference	Priority Level	Cost Impact Level	Timeline	Accessibility Issue, Solution/Remedy & City Staff Direction
Karen Hornaday Park Play Area		208.1 208.2; 208.2.4; 502.6	1	2	B	Parking for play area has no designated accessible parking. Construct and Install Accessible parking stall for appropriate signage.
Karen Hornaday Park Play Area		240.1; 240.2.1; 1008.1; 1008.2.1	4	4	C	Ground area should be better maintained to afford accessibility.
Karen Hornaday Park Play Area		302.1; 302.3; 303.1; 304.1; 403.1; 402; 403.5.1; 1008.1- 108.2.1; 1008.2.4; 1008.2.6	1	3	C	Entrance to play area is not compliant. Entry needs to be widen. Play are has wood chip base which is not accessible material. Furnish & Install accessible ground material throughout the play area to ensure accessibility by providing stable, non-slip material.
Karen Hornaday Park Play Area		1008.2.4; 1008.2.6; 1008.4.3	4	1	A	No accessible entrance to this feature. Recommend relocating or provide ADA Compliant Access
Karen Hornaday Park Play Area		1008.4.2; 308; 1008.2.6; 1008.2.4	4	2	B	Recommend modification to ensure reach is compliant to green wheel




Location	Image	ADA Code Reference	Priority Level	Cost Impact Level	Timeline	Accessibility Issue, Solution/Remedy & City Staff Direction
Karen Hornaday Park Play Area		308; 1008.4.2; 1008.2.6; 1008.2.4	4	3	C	Climbing Wall – ensure approach is compliant for access from a wheelchair
Karen Hornaday Park Play Area		302.1; 303.1 305.2; 1008.2.4	1	3	B	Play area is surrounded by a wall or fence and is not accessible by those with mobility or vision impairments without assistance. Modify to provide accessible route to this area and install ground materials to make firm stable and non-slip
Karen Hornaday Park Play Area		303.1; 1008.3.1; 1008.3.2	2	4	C	Play component is not accessible from a wheelchair or without assistance. Install chair level transfer
Karen Hornaday Park Play Area		1008.2.1	2	2	B	Provide accessible entry to sand box.
Karen Hornaday Park Play Area		240.2.1.2	4	3	C	No accessible transfer point. Open portion of side for accessible entry/transfer.
Karen Hornaday Park Play Area		240; 403	4	2	A	Recommend adding additional accessible swing option. Currently there is only one





Location	Image	ADA Code Reference	Priority Level	Cost Impact Level	Timeline	Accessibility Issue, Solution/Remedy & City Staff Direction
Karen Hornaday Park Play Area		240; 302; 304; 305; 404.2.3	1	3	C	Entrance is non-compliant. Widen entry in order to bring the gateway into ADA compliance.
Karen Hornaday Park Play Area		1008.2.1	1	1	A	Remove. Safety hazard as logs are rotten.
Karen Hornaday Park Play Area		206 404; 1008	1	3	C	Remove and replace ground materials with level, firm non-slip materials
Karen Hornaday Park Play Area		1008.2.6; 206; 404	1	3	C	Replace materials so ground stays level and firm. Remove and replace materials with suitable ground materials that are level, firm and non-slip.

Location	Image	ADA Code Reference	Priority Level	Cost Impact Level	Timeline	Accessibility Issue, Solution/Remedy & City Staff Direction
Karen Hornaday Park Play Area		1008.2.1; 1008.2; 1008.2.4.1; 1008.2.6; 1008.2.6.1	4	4	C	Various play components in the Play area that have limited or no access without assistance. Recommend installation of transfer system from wheelchair; modification to approaches or sidewall barriers on the play component.
Karen Hornaday Park Play Area		1008.4	4	4	C	Only component of its kind. Not required but recommend remove and replace with similar component that has adaptable reach
Karen Hornaday Ballfields		221.2; 221.2.1.4; 221.2.3; 221.3 1016	1 & 4	2	B	Bleachers at upper field – no accessibility, too close to the fence, no handrails or safety railing to prevent falls; no designated wheelchair spaces Furnish & Install or modify existing to provide better safety provide accessible seating as well as wheelchair seating





Location	Image	ADA Code Reference	Priority Level	Cost Impact Level	Timeline	Accessibility Issue, Solution/Remedy & City Staff Direction
Karen Hornaday Park – New Pavilion		1011.2; 1011.3 1011.5	4	1	A	Grills swivel and requirement is 40" x 48" clear ground space on all sides; 2-5% slope & 15"-34" height required Remove and reinstall in regulation height and clearance and slope.
Karen Hornaday Park – Old Pavilion		206	1	3	B	Pavilion approach is not ADA Compliant; attached tables are non-compliant; Regrade slope and install accessible routes
Karen Hornaday Park – Old Pavilion		1011.2.1	4	2	A	Available Picnic Tables are not ADA compliant. Provide a minimum of one ADA Compliant Table of universal design would be preferable.
Karen Hornaday Park Ballfields		1008.2.6; 206.7.9; 404.2.3; 404.2.4.4	4	4	C	Entrances to dugouts are not compliant; grade has high step up; opening is too narrow to dugout. Ground surface must be maintained and inspected on a regular basis; remove and replace gate and fencing to provide required clearances





Location	Image	ADA Code Reference	Priority Level	Cost Impact Level	Timeline	Accessibility Issue, Solution/Remedy & City Staff Direction
Karen Hornaday Park Ballfields		206.2.1; 221.4; 221.2.1.4; 221.2.3; 221.3	1	4	C	No accessible Route from or to the parking spaces, Bleachers do not provide accessible seating or companion seating. Furnish & Install accessible route from parking lot (when complete) provide designated wheelchair seating with companion seating Provide regular maintenance to grounds.
FACILITY NAME: Bayview Park				TIME OF ASSESSMENT: July –September 2021		
STRUCTURE/FACILITY/AREA(S): Is a lovely neighborhood park located at the top of Main Street. This Park is traditionally known for being used as a toddler and young children’s park since it was fenced, small and located within the neighborhood. Currently there are plans in motion to improve the park. Installation of new play equipment with ADA compliant access routes to each piece of equipment and placement of picnic tables as well as installation of paved accessible parking making it Homer’s first fully accessible park. It will be done at a future date when completed. At the time that Site Audits were conducted this location was non-compliant for access, play areas and parking.						
FACILITY NAME: Bishop’s Beach Park & Beluga Slough Trail				TIME OF ASSESSMENT: July – September 2021		
STRUCTURE/FACILITY/AREA(S): Bishop’s Beach Park provides access to miles of public beaches, a picnic pavilion with fire ring and bar-b-que grill and picnic tables. There is a large grassy lawn area that is maintained. Currently restroom facilities are portable toilets and new plumbed restrooms are in the planning/design phase with expectation for construction 2024/2025. The Park provides vehicle access to the west for the public and to Beluga Slough Trail which runs along city and state owned land. No camping is allowed on the beaches or in the park.						
Bishop’s Beach Park – Parking Lot		208; 208.2; 208.2.4; 302; 502.4	1	4	C	Accessible parking has more than 2% slope. Recommend regrade and repave parking lot to include pavement marking for minimum number of accessible parking spaces and the required number to be van accessible.
Bishop’s Beach Accessible Routes		206; 206.2.1; 502.1-502.3.4	1	2	B	Restroom closed permanently and temporarily replaced with portable toilets. Plans are being developed for permanent restroom facilities. No accessible approach to portable toilets or pavilion Furnish & Install accessible walkway to pavilion and restroom from parking spaces.




Location	Image	ADA Code Reference	Priority Level	Cost Impact Level	Timeline	Accessibility Issue, Solution/Remedy & City Staff Direction
Bishop's Beach Park Access to Beluga Slough Trail		402; 404	1	1	A	<p>Transitions from ground to elevated walkway is too high in some areas; too steep in other areas within slope; vegetation impairs visibility of edge and clear safe path</p> <p>Recommend regular maintenance to remove vegetation, correct slope and transition from ground to elevated walkway by maintaining gravel</p>
Bishop's Beach Park Beluga Slough Trail Access		402; 404	1	2	A	<p>Nominal Transition issues on this segment. Good example of what access should appear and resemble.</p> <p>Recommendation: Regular maintenance to keep gravel supply appropriate.</p>
FACILITY NAME: Mariner Park and Campground				TIME OF ASSESSMENT: July – September 2021		
STRUCTURE/FACILITY/AREA(S): Located on the base of the Homer Spit, Mariner Park and Campground is a 111 acre multi-use area that is one of the most popular beach access points for dog walking, coal collecting, and horseback riding in Homer. There are 34 camp sites available April 1 st through October 30 th , a Day Use Area along the northern border of the park with fire rings, picnic tables and a small gazebo, which is available for reservation for private events. Seasonal restroom facilities are provided May through September/October (weather dependent).						
Mariner Park Day Use Area		206.2.1; 502	1	4C	B	<p>No Accessible parking designated. No accessible route to gazebo. Construct and furnish accessible route and parking space install signage per regulations</p>





Location	Image	ADA Code Reference	Priority Level	Cost Impact Level	Timeline	Accessibility Issue, Solution/Remedy & City Staff Direction
Mariner Park – Day Use Area		210; 504; 505.10.2	3	4C	B	Gazebo, has no hand rails, no ramp, stairs are steep, narrow steps and tall rise All steps on flight of stairs shall have uniform riser heights and uniform tread depths. Recommend rebuilding stairs to include handrails and placement of a ramp.
Mariner Park Day Use Area		903	3	2	B	Bench needs to have the required transfer back support and seat width. Wheelchair space is limited within structure dependent on number of people. Bench shall provide back support or be affixed to a wall. Grab Bars should be installed to provide assistance for transfer, seat width should be 42 in long by 20 in. deep
Mariner Park Day Use Area		ORAR 244.2.3.1; 244.3 245.2.5.1 244.5.3	3	4C	B	Fire Ring is not compliant No accessible route Review Height and reach in accordance with regulations
Mariner Park Camp Host Cabin		ORAR 1016.2; 1016.3; 1016.4 1016.7.1;	3	4C	B	No ADA parking designated No accessible route from parking space to Host cabin. No Ramp Access or alternate method of notification to get camp host attention if not outside. Install and designate accessible parking space, place signage with alternate method of contacting Camp Host




Location	Image	ADA Code Reference	Priority Level	Cost Impact Level	Timeline	Accessibility Issue, Solution/Remedy & City Staff Direction
Mariner Park Campground		1011.2; 1011.4; F244.2.3.1; F244.3, F245.2.5.1; & F244. 5.3	3	4C	B	No ADA Compliant Camp Site Per Regulations Total of Camping Sites required is 2-3 based on overall # of sites. No ADA Compliant picnic tables. No accessible route from parking. No designated accessible parking. Create and designate 1-2 sites as ADA Compliant with appropriate signage. Designate and mark accessible parking spaces Campsite 21'3" w x 22' L Fire Ring 17" H
Mariner Park Entrance Area with Kiosk and Bathrooms		ORAR 1016.2; 1016.3; 1016.4 1016.7.1; F244.2.3.1; F244.3; F245.2.5.1; F244.5.3 703.4.1; 703.5.5; 703.5.6; 703.7	3	4C	B	Fee Kiosk Area Bulletin Board Height is 50"; Doggie Bag Dispenser is 38.5" No accessible route defined for portable toilets; dumpster is not accessible; Picnic tables are unsafe and rotten Furnish & install clear access to kiosk, R & R Doggie Bag Dispenser to correct height; F & I Accessible route to portable toilets, Remove & Replace with Accessible Dumpster; Remove and Replace Picnic Tables with Universal Design models



Location	Image	ADA Code Reference	Priority Level	Cost Impact Level	Timeline	Accessibility Issue, Solution/Remedy & City Staff Direction
FACILITY NAME: Fishing Hole Campground				TIME OF ASSESSMENT: July – September 2021		
STRUCTURE/FACILITY/AREA(S): Located next to the Nick Dudiak Fishing Lagoon, this campground on the Homer Spit features 80 campsites, 9 sites are located on the edge of the fishing lagoon and is a popular destination for campers. Amenities at this location include Fishing Hole camp sites, beach campsites, fish cleaning tables, picnic pavilion, grill, accessible restroom facilities, potable water and easy access to one of the city's RV dump stations. The Fishing Hole Campground has 16 camp sites that are available during the winter months, October 31 st through March 31 st annually.						
Fishing Hole Campground		703.4.1; 703.5.5; 703.5.6; 703.7	1	1	A	Accessible Camping Spaces Signage Placement. Paved connection to pavilion and walkway to restroom signage placement requires correction
Fishing Hole Pavilion		1011.2; 1011.3; 902.3 ABA	3	1	A	ADA Compliant Picnic Table provided, recommend adding additional table. Requirement is based on 24LF of usable space around table top, there should be a minimum of one wheelchair space.
Fishing Hole Pavilion		1011.2; 1011.3; 1011.5	3	4C	B	Grill does not have required access all the way around it. Relocation to maintain the required distance on all sides. Grill does swivel, but must be accessible with clear ground 48" x 48" clear ground space on all sides 2-5% slope 15"-34" max height
Fishing Hole Pavilion		402; 403	1	NA	NA	Paved area next to Pavilion provides accessible feature. ADA COMPLIANT

Location	Image	ADA Code Reference	Priority Level	Cost Impact Level	Timeline	Accessibility Issue, Solution/Remedy & City Staff Direction
Fishing Hole Campground Pay Kiosk for Camp Fees		307.3; 308.1; 308.2; 308.3	3	4C	B	Kiosk is 48” height Reach should be no more than 24” from side approach. Recommend filling in the area with additional concrete pad to make fully accessible from all approaches
Fishing Hole Restroom Potable Water Access		402; 403; 502	2	4C	B	Accessible Route is required to access potable water; recommend installing a suitable material preferably asphalt and ADA Parking Space; Accessible route connecting to Restrooms from parking
Fishing Hole Restroom Potable Water Access		309.4	4	1	A	Spigot handle is non-compliant install lever handle
Fishing Hole Notice Board		206; 308; 302	4	4C	B	Accessible route; reach. Remove rocks and install asphalt or concrete pad around information kiosk

Location	Image	ADA Code Reference	Priority Level	Cost Impact Level	Timeline	Accessibility Issue, Solution/Remedy & City Staff Direction
FACILITY NAME: Seafarer's Memorial Park				TIME OF ASSESSMENT: July-September 2021		
STRUCTURE/FACILITY/AREA(S): Seafarer's Memorial is a 2.52 acre lot located off of the Sterling Highway near the end of the Homer Spit. A memorial gazebo honoring those who were lost at sea, 45 parking spaces and open green space providing unobstructed views of the surrounding mountains and Kachemak Bay and access to the Spit Beach.						
Seafarer's Memorial Park - Parking lot		206.3; 206.4; 216.5; 302.1; 403.1, 403.2;405.3; 502.1, 502.2, 502.3,502.3.1, 502.3.2,502.3.3, 502.3.4	1	4C	B	Parking is adjacent to entrance to the Memorial and not accessible. Pave and mark accessible parking spaces with paved accessible route to memorial pavers
Seafarer's Memorial Park		305; 903	4	3	B	Bench is not ADA Compliant. Location on accessible route compliant with 404. Preference for Bench to not have arms for ease in transfer however having arms allows aid in person rising from seated position. Replace with compliant bench 17" - 19" seat height; able to withstand horizontal force minimum of 250 pounds at any point of the seat, Back support shall be 42"L minimum & 20"-24" deep
FACILITY NAME: Jack Gist Park				TIME OF ASSESSMENT: July - September 2021		
STRUCTURE/FACILITY/AREA(S): Donated by Jack Gist's estate for new softball fields, this 10 acre park offers stunning views of Beluga Lake and Kachemak Bay. Three fields are utilized by the Homer Adult Softball Association and the Homer High Mariner Softball team. There is also a disc golf course located in the park. Portable Toilet Facilities are available during the summer season. Plans are in process to draft a Master Plan for the park to include proposed field updates, plumbed restrooms, road access from a new subdivision to the west, parking configuration, and a new play area.						
Jack Gist Park Path to Disc Golf Course		206.2.1; 403; 403.5.3; 1016.2; 1016.3; 1016.4	1	4C	C	Walkway to Disc Golf Course is not ADA compliant. Remove and replace with accessible route using materials that would provide a stable and firm ground, width to be 36" wide with passing lane or widen areas to allow passing

Location	Image	ADA Code Reference	Priority Level	Cost Impact Level	Timeline	Accessibility Issue, Solution/Remedy & City Staff Direction
Jack Gist Park - Lower Fields		206.2.1; 403; 403.5.3; 1016.2; 1016.3; 1016.4	1	4C	C	Lower Left and Right Ball Fields do not have ADA Accessible Routes. Furnish & Install accessible route from parking to playing fields spectator areas, dugouts, etc.
Jack Gist Park		206.2.1; 403; 403.5.3; 1016.2; 1016.3; 1016.4	1	4C	C	Ground access is not firm and stable - ADA Accessible Route. Furnish & Install accessible travel route from parking to amenities
Jack Gist Park - Ball Field Spectator Seating and Access		206.2.1; 403; 403.5.3; 1016.2; 1016.3; 1016.4	Access Route Priority 1 Seating Priority 4	4C	C	Spectator bleachers are not ADA compliant, no accessible seating, no accessible route from parking area. Where provided, fixed team or player seating areas must contain the number of wheelchair spaces and companion seats required by ADAAG, but not less than one space.
Jack Gist Park - Field Access		404.2	1	2	B	Gate Access is not compliant. Provide clear pathway and level ground, remove overgrown vegetation to ensure proper width requirement is met

Location	Image	ADA Code Reference	Priority Level	Cost Impact Level	Timeline	Accessibility Issue, Solution/Remedy & City Staff Direction
Jack Gist Park - Dugouts		903	2	2	B	Player dugout does not have accessible seating, too high or too low and seating is too narrow, no hand rails or access to allow for transfer from a wheelchair to the bench. Benches must have seats that are a min. of 20" to a max. of 24" in depth and 42" min. in length. The seat height should be a min. of 17" to a max. of 19" above floor. If the bench is not located next to a wall, the bench must have back support that is 42" min. in length and extends from a point 2" max. above the seat to a point 18" min. above the bench.
Jack Gist Park - Fence		307; 403.5	4	1	A	Fence has protrusion. Remove and relocate or furnish and install barriers to direct pathway around the protrusion.
Jack Gist Park - Dugouts		221.2.1.4; 206.7.9; 802.1	4	2	B	Entrances to dugouts are not compliant; grade has step up; Dugout entrance is not ADA compliant - opening is too narrow. Maintain areas of access by keeping gravel/fill materials level and compacted to maintain even surface levels with concrete pad; remove and replace existing gate with ADA compliant gate; maintain vegetation to keep sight lines and changes in elevation minimal

Location	Image	ADA Code Reference	Priority Level	Cost Impact Level	Timeline	Accessibility Issue, Solution/Remedy & City Staff Direction
Jack Gist Park – Upper Field Approach		1016.2; 1016.3; 1016.4; 1016.7	1	3	C	Access Route is steep; Furnish and install accessible route to upper field from parking area; correct slope percentage
Jack Gist Park – Spectator Seating		206.2.1; 403; 403.5.3; 1016.2; 1016.3; 1016.4	4	2	B	No ADA Compliant seating available; no accessible route to seating from parking area. Install ADA seating along with accessible route from parking to seating area.

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DRAFT

**CITY OF HOMER
HOMER, ALASKA**

Aderhold

RESOLUTION 23-112

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA APPROVING THE CITY OF HOMER AMERICANS WITH DISABILITIES ACT (ADA) TRANSITION PLAN FOR CITY PARKS, PLAY AREAS AND CAMPGROUNDS AND WILL BE INCLUDED AS A CHAPTER OF THE CITY OF HOMER ADA TRANSITION PLAN FOR CITY FACILITIES.

WHEREAS, The Federal Government enacted the American with Disabilities Act (ADA) and Title II requires that all public entities with 50 or more employees perform self-evaluations to create transition plans for all facilities, programs and services provided to the public; and

WHEREAS, One of the responsibilities of the Americans with Disabilities Act (ADA) Advisory Board is to perform the site audits and draft those transition plans; and

WHEREAS, The ADA Advisory Board determined it would be in the best interests of the City to create the transition plans addressing Trails and Recreational Programs separately from Parks, Play Areas and Campgrounds due to the amount of work involved in each area; and

WHEREAS, The ADA Advisory Board chose to prepare the Transition Plan for Parks, Play Areas and Campgrounds as the next project and conducted Site Evaluations with members of the city staff, and interested members of the public in 2021 and 2022; and

WHEREAS, The ADA Advisory Board reviewed and approved the draft City of Homer ADA Transition Plan for Parks, Play Areas and Campgrounds at a Special Meeting on September 7, 2023; and

WHEREAS, The Transition Plan for Parks, Play Areas and Campgrounds will be included as a chapter of the City of Homer ADA Transition Plan for City Facilities and reviewed on an annual basis by the ADA Advisory Board.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska hereby approves the City of Homer Americans with Disabilities Act Transition Plan for City Parks, Play Areas and Campgrounds and will be included as a Chapter of the City of Homer ADA Transition Plan for City Facilities.

PASSED AND ADOPTED by the Homer City Council this 9th day of October, 2023.

CITY OF HOMER

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KEN CASTNER, MAYOR

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

**MEMORANDUM**

Resolution 23-113, A Resolution of the City Council of Homer, Alaska Approving a Task Order to Coble Geophysical Services, LLC in the Not to Exceed Amount of \$53,000 to Design Storm Water Works for the Kachemak Green Infrastructure Storm Water Management Project, and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Public Works Director.

Item Type: Backup Memorandum
Prepared For: City Council
Date: October 10, 2023
From: Janette Keiser, PE, Public Works Director/City Engineer
Through: Rob Dumouchel, City Manager

I. Issue:

The purpose of this Memorandum is to recommend award of a Task Order to Coble Geophysical Services, LLC (“Coble”) to design storm water works for the Kachemak Sponge Green Infrastructure Storm Water Management Project (Kachemak Sponge).

II. Background:

With the adoption of Ordinance 23-46, the City Council accepted a grant, as a sub-recipient, from NOAA, through the University of Alaska Anchorage, acting for the Kachemak Bay National Estuarine Research Reserve (KBNERR) for the Kachemak Sponge Project. The Kachemak Sponge Project involves using natural wetlands to absorb and treat storm water. The project will use a system of pipes and ditches, to direct water into constructed retainage ponds and natural wetlands for storage and nature-based treatment. This requires specialized design work to determine the extent to which the wetlands can absorb and treat storm water.

Coble is the only consulting firm with local staff qualified to perform this work. Further, Geoff Coble has been involved in the field and design development work for the Kachemak Sponge since January 2022. This included installing sheet metal flumes used to measure water volume entering the subject wetlands and drilling test wells in the wetlands to ascertain the depth of the active peat layer. Coble’s scope of work will involve using the data collected from this field work to determine where the various storm water works need to go as well as how big they need to be to capture and treat the expected volumes of storm water.

Mr. Coble is so committed to this project, he traveled to Finland, at his own cost, to visit a wetland-based treatment facility, similar to the Kachemak Sponge, to assure himself, and the City, that wetland-based treatment facilities would work in cold climates and to better understand how to design them effectively.

The cost for Coble's work is part of the NOAA grant budget, meaning the City will be reimbursed with grant funds.

III. RECOMMENDATION: That the City Council award a Task Order to Coble Geophysical Services, LLC, in the Not To Exceed amount of \$53,000.

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

3 City Manager
4 Public Works Director

5 **RESOLUTION 23-113**

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7 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
8 APPROVING A TASK ORDER TO COBLE GEOPHYSICAL
9 SERVICES, LLC, IN THE AMOUNT NOT TO EXCEED \$53,000
10 TO DESIGN STORM WATER WORKS FOR THE KACHEMAK
11 GREEN INFRASTRUCTURE STORM WATER MANAGEMENT
12 PROJECT, AND AUTHORIZING THE CITY MANAGER TO
13 EXECUTE THE APPROPRIATE DOCUMENTS.

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15 WHEREAS, With the adoption of Ordinance 23-46, the City Council accepted a grant, as
16 a sub-recipient, from NOAA, through the University of Alaska Anchorage, acting for the
17 Kachemak Bay National Estuarine Research Reserve (KBNERR) for the Kachemak Sponge
18 Project (Kachemak Sponge); and

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20 WHEREAS, The Kachemak Sponge Project involves using a system of pipes and ditches,
21 to direct water into constructed retainage ponds and natural wetlands for storage and nature-
22 based treatment; and

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24 WHEREAS, This system requires specialized design work to determine the extent to
25 which the wetlands can absorb and treat storm water; and

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27 WHEREAS, Coble Geophysical Services, LLC (“Coble”), is the only consulting firm with
28 local staff qualified to perform this work and Geoff Coble has been involved in the field and
29 design development work for the Kachemak Sponge since January 2022; and

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31 WHEREAS, Coble’s scope of work will involve using the data collected from earlier field
32 work to determine where the various storm water works need to go as well as how big they
33 need to be to capture and treat the expected volumes of storm water.

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35 WHEREAS, Coble has traveled to Finland to visit a wetland-based treatment facility,
36 similar to the Kachemak Sponge, to assure himself, and the City, that wetland-based treatment
37 facilities would work in cold climates and to better understand how to design them effectively;
38 and

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40 WHEREAS, The cost for Coble’s work is part of the NOAA grant budget, meaning the City
41 will be reimbursed with grant funds.

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43 NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, awards a
44 Task Order for professional services to Coble Geophysical Services, LLC, in the not to exceed

45 amount of \$53,000 professional services and authorizes the City Manager to execute the
46 appropriate documents.

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48 PASSED AND ADOPTED by the Homer City Council this 23rd day of October, 2023.

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CITY OF HOMER

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KEN CASTNER, MAYOR

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55 ATTEST:

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58 MELISSA JACOBSEN, MMC, CITY CLERK

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60 Fiscal note: Ordinance 23-46



MEMORANDUM

Resolution 23-114, A Resolution of the City Council of Homer, Alaska Approving a Contract with Kachemak Heritage Land Trust in the not to exceed Amount of \$30,000 to Assist with Acquisition of Properties for the Kachemak Sponge Green Infrastructure Storm Water Management Project and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Public Works Director.

Item Type: Backup Memorandum
Prepared For: City Council
Date: September 27, 2023
From: Janette Keiser, PE, Public Works Director/City Engineer
Through: Rob Dumouchel, City Manager

I. Issue:

The purpose of this Memorandum is to recommend award of a consultant contract to the Kachemak Heritage Land Trust (“KHLT”) to assist with the acquisition of properties for the Kachemak Sponge Green Infrastructure Storm Water Management Project (“Kachemak Sponge”).

II. Background:

With the adoption of Ordinance 23-46, the City Council accepted a grant, as a sub-recipient, from NOAA, through the University of Alaska Anchorage, acting for the Kachemak Bay National Estuarine Research Reserve (“KBNERR”). This project involves some complex real estate transactions.

City staff does not have the capacity to comprehensively shepherd these transactions due to staff turnover in the Planning and Public Works Departments. The KHLT has the capacity and expertise to manage these transactions and is already working with the KBNERR to acquire other properties, with the same, highly-regulated funding source that will be used to purchase the Kachemak Sponge properties. Thus, it makes sense to rely on the KHLT to supplement City staff.

The KHLT would perform the following tasks:

- Coordinate with the various 3rd party vendors the City has commissioned to perform due diligence tasks: survey, wetland delineation, appraisals, title reports & Phase I environmental reviews.
- Liaison with property owners.

- Helping City mitigate unforeseen challenges that may arise

There is currently \$96,860 in the Kachemak Sponge Project budget for direct and indirect costs of City staff. The \$30,000 paid to the Land Trust would cover services the City staff would have otherwise performed.

Homer City Code allows exceptions to be made to competitive bidding requirements where consultant contracts are involved. See HCC 3.16.060(d).

III. RECOMMENDATION: That the City Council award a consultant contract to the Kachemak Heritage Land Trust in the Not to Exceed amount of \$30,000 to assist the City with the acquisition of properties for the Kachemak Sponge Project.

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

3 City Manager
4 Public Works Director

5 **RESOLUTION 23-114**
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7 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA
8 APPROVING A CONSULTANT CONTRACT TO THE KACHEMAK
9 HERITAGE LAND TRUST IN THE NOT TO EXCEED AMOUNT OF
10 \$30,000 TO ASSIST WITH ACQUISITION OF PROPERTIES FOR THE
11 KACHEMAK SPONGE GREEN INFRASTRUCTURE STORM WATER
12 MANAGEMENT PROJECT AND AUTHORIZING THE CITY MANAGER
13 TO NEGOTIATE AND EXECUTE THE APPROPRIATE DOCUMENTS.
14

15 WHEREAS, With the adoption of Ordinance 23-46, the City Council accepted a grant, as
16 a sub-recipient, from NOAA, through the University of Alaska Anchorage, acting for the
17 Kachemak Bay National Estuarine Research Reserve (KBNERR) for the Kachemak Sponge
18 Green Infrastructure Storm Water Management Project (Kachemak Sponge); and
19

20 WHEREAS, The City has recently issued multiple contracts to various vendors to provide
21 professional services to support the Kachemak Sponge Project; and
22

23 WHEREAS, City staff does not have the capacity to comprehensively shepherd these
24 transactions due to staff turnover in the Planning and Public Works Departments; and
25

26 WHEREAS, Because the Kachemak Heritage Land Trust (“KHLT”) has the capacity and
27 expertise to manage these transactions and is already working with the KBNERR to acquire
28 other properties, with the same, highly-regulated funding source that will be used to purchase
29 the Kachemak Sponge properties, it makes sense to rely on the KHLT to supplement City staff;
30 and
31

32 WHEREAS, There is currently \$96,860 in the Kachemak Sponge Project budget for direct
33 and indirect costs of City staff, the \$30,000 paid to the KHLT would cover services the City staff
34 would have otherwise performed, and accordingly, the costs for this work will be eligible for
35 reimbursement from the NOAA grant; and
36

37 WHEREAS, Homer City Code allows exceptions to be made to competitive bidding
38 requirements where consultant contracts are involved. See HCC 3.16.060(d); and
39

40 NOW THEREFORE BE IT RESOLVED that the Homer City Council hereby authorizes
41 issuance of a contract to the KHLT in the Not to Exceed amount of \$30,000 to supplement City
42 staff’s efforts regarding the Kachemak Sponge Project.
43

44 PASSED AND ADOPTED by the Homer City Council this 23rd day of October, 2023.

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CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

Fiscal note: Ordinance 23-46



MEMORANDUM

Resolution 23-115, A Resolution of the City Council of Homer, Alaska Authorizing the City Manager to Apply to the Environmental Protection Agency for a Multipurpose Brownfield Grant in Support of Revitalization of the Homer Education and Recreation Complex (HERC) Site. City Manager.

Item Type: Backup Memorandum
Prepared For: Mayor Castner and Homer City Council
Date: October 17, 2023
From: Julie Engebretsen, Economic Development Manager
Through: Rob Dumouchel, City Manager

The EPA Brownfield Multipurpose Grant program is expected to fund twenty grants nationwide, in the amount of \$1,000,000 each. In order for the City to demolish or renovate the HERC buildings, more testing and a cleanup plan are needed. Both of these tasks and likely many other steps will require significant time and funding. This grant application is the first step in apply for federal funding to address further testing and cleanup planning tasks. This grant program is very competitive and staff anticipates this will be the first of several applications over the coming years.

RECOMMENDATION:

Adopt Resolution 23-115

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

3 City Manager

4 **RESOLUTION 23-115**

5
6 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
7 AUTHORIZING THE CITY MANAGER TO APPLY TO THE
8 ENVIRONMENTAL PROTECTION AGENCY FOR A MULTIPURPOSE
9 BROWNFIELD GRANT IN SUPPORT OF THE REVITALIZATION OF
10 THE HERC SITE.

11
12 WHEREAS, The limited Hazardous Materials Assessment of HERC 1 and comprehensive
13 assessment of HERC 2 has revealed both buildings contain hazardous materials such as lead
14 paint, asbestos and PCBs; and

15
16 WHEREAS, Planning for demolition and disposal of these buildings requires a detailed
17 cleanup plan which will incur a significant cost; and

18
19 WHEREAS, Environmental Protection Agency Brownfield grant funding would allow the
20 City to conduct a full hazardous assessment on HERC 1 and hire a consultant to create a
21 cleanup and disposal plan; and

22
23 WHEREAS, Such a plan is a requirement prior to applying for cleanup grant funding.

24
25 NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska hereby
26 authorizes the City Manager to apply to the Environmental Protection Agency for a
27 Multipurpose Grant with the goal of moving forward on HERC site revitalization.

28
29
30 PASSED AND ADOPTED by the Homer City Council this 23rd day of October, 2023.

31
32
33 _____
34 KEN CASTNER, MAYOR

35 ATTEST:

36
37 _____
38 MELISSA JACOBSEN, MMC, CITY CLERK

39
40 Fiscal Note: N/A



MEMORANDUM

Resolution 23-116, A Resolution of the City Council of Homer, Alaska Approving a Lobbyist Contract with J&H Consulting, LLC of Juneau, Alaska for a Term of One Year Commencing December 15, 2023 and Ending December 15, 2024 in the Amount of \$42,000 and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager.

Item Type: Backup Memorandum
Prepared For: Mayor Castner and Homer City Council
Date: October 17, 2023
From: Rob Dumouchel, City Manager

The City engaged J&H Consulting at the end of 2020 to be the City's lobbying firm in Juneau. This relationship has been very successful. J&H have been very good at making connections for the City, and they assist the City in setting up appointments with Legislators and State and Federal agencies to promote and advocate for City interests. They give much time to the Council for legislative updates when the State Legislature is in session in Juneau. We also achieved some victories in the previous State budget cycle with the State appropriation of \$750,000 towards the Homer Harbor Expansion General Investigation, funding of the Municipal Harbors Grant Program and an increase in the State's community jails budget.

Staff Recommendation: Approve the resolution for the 2024 contract with J&H Consulting

**CITY OF HOMER
HOMER, ALASKA**

City Manager

RESOLUTION 23-116

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA APPROVING A LOBBYIST CONTRACT WITH J & H CONSULTING, LLC OF JUNEAU, ALASKA, FOR A TERM OF ONE YEAR COMMENCING ON DECEMBER 15, 2023 AND ENDING DECEMBER 15, 2024 IN THE AMOUNT OF \$42,000 AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE THE APPROPRIATE DOCUMENTS.

WHEREAS, In 2020 the City issued a request for proposals for lobbying services and as a result approved a one year contract with J&H Consulting with Resolution 20-120; and

WHEREAS, Throughout this contract year, J&H Consulting has advocated for capital projects and legislation on behalf of the City of Homer as well as the Large Vessel Harbor project; and

WHEREAS, Funds were allocated in the FY23/24 budget for lobbying services and it is in the City's best interest to retain J&H Consulting to continue their work in advocating for the City of Homer at the State Capitol.

WHEREAS, This award is not final until notice is received by J & H Consulting, LLC of Juneau, Alaska, from the City of Homer.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, hereby approves the contract for Lobbyist for the City of Homer to the firm of J & H Consulting, LLC of Juneau, Alaska, for a term of one year commencing on December 15, 2023 and ending on December 15, 2024 in the amount of \$42,000 and authorizes the City Manager to negotiate and execute the appropriate documents.

PASSED AND ADOPTED by the Homer City Council this 23rd day of October 2023.

CITY OF HOMER

KEN CASTNER, MAYOR

43

44 ATTEST:

45

46

47 _____

48 MELISSA JACOBSEN, MMC, CITY CLERK

49

50 Fiscal Note: \$21,000 – Mayor/Council Lobbying Account 100-0100-5248; \$21,000 - Port

51 Administration Lobbying Account 400-0600-5248



MEMORANDUM

Resolution 23-117, A Resolution of the City Council of Homer, Alaska Approving an Amendment to the Copper River Seafoods Lease for a Portion of Lot 13B, City of Homer Port Industrial Subdivision No. 2 According the Plat No. 80-92, KPB Parcel 18103425. City Manager.

Item Type: Backup Memorandum
Prepared For: City Council
Date: October 11, 2023
From: Sean Conway, Port Lease Manager
Through: Rob Dumouchel, City Manager

As of September 7th, Copper River Seafood with guidance from the City, agreed upon taking action to avoid a contractual default. Previously, Copper River Seafood entered into an amended contract in February of 2020. The purpose of the 2020 amendment was to outline a path of contract completion considering the Pandemic's effect on port specific supply-chains & the overall softening of the economy. Considering present days' economic uncertainty, Copper River Seafoods will take a more prudent approach to construction. Allowing themselves ample time for any future considerations, as the City indicates this should be an ultimate plan. Furthermore, the City & Copper River Seafoods amicably agree that their continuation of operation is beneficial to both parties.

On September 20th Copper River Seafood provided an updated action plan, summary of related site tasks, and approximate CAD drawings of a "Pre Engineered Metal Building". Their proposal indicates that a 40'x47' structure, meeting their operational needs, will be erected on an existing slab.

Lastly, the Lease Manager, Head of Planning, and Port Director discussed a preliminary review of the proposed change. It was agreed upon review of the materials that there was no initial objection to any of the proposal documents and that the amendment proposal should continue through the committee process for approval.

The e-mailed proposal summary, schematics for the pre-fab building, proposed layout, and clarifying notes are all included as attachments to the memo, and are available for your review and comment.

Recommendation

For City Council to approve the resolution 23-117

Attached: *Copper River Seafoods – Homer Lease Amendment Proposal*

Exhibits:

#D. Summary of Current Situation & Request Memorandum directed from Copper River Seafoods by way of Bryan Kimball (VP) intended for City of Homer, current City Manager, Rob Dumouchel.

- #E. Clarifying Notes with an Overhead sitemap.
- #F. Top-Down Interior CAD view with square footage.
- #F. Cardinal CAD views with basic finishing & measurement notes.
- #G. Pictures of Sheds.

2nd AMENDMENT TO LEASE AGREEMENT

This amendment is made and entered into effect as of November 1, 2023 between the City of Homer, an Alaska municipal corporation (“Landlord”) whose address is 491 East Pioneer Avenue, Homer, Alaska 99603, and Copper River Seafoods Inc., an Alaskan business corporation (“Tenant”), whose address is 1118 E. 5th Ave. Anchorage , Alaska 99501 , and amends the Ground Lease Agreement (“Lease”) entered into between Copper River Seafoods Inc., and the City of Homer, dated March 1 2019 and recorded by the Kenai Peninsula Borough’s recorder’s office on May 20 2019, Number 2019-001382-0, Homer Recording District 309, Alaska.

Landlord and Tenant agree as follows:

In Exhibit D -Tenant’s Proposed Use of the Property, under the section listed as “2. Development Plan”:

<u>Dates</u>	<u>Tasks</u>
<u>2/1/2022</u>	<u>Framing</u>
<u>12/31/2022</u>	<u>Completion</u>

Shall be amended to “**completion by 12/31/2026**” as per letter _____ included as page 3 of this amendment

- “Exhibit E – Site Plans” shall be amended and replaced by “Exhibit E – _____ included as page 4 of this amendment.
- “Exhibit F – Floor Plans” shall be amended and replaced by “Exhibit F – _____ included as pages 5- _____ of this amendment.

IN WITNESS WHEREOF, the parties have executed this Lease Amendment as of the date set forth above.

Landlord:
City of Homer

Tenant:
Copper River Seafoods Inc.

By: _____

By: _____

Rob Dumouchel, City Manager

name/title

ACKNOWLEDGMENTS

STATE OF ALASKA)
) SS.
THIRD JUDICIAL DISTRICT)

The foregoing instrument was acknowledged before me on _____, 2023 by Rob Dumouchel, City Manager of the City of Homer, an Alaska municipal corporation, on behalf of the City of Homer.

Notary Public in and for Alaska
My Commission Expires: _____

STATE OF)
) SS.
)

The foregoing instrument was acknowledged before me on _____, 2023 by _____ (name/title) of Copper River Seafoods Inc.

Notary Public in and for the state of _____
My Commission Expires: _____

After recording return to:
Melissa Jacobsen, MMC, City Clerk
City of Homer
491 E. Pioneer Avenue
Homer, AK 99603



COPPER RIVER SEAFOODS

Main Administrative Office
1400 E First Avenue, Anchorage, AK 99501
Phone: (907) 522-7806 · (888) 622-1197 · Fax: (907) 274-0348
www.CopperRiverSeafoods.com

September 20, 2023

Rob Dumouchel, City Manager
City of Homer
491 East Pioneer Avenue
Homer, AK 99603

Re: Request for Amendments

Dear Mr. Dumouchel:

I write to you on behalf of Copper River Seafoods, Inc., an Alaskan owned and operation seafood company based in Anchorage. We are the current tenant of that property located on the Homer Spit and known as a Portion of Lot 13B, City of Homer Port Industrial Subdivision No. 2, Tax Parcel # 18103425.

Copper River Seafoods, Inc., is requesting an extension and amendment to the construction timeline through December 31, 2026. Due to the estimated increased costs to the existing approved building design, we are also asking the City of Homer ("City") for its approval for a more cost-effective building concept as attached to this letter.

As I am sure you aware, the seafood industry in Alaska and the United States for that matter is continuing to experience daily market challenges since the start of the Coronavirus pandemic, increased labor costs, increased transportation costs, and ever-changing market pressures. CRS has operated in the Homer area for many years and consider our year-long presence there to be a mutually beneficial relationship for the City, the fishermen of the area, and for CRS. We have every intention to improve our facilities in Homer and remain part of the Homer seafood industry for decades to come. With the above changes, we hope to achieve that goal while dealing with the current economic road blocks that challenge a lot of businesses during this time. CRS hopes that the City will this take our sincere requests for these changes into consideration.

I look forward to hearing your thoughts and answering any questions you may have.

Sincerely,

Copper River Seafoods, Inc.

Bryan Kimball
Executive Vice President
bkimball@crsalaska.com
(907) 201-7139

Attachment

EXHIBIT D

Copper River Seafoods - Homer Fish Buying Station Building Concept

Monday, September 18, 2023 2:40 PM

- Copper River Seafoods (CRS) is currently the Tenant in a 20 year lease agreement with the City of Homer commencing May 1, 2019, expiring April 30,2039;
- CRS has been operating a fish buying station in Homer for many years and,
- CRS lease initially included a development plan
- CRS desires to build a structure for the purpose of supporting its fish buying operation, specifically to
 - Secure equipment and tools;
 - provide an area to perform maintenance and small repairs;
 - worker changing areas, and bathroom;
 - office/administrative area with small kitchenette.
- CRS is proposing the following concept structure (or similar) following Homer planning & zoning requirements under the "Marine Industrial" specifications.
 - Location: Fish Dock Road, Homer, AK
 - The building would be constructed on the existing concrete foundation (with minor modifications to support the structure).
 - Building type would be a "Pre Engineered Metal Building" style structure
 - Building would *not* eliminate the need for external structures (trailers) as required for crew break areas, bait and material storage.

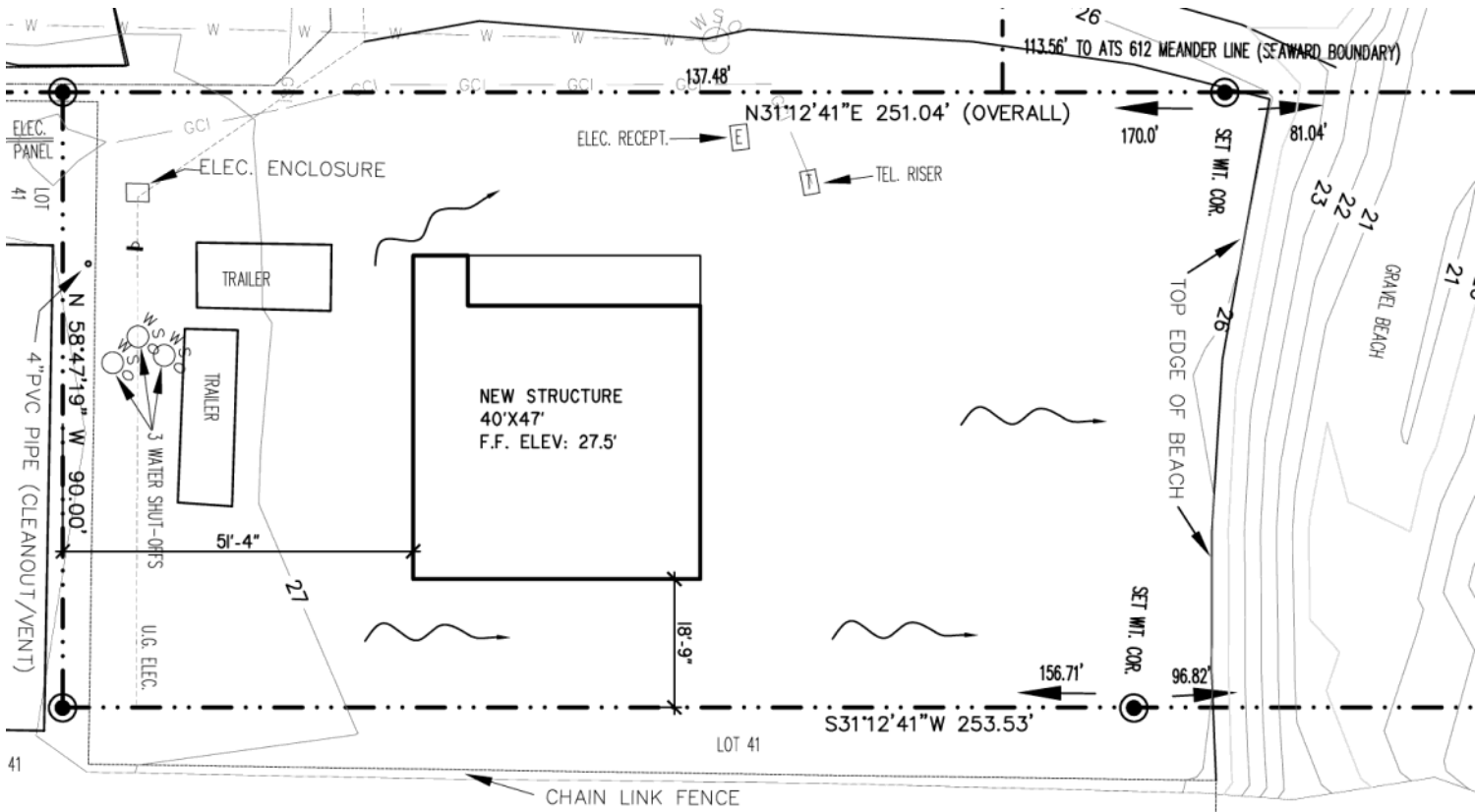


EXHIBIT E

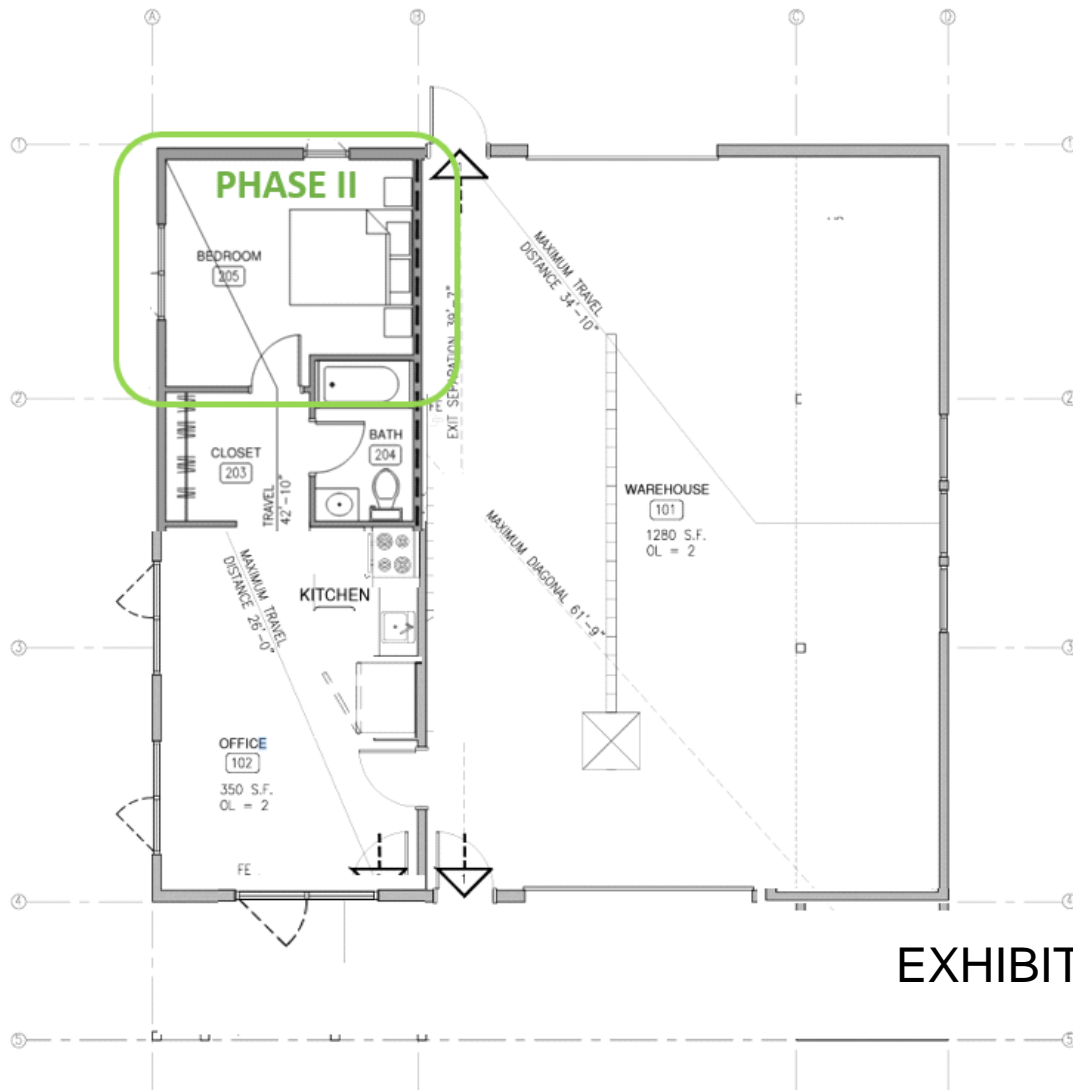
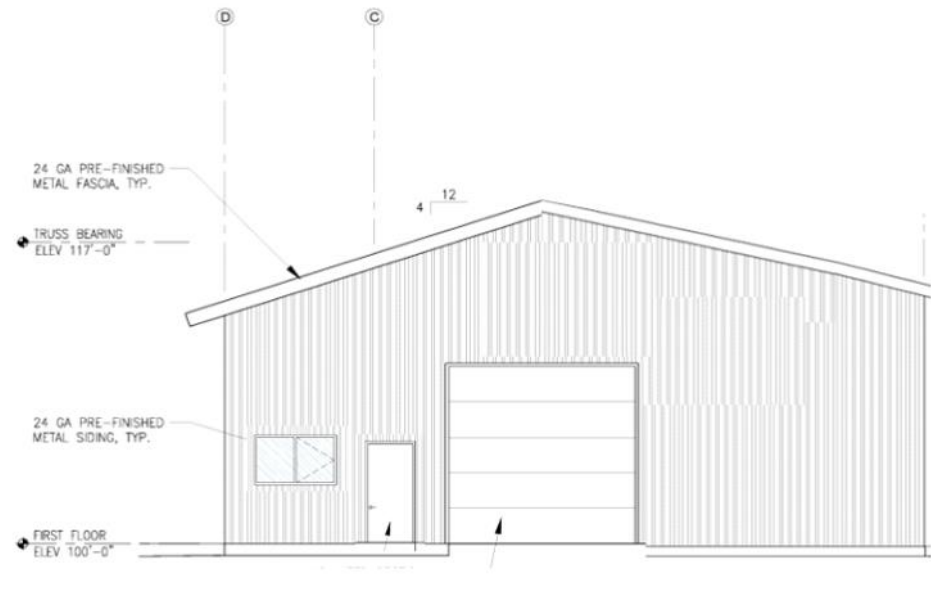


EXHIBIT E



1 WEST ELEVATION

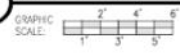
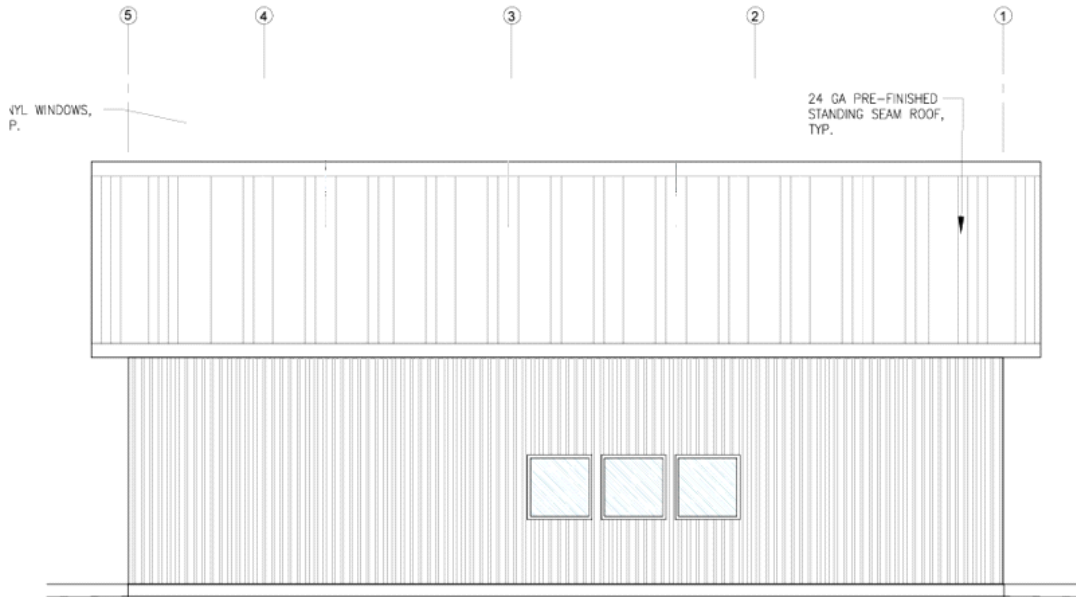
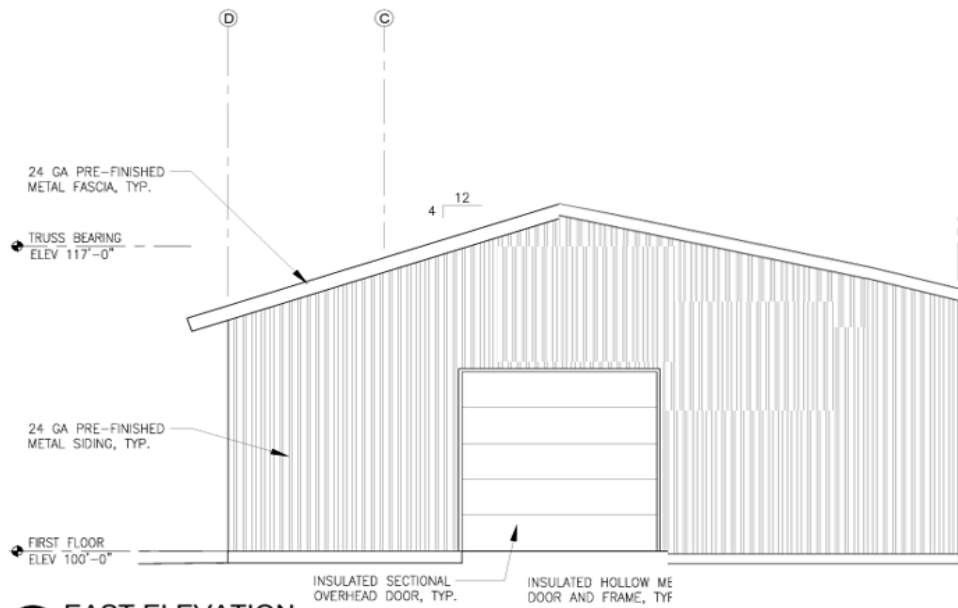


EXHIBIT F



2 SOUTH ELEVATION



3 EAST ELEVATION

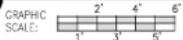
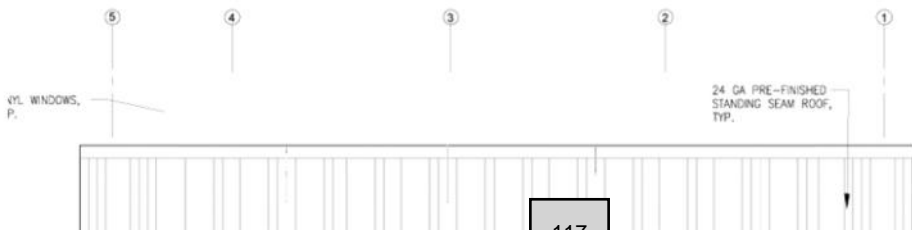
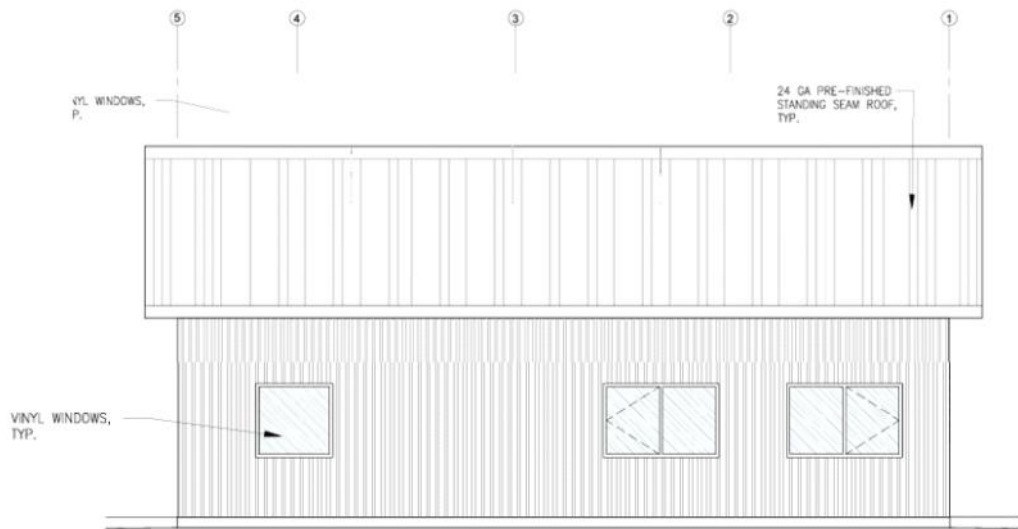


EXHIBIT F





4 NORTH ELEVATION

GRAPHIC SCALE: 1" = 3' 0"

SAMPLE PICTURES OF SIMILAR STRUCTURES:





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

3 City Manager

4 **RESOLUTION 23-117**

5
6 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
7 APPROVING AN AMENDMENT TO THE COPPER RIVER SEAFOODS
8 LEASE FOR A PORTION OF LOT 13B, CITY OF HOMER PORT
9 INDUSTRIAL SUBDIVISION NO.2, ACCORDING TO PLAT NO. 80-92,
10 CONTAINING 15,300 SQ FT, KPB PARCEL #18103425.

11
12 WHEREAS, Copper River Seafoods entered into a 20 year lease with the City on May 16,
13 2019 that included a property development plan to build a new 42' by 47' office structure; and
14

15 WHEREAS, On February 4, 2022 the City received a letter from Copper River Seafoods
16 stating that they are requesting an amendment to the proposed property development
17 requirement, listed in Exhibit D, E, and F of the lease, and
18

19 WHEREAS; On September 20, 2023 the City received a letter from Copper River Seafoods
20 stating they are changing the current site plan to show a continuance of effort in staying
21 contractually compliant, also noting current & forecasted economic conditions, and
22

23 WHEREAS, This proposed amendment would replace Exhibit D, E, & F of the lease,
24 changing the current site plan of Employee Cabins into a finalized Pre-Engineered Building of
25 40' by 47' dimensions, including a warehouse section, common office area, and lastly a
26 planned phase 2 bedroom, and
27

28 WHEREAS, On September 27, 2023, the Port and Harbor Advisory Commission moved
29 to recommend to approve the proposed change thru City Council, and
30

31 WHEREAS, HCC 18.08.160(e) States that any significant changes in the terms (use) of the
32 existing lease must be reviewed by the Port and Harbor Commission and approved by City
33 Council by resolution as an amendment to the lease.
34

35 NOW, THEREFORE, BE IT RESOLVED that the Homer City Council hereby approves the
36 amendment of the Copper River Seafoods lease to replace Exhibits D, E, & F with Exhibits #D -
37 G, and authorizes the City manager to execute the appropriate documents.
38

39 PASSED AND ADOPTED by the Homer City Council on this 23rd day of October, 2023.
40

41 CITY OF HOMER

42
43 _____
44 KEN CASTNER, MAYOR

45 ATTEST:

46

47 _____

48 MELISSA JACOBSEN, MMC, CITY CLERK

49

50 Fiscal Note: Lease revenues



MEMORANDUM

Resolution 23-118, A Resolution of the City Council of Homer, Alaska Directing the City Administration to Investigate Potential Locations and Related Costs for a Future City of Homer Multi Use Community Recreation Center for Council Review. Aderhold/Erickson.

Item Type: Backup Memorandum
Prepared For: Mayor Castner and Homer City Council
Date: October 17, 2023
From: Mike Illg, Recreation Manager & Julie Engebretsen Economic Development Manager
Through: Rob Dumouchel, City Manager

At the October 9th Work Session meeting, Council heard a presentation from staff about the idea of pursuing a different location than the Homer Education and Recreation Complex site as the future home of a new multipurpose facility. Councilmembers Aderhold and Erickson were appointed as champions to work with staff to draft a resolution detailing a formal direction to pursue a Multi-Use Community Recreation Center project.

This resolution directs Administration to investigate the options of pursuing centrally located existing city owned land (ex. Town Center lot), privately owned land (ex. Homer Electric Association lot) or existing facilities such as the Bay Club to accommodate a 17,000 to 21,000 sq. ft. facility. This facility would house two regulation sized basketball courts used interchangeably for multiple volleyball courts and six pickle ball courts; flexible space for instructional programs such as karate, dance, yoga, etc.; locker rooms; storage space; and staff offices. A preliminary \$10-\$12 million budget with a maximum budget of \$10 or 12 million (to be determine by City Council) is set as a guideline at this point in the project, based on previous council discussion regarding the amount of revenue that could be generated from a bond (the projected debt service of a \$10 million would be \$800,000/year and a 0.3% sales tax generates about \$820,000/year). There is also the potential option of future expansion through community fundraising, grants and phasing. Administration is to analyze location options and present Council with three alternatives.

The resolution provides direction to establish site selection criteria such as lot size, location (with safe and easy youth accessibility as a high priority), opportunity for future facility expansion, existing infrastructure (water, sewer, sidewalks), and cost; provide opportunities for public input; and discuss the final three options with Parks, Art, Recreation and Culture Advisory Commission prior to presentation to the City Council. To the extent practicable, staff will engage volunteer professional

community members to determine if the sites are reasonable to pursue. If paid professional services are needed to address technical site analysis such as wetlands and engineering concerns, staff shall provide Council with a rough cost estimate for those services.

City Council may consider the option of creating a future task force to work through the details of the new facility, after potential locations are narrowed down. Administration should present to City Council three proposed options during the 2024 first quarter.

Recommendation: Approve resolution to direct Administration to establish site criteria, pursue locations, seek community input, and report back with three proposed options.

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

Aderhold/Erickson

3
4 **RESOLUTION 23-118**

5
6 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
7 DIRECTING THE CITY ADMINISTRATION TO INVESTIGATE
8 POTENTIAL LOCATIONS AND RELATED COSTS FOR A FUTURE CITY
9 OF HOMER MULTI USE COMMUNITY RECREATION CENTER FOR
10 CITY COUNCIL REVIEW.

11
12 WHEREAS, The City of Homer Community Recreation division offers year round,
13 affordable indoor and outdoor programs at the Homer Education and Recreation Complex
14 (HERC); and

15
16 WHEREAS, The Multi-Use Community Recreation Center project is the number two
17 project on the City's 2024-2029 Capital Improvement Plan and continues to be a high priority
18 for the community residents, city council and mayor; and

19
20 WHEREAS, The HERC campus is a highly desirable location for indoor and outdoor
21 recreation; and

22
23 WHEREAS, The recent hazardous materials (hazmat) study has determined the option
24 to tear down or upgrade the existing HERC facilities at the HERC campus is currently
25 impractical; and

26
27 WHEREAS, The City's ability to address the hazmat issues are subject to the availability
28 of federal grants that will likely take years to secure and are not guaranteed; and

29
30 WHEREAS, In light of the hazmat issues, the City of Homer needs to pursue alternate
31 location options to move the Multi-Use Community Recreation Center project ahead in a timely
32 manner; and

33
34 WHEREAS, The proposed facility size and design should have at least two basketball
35 regulation sized gymnasiums that will accommodate multiple volleyball and six pickleball
36 courts in addition to activity rooms to host instructional classes such as dance, karate, and
37 yoga; and

38
39 WHEREAS, The City has limited funds for a new Multipurpose Recreation Center and a
40 conceptual budget of not more than \$10,000,000 or \$12,000,000 for building, parking lot and
41 site amenities is set as a project guideline for the purpose of site selection (based on the
42 amount of revenue that could be generated from a bond).

45 NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska hereby
46 directs Administration to:

47
48 1. Investigate possible land locations and existing facilities options including privately
49 owned and city owned land;

50
51 2. Establish and define criteria for Administration to select at least three potential
52 options that would include (at a minimum): acreage, location, opportunity for future facility
53 expansion, proximity to existing infrastructure (water, sewer, sidewalks), and cost;

54
55 3. Develop a matrix that assesses the possible sites against the criteria and determine
56 the top three potential sites based on the outcome of the assessment;

57
58 4. Initiate conversations with property owners of the top three sites;

59
60 5. Pursue site analysis for the top three sites with possible efforts from volunteer
61 professionals;

62
63 6. Identify a funding strategy for new site purchase if a non-city site is one of the top
64 three options;

65
66 7. Include the Parks, Art, Recreation, and Culture Advisory Commission in evaluation of
67 the top three sites and possible purchasing strategies of any non-city properties; and

68
69 8. Provide for public comment on the three selected sites and possible purchasing
70 strategies.

71
72 9. Report findings back to City Council during the first quarter of 2024.

73
74 PASSED AND ADOPTED by the Homer City Council this 23rd day of October, 2023.

75
76 CITY OF HOMER

77
78 _____
79 KEN CASTNER, MAYOR

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

85
86 Fiscal note: Staff time and wages.

Highlights from the September 2023 Board of Directors meeting



The Prince William Sound Regional Citizens' Advisory Council held a meeting on September 21 and 22, 2023, in Homer. The following is a synopsis of actions and discussions that took place at that two-day meeting. This report is not all inclusive.

Report from Alyeska

On Thursday morning, Andres Morales, Alyeska's Emergency Preparedness and Response Director, reported on the company's operations related to the safe transportation of oil. Highlights included statistics on the amount of oil moved and the status of two new oil spill response barges. These barges are replacing two older barges, one of which has been in service for more than 60 years. One barge is already working in Prince William Sound, and a second barge is expected to join the fleet soon. Morales' presentation slides can be found on the Council's website:

www.tinyurl.com/AlyeskaPresentationSept2023

Upcoming contingency plan reviews

Morales also provided details on future updates to oil spill contingency plans.

An amendment to the Oil Discharge Prevention and Contingency Plan for the Prince William Sound shippers, commonly referred to as the "Tanker Plan," was recently submitted to the Alaska Department of Environmental Conservation (ADEC). The public comment period is now open, and comments are due by October 20: www.tinyurl.com/PublicReview2023

Morales also noted that the Oil Discharge Prevention and Contingency Plan for the Valdez Marine Terminal, commonly called the "VMT Plan," expires in 2024, and that Alyeska will be proposing updates to that plan as part of the upcoming renewal process.

Update on safety concerns

Klint VanWingerden, Alyeska's Operations Director, provided an update on how the company is addressing issues raised by the Council's report "Assessment of Risks and Safety Culture at Alyeska's Valdez Marine Terminal" by Billie Pirner. Garde: www.tinyurl.com/ReportSafetyGarde

VanWingerden noted that Alyeska has developed a Management Action Plan and is working with contractors and several teams of employees to address concerns related to:

1. safety management systems
2. process safety management
3. deferred maintenance and backlogs
4. open work environment programs
5. audits
6. training

VanWingerden noted that this is a large effort for Alyeska, and they are resolved to address any improvements needed. He summarized their efforts to date to 1) evaluate and understand the specific issues within each of the areas listed above, 2) prioritize any issues found, and 3) develop a plan for improvements. Their goal is to capture and understand the issues and ensure they are addressed.

Fire incident at the terminal

VanWingerden also answered members' questions around a fire near one of the large crude oil storage tanks at the terminal which occurred on August 30, 2023. He noted the investigation is still ongoing, but the fire appears to be due to a malfunction of equipment used to process oily sediment removed from a crude oil storage tank during cleaning. It appears the malfunction allowed oxygen to enter a dryer that contained residual hydrocarbons at a high temperature, which caused the fire. VanWingerden noted that the investigation should identify the root cause such that corrective action can be taken to make sure the issue does not recur. He also clarified some confusion around the alarm systems installed to alert employees at the terminal of dangers, such as a fire or hydrocarbon vapor release.

Update on Council's efforts to address Garde report recommendations

Joe Lally, the Council's Director of Programs, provided an update on the Council's efforts to ensure concerns from the report "Assessment of Risks and Safety Culture at Alyeska's Valdez Marine Terminal" are addressed. He noted that there were several recommendations, some of which were discussed during the report from Alyeska (see page 1 "Update on safety concerns").

Lally reported on the remaining recommendations from that report:

1. **Request federal officials initiate a GAO Audit.** The Council has approached Alaska's elected officials in Washington, D.C., who are considering the recommendation to request a Government Accountability Office (GAO) audit to determine the adequacy of present regulatory oversight of Alyeska's VMT operations by federal and state agencies.
2. **Request the federal OSHA to conduct a review of Alyeska safety systems.** OSHA advised that AKOSH (Alaska OSHA) has primacy to conduct such a review. However, OSHA is currently evaluating the effectiveness of the Alaska state plan related to the issues raised in the report.
3. **Protocol for addressing issues reported to PWSRCAC by Alyeska employees /establishment of Human Factors Advisory Committee.** The Board approved a budget modification to extend the work with contractor Billie Pirner Garde to 1) help the Council develop a protocol for addressing concerns reported to the Council by employees of Alyeska and 2) establish a Human Factors Advisory Committee to advise the Council on the status of the risks to operations and maintenance at the VMT.

Vetting foreign tankers that enter Prince William Sound

Representatives from ConocoPhillips - Chris Hiatt, Manager of Marine Assurance, and Jon Novak, Marine Assurance Advisor - provided a summary of the company's process for ensuring that any foreign tankers chartered by the company to ship oil from the VMT can operate safely.

Each vessel is screened for its age, compliance with sanctions, record of casualties, experience level of the crew, the vessel's capabilities, and previous inspection records, among other details. In-house resources are used for advisement and oversight during planning and operations.

Additional details are available in the presentation on our website:

www.tinyurl.com/PolarTankersPresentation

Resolution passed: Support for sentinel-class cutter in Valdez

The Board approved a resolution urging the U.S. Coast Guard to replace the Island Class Cutter the Coast Guard currently has stationed in Port Valdez with a Sentinel Class Cutter. The current cutter will remain at its post in Valdez for now, but upon its decommissioning it is not currently planned to be replaced. The Council's Oil Spill Prevention and Response, and Port Operations and Vessel Traffic System committees both supported this resolution.

Additional details are available in Resolution 23-01: www.tinyurl.com/Resolution2301

Report accepted: Analysis of data from weather buoys

The Board accepted a report titled "Port Valdez Weather Buoy Data Analysis 2019-2022" by Dr. Robert Campbell of the Prince William Sound Science Center.

Dr. Campbell has been analyzing data from two weather buoys in Port Valdez; one in the vicinity of the Valdez Marine Terminal and the other near the Valdez Duck Flats. This is the third of five annual reports analyzing potential weather trends, from the data collected on currents, winds, waves, barometric pressure, and more. This work will support environmental monitoring, oil spill contingency and response planning, trajectory modeling, and the safe transportation of oil in Port Valdez.

This report is available on our website: www.tinyurl.com/BuoyData2023

Report accepted: Oxygenated hydrocarbons from terminal operations

The Board accepted a report titled "Examining the Effectiveness of Ballast Water Treatment Processes: Insights into Hydrocarbon Oxidation Product Formation and Environmental Implications" by Maxwell Harsha and David Podgorski from the University of New Orleans.

This study investigated the VMT's process of removing crude oil residue from tanker ballast water, specifically regarding oxygenated hydrocarbons and heavy metals.

Oxygenated hydrocarbons are currently not monitored or regulated because they cannot be detected with the same process as other components of crude oil, such as BTEX.

Researchers sampled water at four different points in the ballast water treatment process. They found that one of the steps in the treatment, which uses dissolved air to remove small particles of hydrocarbons from the water, may lead to the formation of oxygenated hydrocarbons that are then released in the effluent to Port Valdez. The report highlights the need for comprehensive monitoring of ballast water treatment processes. This report is available on our website:

www.tinyurl.com/OxygenatedHydrocarbons

Report accepted: Winter survey of marine birds and mammals

The Board accepted a report titled “Marine Bird Winter Surveys in Prince William Sound” by Anne Schaefer and Dr. Mary Anne Bishop of the Prince William Sound Science Center. This was the third consecutive year of surveys sponsored by the Council. The project is intended to identify areas where marine birds tend to congregate in the non-breeding season, so that protective measures can be taken in the event of a spill in Prince William Sound.

The results of the surveys will be made publicly available through the Alaska Ocean Observing System and NOAA’s Environmental Response Management Application.

This report is available on our website: www.tinyurl.com/WinterBirdsPWS2023

Report accepted: Update to manual for peer listening

The Council accepted an update to the “Peer Listening Manual” (Appendix F of the “Coping with Technological Disasters – A User-Friendly Guidebook”).

The fields of peer-to-peer support and mental health have evolved substantially since the manual was created shortly after the spill occurred and last updated several years ago. The Council worked with contractor Agnew::Beck to update the manual incorporating modern techniques for active listening, informal support, and self-care. The manual is a resource for communities to build resilience before a disaster by building trust and mutual support networks.

The new version is available on our website at www.tinyurl.com/PeerListening2023

A subsequent phase to develop a plan for promotion and distribution will be considered during long range planning.

Long Range and strategic planning

The Board of Directors held a strategic planning workshop on Wednesday, September 20, as part of an ongoing effort to review and consider updates to its one-page strategic plan and Long Range Planning process. Recommendations from the workshop to update the current strategic plan will be presented to the Board for consideration in the coming months.

Project updates

Updates on all current projects: www.tinyurl.com/AllProjects2023

Questions? More information? Contact us:

Any questions or requests for further information can be directed to:

Amanda Johnson: amanda.johnson@pwsrccac.org or Jennifer Fleming: fleming@pwsrccac.org

Board meeting are routinely recorded. Excerpts of the audio and/or video of agenda items can be made available upon request.



MEMORANDUM

Ordinance 23-52, An Ordinance of the City Council of Homer, Alaska Amending the FY24 Capital Budget by Appropriating an Additional \$7,000 from the Port Fleet Reserves Fund to Purchase a Plow Truck. City Manager/Port Director.

Item Type: Backup Memorandum
Prepared For: City Council
Date: October 4, 2023
From: Bryan Hawkins, Port Director
Through: Rob Dumouchel, City Manager

The work demanded of our port plow trucks is formidable and they are some of the hardest used vehicles in our fleet. Knowing we would need to phase in replacements soon, we budgeted \$60,000 in the 2024/25 budget (Port Fleet Reserves) for a new F350 to serve as the main plow truck, with the intention of rotating the current main plow truck from Port Maintenance to the Fish Dock where it can serve for a few more years doing light duty plowing on the fish dock. The oldest plow truck in the fleet, currently the fish dock plow truck, will be added into the surplus auction list while it still has some value as a home owner plow truck.

Our Maintenance Supervisor spent a few weeks running down leads and costs for this purchase with our goal to have the new plow truck in service this fall. The best combination deal was to have a vehicle come straight from the factory with a new plow already installed. Normally we would buy the truck and have a new plow installed after it arrives but we are saving project dollars by purchasing it as a package deal. The new vehicle delivered to Anchorage is \$62,000 which is \$2000 over our estimated budget. Additionally, we will need approximately \$5000 to set the truck up with a new lift gate, headache rack, studded snow tires and wheels, and the additional lights needed for plowing/working in the winter. This additional funding \$7000, proposed in Ordinance 23-52 would also come from the port fleet reserves.

Recommendation

Approval of Ordinance 23-52 appropriating an additional \$7,000 to fund the increased purchase price of a Port plow truck and authorize the City Manager to execute the appropriate documents.

CITY OF HOMER
FINANCIAL SUPPLEMENT

PROJECT NAME	<u>Additional Funding - Port Maintenance Plow Truck</u>	DATE	<u>10/04/2023</u>
DEPARTMENT	<u>Port and Harbor</u>	SPONSOR	<u>Port Director</u>
REQUESTED AMOUNT	<u>\$ 7,000</u>		

DESCRIPTION	<p>Ordinance 23-23 adopted the FY24/25 Capital Budget, which authorized \$60,000 for the purchase of a Plow Truck utilizing the Port Fleet Reserves and the purchase price of the truck has increased and additional funding is needed to complete the purchase and to outfit the new vehicle with lights, lift gate, headache rack and studded snow tires for working on the Spit.</p> <p>Port Maintenance has the responsibility of keeping the docks, Load and Launch ramp, Commercial Barge ramp, gangway ramp approaches, and key parking areas clear of snow. The Ports oldest plow truck will be sold out of the fleet by way of Public Auction which will save the department unforeseen vehicle maintenance costs for these hard used vehicles.</p>
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FUNDING SOURCE(S)	OPERATING	GF CARMA	GF FLEET CARMA	PORT RESERVES	WATER CARMA
	0%	0%	0%	0%	0%
	HAWSP	HART-ROADS	HART-TRAILS	PORT FLEET RESERVES	SEWER CARMA
	0%	0%	0%	100%	0%

FUNDING SOURCE 1: PORT FLEET RESERVES	FUNDING SOURCE 2:	FUNDING SOURCE 3:
Current Balance <u>\$ 170,081</u>	Current Balance _____	Current Balance _____
Encumbered <u>\$ 117,120</u>	Encumbered _____	Encumbered _____
Requested Amount <u>\$ 7,000</u>	Requested Amount _____	Requested Amount _____
Other Items on Current Agenda <u>\$ 0</u>	Other Items on Current Agenda _____	Other Items on Current Agenda _____
Remaining Balance <u>\$ 45,961</u>	Remaining Balance _____	Remaining Balance _____
FUNDING SOURCE 4:	FUNDING SOURCE 5:	FUNDING SOURCE 6:
Current Balance _____	Current Balance _____	Current Balance _____
Encumbered _____	Encumbered _____	Encumbered _____
Requested Amount _____	Requested Amount _____	Requested Amount _____
Remaining Balance _____	Remaining Balance _____	Remaining Balance _____

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

3 City Manager/
4 Port Director

5 **ORDINANCE 23-52**

6
7 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
8 AMENDING THE FY24 CAPITAL BUDGET BY APPROPRIATING AN
9 ADDITIONAL \$7,000 FROM THE PORT FLEET RESERVES FUND TO
10 PURCHASE A PLOW TRUCK.

11
12 WHEREAS, Ordinance 23-23 adopted the FY24/25 Capital Budget, which authorized
13 \$60,000 for the purchase of a Plow Truck utilizing the Port Fleet Reserves; and

14
15 WHEREAS, The purchase price of the truck has increased and additional funding is
16 needed to complete the purchase and to outfit the new vehicle with lights, lift gate, headache
17 rack and studded snow tires for working on the Spit; and

18
19 WHEREAS, Port Maintenance has the responsibility of keeping the docks, Load and
20 Launch ramp, Commercial Barge ramp, gangway ramp approaches, and key parking areas
21 clear of snow; and

22
23 WHEREAS, the Ports oldest plow truck will be sold out of the fleet by way of Public
24 Auction which will save the department unforeseen vehicle maintenance costs for these hard
25 used vehicles.

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

28
29 Section 1. The Homer City Council hereby amends the FY24 Capital Budget by
30 appropriating an additional \$7,000 to fund the increased purchase price of a Port plow truck
31 as follows:

32
33

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
452	Port Plow Truck	\$7,000

34
35
36 Section 2. The total appropriation is \$67,000 as follows:

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38

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
452	Port Fleet Reserves – Existing Appropriation	\$60,000
452	Port Fleet Reserves – Additional Funding	\$7,000

39
40
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42 Section 3. The City Manager is authorized to execute the appropriate documents
43

44 Section 4. This Ordinance is a budget Ordinance only, is not permanent in nature, and
45 shall not be codified.

46

47 ENACTED BY THE HOMER CITY COUNCIL this _____ day of October, 2023.

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49

CITY OF HOMER

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51

52

KEN CASTNER, MAYOR

53

54

55 ATTEST:

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57

58

MELISSA JACOBSEN, MMC, CITY CLERK

59

60

61 YES:

62 NO:

63 ABSTAIN:

64 ABSENT:

65

66 First Reading:

67 Public Hearing:

68 Second Reading:

69 Effective Date:



MEMORANDUM

Ordinance 23-21(S)(A), An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Section 22.10.050 to Specify that Preliminary Plats Approved by the City Shall Include all Development Commitments Made to the City. Davis/Erickson.

Item Type: Action Memorandum
Prepared For: Mayor Castner and Homer City Council
Date: October 16, 2023
From: Ryan Foster, AICP, City Planner
Through: Rob Dumouchel, City Manager

Ordinance 23-21(S)(A) was postponed at the September 25, 2023 Council meeting until the October 23, 2023 Council meeting. The Planning Commission meeting schedule timing did not allow an opportunity for the Commission to consider the ordinance and provide additional feedback. However the Commission provided a list of carefully considered recommendations to Council at their September 25, 2023 regular meeting.

Direction at the last Council meeting suggested directing Commission and staff to incorporate the recommendations from Memorandum CC-23-217 into the ordinance. However, several of the recommendations include changes in Title 22 and Title 11, and adding those recommendations would be addressed more effectively in developing a new ordinance amending relevant sections in both titles.

RECOMMENDATION:

1. Vote on the motion to adopt Ordinance 23-21(S)(A).
2. If there are Council Members wish to sponsor an Ordinance to address the Planning Commission recommendations addressed in Table 1, they may bring forward a memorandum at a future meeting for Council consideration.

Attachments:

Table 1 Planning Commission Recommendations and Next Steps

Table 1 to Memorandum CC-23-249

Planning Commission Recommendation	Next Steps	Intended Result	Timeframe
<p>Recommend an effort to reconcile the Homer City Code for development processes including cross references or consolidation of subdivisions and platting which takes place in Title 22 and construction of subdivisions which takes place in Title 11 and clean-up work and reconciliation of language in the city code.</p>	<p>Initiate a code text amendment with support of two Council sponsors to work with staff and the Planning Commission to update Title 11 Streets, Sidewalks, and Driveway Construction & Title 22 Subdivision sections of code. Requires a public hearing and Council approval</p>	<p>Modernize and update Title 11 and Title 22 and ensure improvements are not missed in the subdivision process</p>	<p>Initiate this process via memorandum in November 2023</p>
<p>Recommend utilizing the following agreements for their intended purpose and define in Homer City Code:</p> <p><u>Subdivision Agreement</u>: requirements for subdivision improvements</p> <p><u>Construction Agreement</u>: constructing infrastructure such as roads and utilities, where the lot lines are not changing</p> <p><u>Installation Agreement</u>: connecting to city water and sewer</p>	<p>Initiate a code text amendment with support of two Council sponsors to work with staff and the Planning Commission to update Title 11 Streets, Sidewalks, and Driveway Construction & Title 22 Subdivision sections of code. Requires a public hearing and Council approval</p>	<p>Modernize and update Title 11 and Title 22 and ensure improvements are not missed in the subdivision process</p>	<p>Initiate this process via memorandum in November 2023</p>
<p>Recommendation to ensure preliminary plat considerations by the Homer Planning Commission include comments referencing when subdivision, construction or installation agreements are required and sent to the Kenai Peninsula Borough.</p>	<p>Both staff and the Planning Commission will note the correct agreement when reviewing and future preliminary plats</p>	<p>Ensure the correct agreement is utilized in the platting process and communicate with the KPB on this requirement</p>	<p>Immediately</p>
<p>Recommendation to provide information and training on the subdivision development process to City Council and other relevant city commissions.</p>	<p>Schedule work session presentations on the subdivision process with interested parties</p>	<p>Shares information on the development process to necessary or interested groups</p>	<p>Once the Title 11 and Title 22 code updates are complete</p>

Planning Commission Recommendation	Next Steps	Intended Result	Timeframe
Create and implement a preliminary plat application form.	Initiate a code text amendment with support of two Council sponsors to work with staff and the Planning Commission to update Title 11 Streets, Sidewalks, and Driveway Construction & Title 22 Subdivision sections of code. Requires a public hearing and Council approval	Modernize and update Title 11 and Title 22 and ensure improvements are not missed in the subdivision process	Initiate this process via memorandum in November 2023
Request City Council withdraw Ordinance 23-21(S)(A).	Vote to indefinitely postpone Ordinance 23-21(S)(A)	Vote down the Ordinance	Immediately



MEMORANDUM

Ordinance 23-21(S)(A) Planning Commission Recommendations

Item Type: Action Memorandum
Prepared For: Mayor Castner and Homer City Council
Date: September 15, 2023
From: Ryan Foster, AICP, City Planner
Through: Rob Dumouchel, City Manager

Ordinance 23-21(S)(A) was introduced at the June 26, 2023 regular Council meeting and was sent to the Homer Planning Commission for comment and input. Since the text amendments in Ordinance 23-21(S)(A) is relevant to Public Works, the City Planner forwarded the Ordinance to Jan Keiser, City Engineer and Public Works Director, for review and comment. At the August 16, 2023 regular meeting, Jan Keiser took the Planning Commission through the subdivision process and highlighted weaknesses and recent changes in code, and in the current process, and noted how they could be improved. A work session was held on September 6, 2023 to discuss further and consider draft comments, with the final comments approved at the regular meeting that evening.

Key Findings of the Planning Commission

- The intent of the ordinance is that there is a concern that there were improvements being missed in the subdivision process and the text change is intended to rectify it.
- A flow chart has been created to visually represent the entire subdivision process based on Jan Keiser' memos and explanation of the process in detail at the August 16, 2023 regular meeting.
- Public Works Director Keiser provided information on the following topics:
 - Was under the belief that a developer could not sell lots within the subdivision until construction of improvements, but can be done with a final plat and subdivision agreement.
 - Kenai Peninsula Borough in accordance with State laws can release a preliminary plat if an agreement is made between the Developer and the City and recorded even when no improvements have been constructed and the Developer can then sell the lots – this is uncommon, but currently City Code as written allows it.
 - The Borough will not issue a final plat for recording until receipt of acceptance by the City of Homer stating everything has been completed as required by the subdivision agreement.

- Public Works strongly recommends not deviating from this current process
 - City Council recently adopted an ordinance requiring a performance guarantee of 150% of the estimated costs of improvements outlined in the Subdivision Agreement.
 - The use of Construction Agreements in the past 10 years over Subdivision Agreements
 - Language in the Subdivision Agreement is more defined
 - Includes performance guarantee requirements and provided options for the developer to choose from to provide a requirement
 - Includes specific remedies if the developer defaults
 - Council is requiring commitments that are not codified or captured in the Subdivision Agreement
 - It is believed that the City does not have the legal ability to hold developers to requirements that are not in city code or the signed agreement
 - Preliminary, Construction and Asbuilts Drawings
 - In the beginning of the process construction drawings are developed by an Engineer, included in the Subdivision Agreement. Inspections are done pursuant to those drawings. Substantial Completion is based on completion of the work contained in those drawings.
 - Final Acceptance and the Warranty Bond is based on the completion of work in the drawings
 - Final Acceptance results in the delivery of the Asbuilts
 - Asbuilts depict all the work that was done, where construction drawings show what is planned to be built. There are always deviations of some kind in the construction process. Waiting until the project is done until recording a plat is contrary to State and City Code.
- Subdivision Agreements are not submitted to the Kenai Borough for review or approval
 - The Borough is supportive of the City of Homer requirements of adding the comments related to requiring a subdivision agreement, drainage, improvements, etc., on the preliminary plat.
 - This presents a good relationship in as much as the Borough will tell the applicant that they will not issue a final plat until the City notifies them that all the requirements have been met.
- Preliminary Plats now have a time limit of two years to be finalized.
 - The Borough does allow two extensions allowing up to an additional four years, for a total of six years to finalize a plat.
 - If not completed in that timeframe, the entire process must begin again.
- City Attorney has reviewed the Public Works Director's analysis of the process and concurred

The Planning Commission would like to thank the City Council for bringing forth the issue, as it has been beneficial to review the subdivision process, and would like to present the following recommendations for Ordinance 23-21:

1. Recommend an effort to reconcile the Homer City Code for development processes including cross references or consolidation of subdivisions and platting which takes place in Title 22 and construction of subdivisions which takes place in Title 11 and clean-up work and reconciliation of language in the city code.
2. Recommend utilizing the following agreements for their intended purpose and define in Homer City Code:
 - a. Subdivision Agreement: requirements for subdivision improvements
 - b. Construction Agreement: constructing infrastructure such as roads and utilities, where the lot lines are not changing
 - c. Installation Agreement: connecting to city water and sewer
3. Recommendation to ensure preliminary plat considerations by the Homer Planning Commission include comments referencing when subdivision, construction or installation agreements are required and sent to the Kenai Peninsula Borough.
4. Recommendation to provide information and training on the subdivision development process to City Council and other relevant city commissions.
5. Create and implement a preliminary plat application form.
6. Request City Council withdraw Ordinance 23-21(S)(A).

RECOMMENDATION:

Staff recommends City Council approve the recommended comments of the Planning Commission on Ordinance 23-21 Title 22 Subdivision text amendment.

ATTACHMENTS:

Memorandum dated August 7, 2023 (updated September 6, 2023) from Jan Keiser, City Engineer and Public Works Director

Memorandum dated August 9, 2023 from Jan Keiser, City Engineer and Public Works Director
City of Homer Subdivision Development Process Flow Chart



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

DATE: August 7, 2023 (updated September 6, 2023)

TO: Ryan Foster, City Planner

FROM: Janette Keiser, PE, City Engineer and Public Works Director

RE: Proposed Ordinance 23-21(S) regarding preliminary plats

Here are my updated comments regarding the proposed ordinance:

- Reference:** WHEREAS #2 (Line 17) states that “[d]evelopers often make development commitments... which may not be required by code but may arise in consultation with city staff or in response to public testimony...”

Comment: Commitments, which arise “in consultation with city staff” are either grounded in City Code or the City’s technical specifications, and are memorialized in the City’s Standard Specifications, Design Criteria, and the Construction Drawings, which are prepared for the subdivision. Such commitments are then, identified with specificity in the Subdivision Development Agreement, the satisfaction of which is already a pre-requisite to the City’s approval of a Final Plat. Commitments made “in response to public testimony”, which have a basis in the HCC, are also made part of the Subdivision Development Agreement. We do not need a new tool for these kinds of commitments. We should not be requiring, or expecting, developers to make commitments that are not grounded in City Code or the City’s technical specifications.
- Reference:** WHEREAS #3 (Line 25) refers to “additional development commitments”.

Comment: These kinds of commitments, if grounded in City Code, should be captured in the Subdivision Development Agreement. There should not be any “additional development commitments” that are not either grounded in City Code or captured in the Subdivision Development Agreement.
- Reference:** WHEREAS #4 (Line 30) says “there have been instances where development commitments... were not implemented as promised...”

Comment: As mentioned above, any development commitments must be grounded in City Code and set forth in the Subdivision Development Agreement to be enforceable.
- Reference:** WHEREAS #5 (Line 33) says a final plat is issued by the Borough on the basis of a commitment, not the realization of those commitments.

Comment: This is ~~less not~~ true **than it was. Homer City Code allows plats to be recorded either (a) once a Subdivision Agreement has been executed or (b) when the improvements are complete. HCC 22.10.050(a), adopted in 2011 by Ord 10-57. HCC 11.20.070 did not previously require a performance guaranty for Subdivision Agreements creating the possibility that the improvements may never be realized. However, with the amendment of HCC 11.20.070(f), adopted by Ord 23-15, a 150% performance guaranty is now required making the risk of a “paper plat” less likely. Current practice is that** The Borough **does will** issue a Final Plat until the City signs off on the

completion of the improvements set forth in the Subdivision Development Agreement, **but this is not required by HCC.**

5. **Reference:** WHEREAS #6 (Line 37) seems to desire that final plats be issued only when a subdivision agreement has been signed.
Comment: **Public Works agrees with this policy and currently, Homer City Code requires it. HCC 22.10.050(a), adopted in 2011 by Ord 10-57.** Current practice is that final plats are issued only when the City notifies the Borough that a Subdivision Development Agreement has been, not just signed, but completed, **but this is not required by the HCC.** ~~We do not recommend deviating from this practice.~~
6. **Reference:** Lines 49 – 64. This is current practice.
Comment: Now, the City has the requirement that a developer must post a bond worth 150% of the estimated cost of the improvements, at the time the Subdivision Development Agreement is executed.
7. **Reference:** Lines 91-93. This would require the developer to provide improvements that *“may not be required by code but may arise in consultations with city staff or in response to public testimony...”*
Comment: City staff should not be requiring improvements that are not grounded in City Code. Requiring the developer to provide improvements that are requested in public testimony, but which aren’t set forth in City Code, opens the door to arbitrary and capricious requests for playgrounds, dog parks, street art, sidewalks paved in gold and other spurious ideas. This exposes the City to risks from legal challenges. One of the few things the City, as a municipal body, cannot do is make arbitrary and capricious decisions.
8. **Reference:** Ordinance title states *“a final plat for the City...shall be an as-built survey.”*
Comment: The term *“as-built survey”* is a technical term of art, which refers to the actual configuration, dimensions, materials, elevations, and distances used in the construction of a particular utility or facility. We require the developer to provide as-built drawings as a condition precedent to receiving a Certificate of Final Completion, which is required before the City will notify the Borough that a final plat may be issued. The *“final plat”* is not the *“as-built”* and calling it such is not an appropriate application of this term. Requiring the *“final plat”* to contain the same level of detail as an *“as-built”* is contradictory to best engineering practice.



City of Homer

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Public Works

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(p) 907- 235-3170

(f) 907-235-3145

Memorandum

TO: Ryan Foster, City Planner

FROM: Janette Keiser, PE, City Engineer and Public Works Director

DATE: August 9, 2023

RE: Legislative History of Regarding Subdivision Development in Homer

Purpose: I have reviewed the legislative history relating to connections between subdivision developments, performance guarantees and platting in Homer, with the goal of clarifying these connections. This memorandum summarizes my findings and conclusions.

Executive Summary: Current regulations allow developers to record a plat if (a) there is a subdivision agreement addressing the development of improvements in City rights-of-way or easements and (2) the developer provides a performance guaranty valued at 150% of the estimated cost of said improvements. The current language of our Subdivision Agreements, which memorializes development permits, supports the premise that developers providing the required performance bond, are able to finalize their Subdivision Agreements, record their plats and thus, sell lots.

Excerpts and citations of applicable legislation supporting the premise:

1. State law clearly puts the City and the Borough, as “authorities having jurisdiction”, in the driver’s seat regarding when plats can be recorded and lots can be sold.
“Before the lots...of any subdivision...may be sold or offered for sale, the subdivision... shall be approved by the authority having jurisdiction...and shall be filed and recorded in the office of the recorder.” AS 40.15.010.
2. Also:
“The owner of land located in a subdivision may not transfer, sell, or enter into a contract to sell land in a subdivision before a plat of the subdivision has been prepared, approved, filed and recorded...A person may not file or record a plat or other document depicting subdivided land in a public recorder’s office unless the plat... has been approved by the platting authority.” AS 29.40.180.
3. The City’s original regulation, adopted in 1987, required that improvements be constructed before a plat would be released, unless there was an agreement stipulating the improvements would be constructed. The original code about subdivisions and platting said:
“No subdivision plat shall be released by the Kenai Peninsula Borough for filing...until the subdivider or developer...constructs streets...and all other utilities...to be constructed in said rights of way...”

“This provision [HCC 22.10.050(a)] may be waived if the developer signs an agreement with the City of Homer that no building permit may/or request for utility connection will be submitted...for any lot...until such time as the improvements are completed and accepted...” HCC 22.10.050(a)

HCC 22.10.050(a) was adopted by Ord 87-8(s) and revised in 2011 by Ord 10-57.

4. The City’s 2011 revisions replaced the 1987 language about the “agreement”, with the following new language:

“The Kenai Peninsula Borough shall not release any final plat for a subdivision in the City for filing at the State Recorder’s office until the subdivider or developer...either enters into a subdivision agreement for, or constructs and obtains written City approval of, the following improvements...” HCC 22.10.050(a), adopted in 2011, by Ord 10-57.

The current code contains this same language, which clearly allows a plat to be released upon execution of a subdivision agreement. For example, the Canyon Trails Phase II Subdivision Agreement, executed in 2012, states:

“The intent of this Subdivision Agreement is to allow recording of the subdivision plat and marketing...before the punchlist items are completed...”

Further, later Subdivision (or Construction Agreements) issued by Public Works stated, the

“[The] final plat...shall not be recorded until Developers met all conditions of this agreement or provide a performance guaranty...[in the amount equal to the Engineers Estimate plus 10%]”

5. The City’s original 1987 regulations required a performance guaranty, but there was a provision for a waiver in the case of new subdivisions:

“A performance bond or other acceptable guarantee in the amount of 100% of the project cost, which bond shall be waived in the case of new subdivisions, in which ROW dedication via plat filing or recordation, cannot occur until improvement are installed and accepted.” HCC 11.20.070 as amended by Ord 87-6(s) and later amended in 2023.

6. Even though the HCC allowed performance bonds to be waived in the case of new subdivisions, subdivision agreements issued by Public Works, as far back as 2003 required a performance bond, in the amount of 110% of the estimated costs of improvements. I didn’t see where this practice was codified.

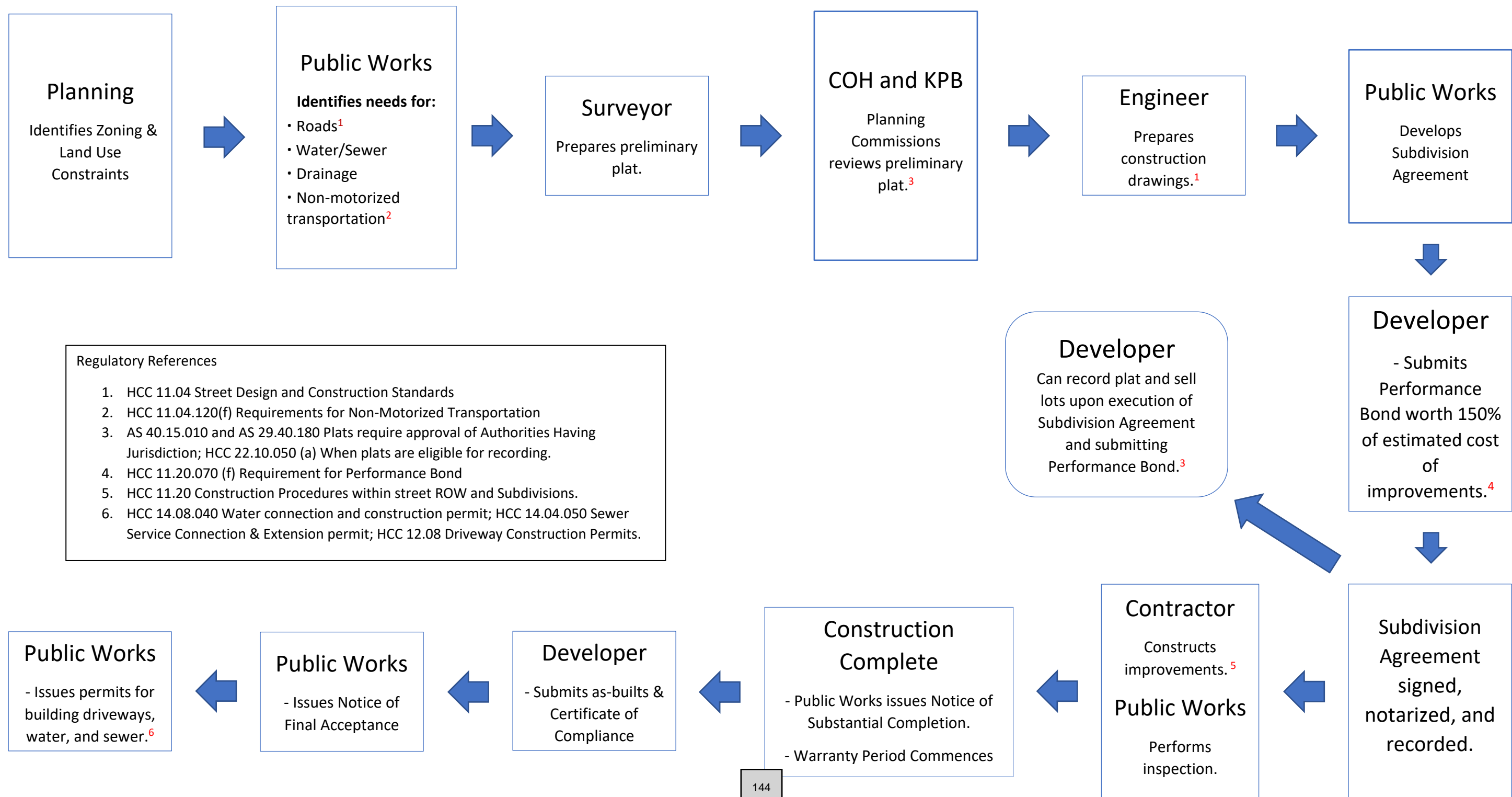
7. Our current Subdivision Development Agreement template says,

“The final plat for the subdivision or any portion thereof shall not be recorded until Developer has met all conditions of this agreement (or provides a performance guaranty for work not completed in a form approved by the City).”

8. In 2023, HCC 11.20.070 was amended to require a larger performance bond.

“A performance bond or other acceptable guaranty in the amount of 150 percent of the design engineer’s construction cost estimate is required.” HCC 11.20.070(f) adopted in 2023 by Ord 23-15.

City of Homer Subdivision Development Process



- Regulatory References
1. HCC 11.04 Street Design and Construction Standards
 2. HCC 11.04.120(f) Requirements for Non-Motorized Transportation
 3. AS 40.15.010 and AS 29.40.180 Plats require approval of Authorities Having Jurisdiction; HCC 22.10.050 (a) When plats are eligible for recording.
 4. HCC 11.20.070 (f) Requirement for Performance Bond
 5. HCC 11.20 Construction Procedures within street ROW and Subdivisions.
 6. HCC 14.08.040 Water connection and construction permit; HCC 14.04.050 Sewer Service Connection & Extension permit; HCC 12.08 Driveway Construction Permits.

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**CITY OF HOMER
HOMER, ALASKA**

Davis/Erickson

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ORDINANCE 23-21(S)(A)

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AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
AMENDING HOMER CITY CODE SECTION 22.10.050 TO SPECIFY
THAT PRELIMINARY PLATS APPROVED BY THE CITY SHALL
INCLUDE ALL DEVELOPMENT COMMITMENTS MADE TO THE CITY;
~~AND THAT A FINAL PLAT FOR THE CITY OF HOMER SHALL BE AN
AS-BUILT SURVEY.~~

WHEREAS, The City of Homer has a responsibility to its residents to ensure that new subdivisions are designed and built with necessary infrastructure for the health and safety of its citizens and the protection of the environment; and

WHEREAS, Developers of new subdivisions often make development commitments to the City related to sidewalks, trails, sewer connections, drainage, storm water controls, grading, slope, setbacks, protection of wetlands, preservation of existing watercourses and/or mitigation of potential downstream impact of watercourse alteration, and other subdivision improvements that may be required by code, or which may not be required by code but may arise in consultations with city staff or in response to public testimony related to the development; and

WHEREAS, The public hearing that is included in the preliminary plat approval process is the primary opportunity for public engagement in the process of developing new subdivisions, and this public engagement sometimes results in additional development commitments being made to the city; and

WHEREAS, In the past there have been instances where development commitments that were made to the City were not implemented as promised; and

WHEREAS, Current city code envisions a final plat to be issued by the Borough on the basis of an agreement to carry out certain commitments, rather than on the basis of those commitments actually having been carried out, **or agreed to contractually**; and

WHEREAS, A policy requiring all development commitments to be **captured in the form of a contractual subdivision agreement that would be signed prior to issuance of** ~~included on the preliminary plat, and requiring the final plat to be an as-built survey showing completion of all the elements included on the preliminary plat~~ would appear to be an effective means of ensuring all commitments undertaken by a subdivider have been implemented.

43 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

44 Section 1. Homer City Code Chapter 22.10.050 entitled “Improvement requirements -
45 General” is hereby amended as follows:

46
47 22.10.050 Improvement requirements – General

48
49 a. ~~The final plat for a subdivision in the City shall be an as-built survey showing~~
50 ~~completion of all elements of the previously approved preliminary plat.~~ The Kenai
51 Peninsula Borough shall not release any final plat for a subdivision in the City for filing at the
52 State Recorder’s office until the subdivider or developer of the subdivision either enters a
53 subdivision agreement for, or **either enters into a subdivision agreement and** constructs and
54 **or** obtains written City approval of, the following **all agreed to** improvements **therein,**
55 **including those made** according to the standards and procedures required under HCC Title
56 11:

- 57
58 1. Streets in all rights-of-way dedicated by the plat;
59 2. All other utilities and public improvements to be constructed in the rights-of-way and
60 easements dedicated by the plat, including water, sewer, electric, communications,
61 and gas lines, and applicable means for non-motorized transportation; and
62 3. Abandonment or relocation of existing water or sewer service lines required due to
63 conflict with new or relocated property lines, as required by the Public Works
64 Department.

65
66 b. The Commission may exempt a plat from the provisions of subsection (a) of this section as
67 provided in HCC 22.10.040.

68
69 c. The subdivider shall be required to dedicate street rights-of-way according to the standards
70 and specifications of Chapter 11.04 HCC and the City of Homer Design Criteria Manual. The
71 subdivider shall be required to dedicate ROW or easements required to support non-motorized
72 transportation facilities required by HCC 11.04.120. Beyond a minimum of 60 feet, the
73 subdivider may agree to a note attached to said subdivision plat providing sufficient setback
74 to allow future expansion of the right-of-way without removal of improvements. Horizontal
75 alignments are subject to City review; the City may require realignment of streets on proposed
76 plats if the alignments do not conform to Chapter 11.04 HCC and the Design Criteria Manual.
77 Final plat approval shall thus be subject to the approval of horizontal alignments by the City
78 Public Works Engineer.

79
80 d. All street, utility main improvements and means for non-motorized transportation to be
81 constructed as part of a subdivision agreement shall be constructed according to the
82 procedures of Chapter 11.20 HCC. The City shall accept no such improvements unless a
83 subdivision agreement is executed prior to construction of such improvements.

84

85 **e. Any development commitments made by a subdivider to the City shall be shown on the**
86 **preliminary plat prior to its transmittal by the City to the Kenai Peninsula Borough. Any**
87 **plat notes provided in lieu of drawings shall be specific and promissory. Such**
88 **development commitments may be related to sidewalks, trails, sewer connections,**
89 **drainage, storm water controls, grading, slope, setbacks, protection of wetlands,**
90 **preservation of existing watercourses and/or mitigation of potential downstream impact**
91 **of watercourse alteration, and any other subdivision improvements, whether required**
92 **by code, or which may not be required by code but may arise in consultations with city**
93 **staff or in response to public testimony related to the development.**

94
95 e **f.** All streets constructed as part of a subdivision improvement project shall be monumented
96 according to the procedures of Chapter [11.20](#) HCC (HCC [11.20.090](#)(d)).

97
98 Section 2. This ordinance is of a permanent and general character and shall be included
99 in the City Code.

100
101 ENACTED BY THE HOMER CITY COUNCIL this ____ day of ____, 2023.

102
103 CITY OF HOMER

104
105
106 _____
107 KEN CASTNER, MAYOR

108
109
110 ATTEST:
111
112
113 _____
114 MELISSA JACOBSEN, MMC, CITY CLERK

115
116 YES:
117 NO:
118 ABSENT:
119 ABSTAIN:
120
121 First Reading:
122 Public Hearing:
123 Second Reading:
124 Effective Date:



City of Homer

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Memorandum

TO: Mayor Castner and Homer City Council
FROM: Rob Dumouchel, City Manager
DATE: October 18, 2023
SUBJECT: City Manager's Report for October 23, 2023 Council Meeting

Sister City 40th Anniversary with Teshio, Japan is Next Year!

For 39 years, Homer has enjoyed a close sister-city relationship with Teshio, in Hokkaido, Japan. Numerous delegations have made the trip across the Pacific, students have participated in exchanges, and both communities have shared cultural connections and traded works of art created by local residents. Next year, in honor of the 40th anniversary, Teshio will again send a delegation to visit Homer. City staff and interested citizens have formed a stakeholder group to plan for their arrival and to come up with other ways of marking the occasion. The group has a wide range of ideas, from a temporary exhibit at the Pratt Museum to refurbishing a "pillar of friendship" to a performance of Japanese drumming. At a future meeting, I will have Library Director Dave Berry give a more detailed update on the 40th anniversary and seek Council feedback on how to proceed.

Sand Island Research Vessel Fire Response

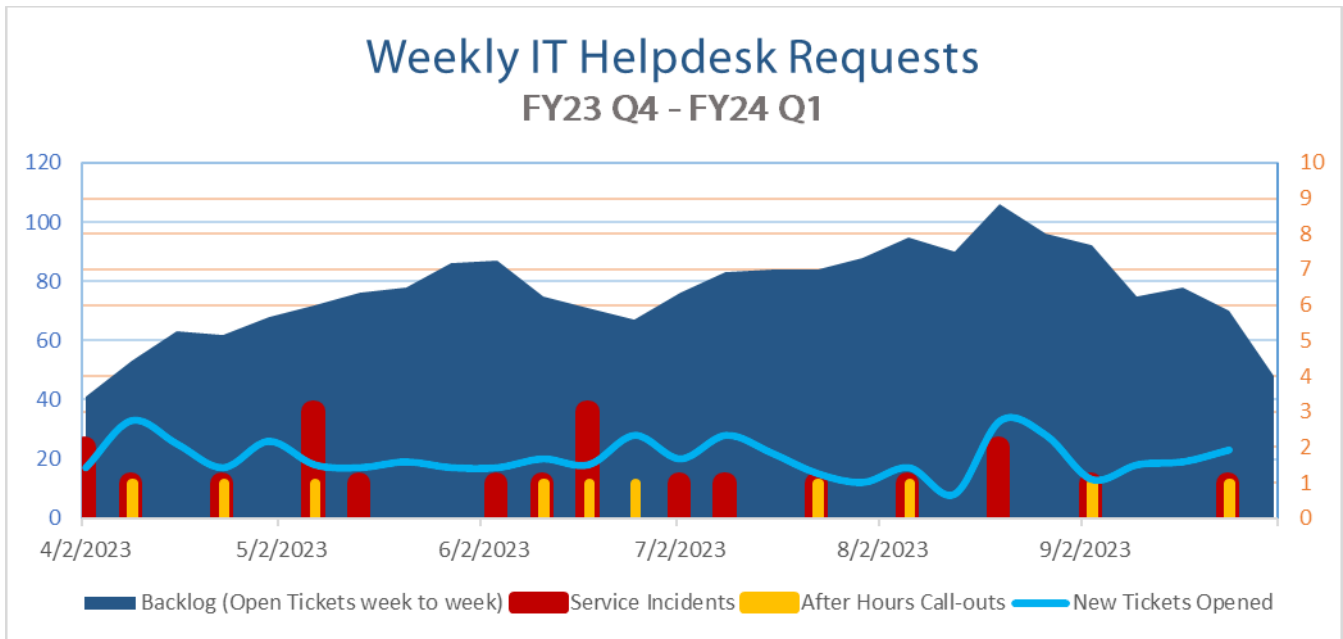
The Homer Volunteer Fire Department responded to a boat fire located at Ramp 8 in the harbor. Thanks to the vigilance of the Harbor's 24/7 operations crew, and the quick response by our firefighters, we were able to put out the fire before it was able to spread and create more significant damage. Attached to this report is an incident brief which gives an overview of the response and a window into what a boat fire response looks like from an operational perspective.

End of Season Trail Work Update

Public Works administration and the Parks Maintenance Division has been working very hard on trail improvements this year and is working with contractors to get as much work completed before the ground freezes. Attached to this report is a series of maps showing recent projects on the City's trail system.

IT Update

The Information Technology division has been putting a lot of effort into reformulating its mission, strategic priorities, processes, etc. to better meet the ever evolving needs of the organization and the threats to our systems. IT is shifting to a mission that is focused on: 1. Using data and technology to enhance the way City employees accomplish their work, and 2. Finding innovative ways of connecting the public to City government. To achieve that mission, IT has set cybersecurity, service management, and infrastructure reliability as their strategic priorities.



One massive step forward made by the IT team in the last year is the implementation of a help desk system which provides significantly better tracking of IT issues and service outcomes. The figure above shows an overview of help desk requests from April to the end of September. We’re also tracking and documenting incidents in a more comprehensive way. In the last six months, 50% of service outages and/or other incidents were associated with the phone system. IT was able to replace the aging system thanks to Council’s approval of Ordinance 23-38 and we are expecting the number of phone system related incidents to experience a sizable decrease.

Guiding Growth

Economic Development Manager Julie Engebretsen participated in a panel discussion presented by local group Guiding Growth. The panel focused on what is driving change in Homer. It included panelists from the Chamber of Commerce, South Peninsula Hospital, Story Real Estate, and the Center for Alaska Coastal Studies. The panel was held at the Homer Library and well attended by approximately 60 people. Common discussion themes were the aging demographics of Homer, the need to recruit and retain early- to mid-career workers, high housing costs for younger workers, and the allure of Homer for people relocating from the lower 48.

Parks & Recreation Department Update

Staff has been working hard on the tasks outlined in Resolution 23-047(S) which includes creating a 10-year plan for a department. A draft memo is scheduled to go before the Parks, Art, Recreation, and Culture Advisory Commission on October 19th. Staff is on track for a presentation to Council at the November 27th Council meeting.

Park Planning Updates

Economic Development staff participated in a community meeting hosted by Mobilizing for Action through Planning and Partnerships of the Southern Kenai Peninsula (MAPP-SKP) to discuss the results of the 2023 Community Health Needs Assessment which were presented to Council at their last meeting. There was a productive discussion and we see opportunities to use information from the MAPP-SKP plan in future City endeavors (i.e., Comprehensive Plan).

Corvus Design is scheduled to present at the October 19th Parks, Arts, Recreation, and Culture Advisory Commission with progress on the public meetings it hosted in Homer in September that were held to gather input on the futures of Bayview and Karen Hornaday Parks.

Homer Represented at 2023 Alaska Recreation and Parks Association Conference

Parks Maintenance Coordinator Chad Felice, Recreation Manager Mike Illg, and Parks & Trail Planner Matt Steffy represented Homer at this year's ARPA Conference in Wrangell. Mike presented educational sessions on Organizing Sports Leagues and Recreation Libraries, and Matt presented on Invisible Disabilities in Recreation Programming and Landscape Architecture as well as Conflict Resolution & Management. As an added bonus, I received numerous photos from the delegation via email of public restrooms. Wrangell uses a portable restroom system that can be tied into water and sewer which is significantly less expensive than a concrete structure, however, it is not at the same level of durability. There is a high probability that these units will be a future topic of discussion as we approach the mid-biennium budget adjust next year.

FY24/25 Budget Documents

The draft FY24/25 Budget PDF is being replaced on the City's website within the next week with an updated final version that contains additional materials required for Government Finance Officers Association (GFOA) budget award consideration. This is the first budget cycle in which we've been subject to overhauled award standards and Finance Director Walton has put a lot of effort into getting our document in the right format and expanded with the right content to satisfy the new requirements.

Short Term Rental Update

I met with Planning and Economic Development staff to review a draft ordinance concept, it created some public safety questions that were addressed with Chief Kirko and Chief Robl. After submittal of this report, I will be meeting with Councilmembers Aderhold and Davis for inputs on the draft and guidance on various policy crossroads contained within this topic.

Kenai Peninsula City Manager Meet Up

City Managers on the Kenai Peninsula meet monthly online, but do our best to get together in person twice a year in spring and fall. This year's fall meeting was in Soldotna on October 13th. We largely discussed issues related to recruiting and retention with a focus on wage scales, non-wage compensation, retirement programs, etc. We also had an extended discussion on land use and bridging the gap between the development patterns many in the public desire and the ability (or inability) to create them within existing zoning codes.

Girl Scouts Democracy Event

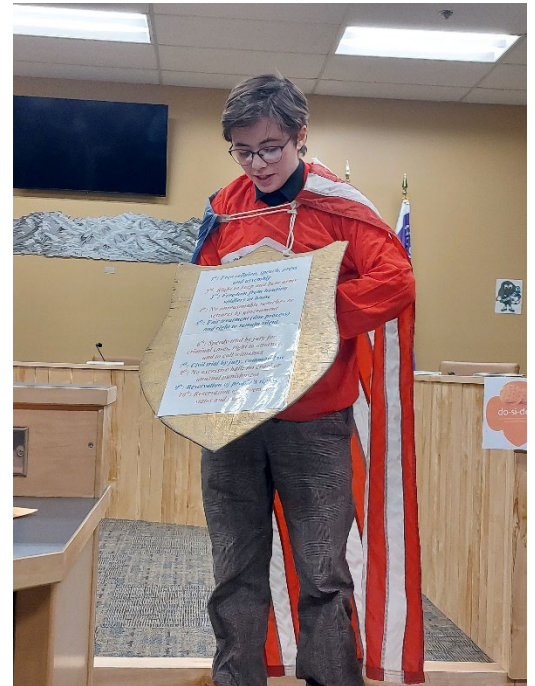
On October 13th the Girl Scouts held a Democracy Event in the Cowles Council Chambers. Ginny Espenshade lead the group through a Bill of Rights activity where they learned about the three branches of government. Guest speakers included Council Member Venuti and Jenny Martin, Staff to Senator Stevens who discussed the legislative branch, Mayor Castner and City Clerk Jacobsen who discussed the executive branch, and Judge Seifert and Ginny Espenshade who discussed the judicial branch. The Scouts held an election on the best Girl Scout cookie, and conducted a mock City Council meeting where they heard audience comments, staff reports, and voted on ranking for three capital improvement projects. It was a fun and educational afternoon for all



Mock Council Meeting



The Girl Scouts



The Bill of Rights

Photo credits Tina Seaton & Megumi Beams

Incident Brief:

Date: October 16, 2023

Dispatch as: Smoke investigation:

Location: ramp-8 in the Harbor

Vessel name: Sand Island

Vessel Type and use: a steel hull research/dive vessel

At 12:39 on Monday, 10/16/23 Homer Fire was toned out to respond to a smoke investigation on a boat in the Homer boat harbor. HVFD responded with Engine-2 and crew of 2, Tanker-1 with a crew of 2, medic-3 with crew of 2 and Chief Kirko and Deputy Chief Kahles.

While in route we were receiving condition reports from Harbor-2 (Glidden) stating that he could see light to moderate black smoke coming from vents on the upper deck. Glidden also stated that the hull was getting hot to the touch below deck indicating potential fire in the engine room or support space below the main deck.

By radio, I asked Glidden to confirm if all crew members were off the boat. He quickly confirmed that they were. I then asked him the size of the boat and if it was tied to the dock or outside of another boat. He confirmed it was tied directly to the dock.

At this time I requested mutual-aid from WES and KESA to respond with an engine and personnel for assistance.

At this time the Harbor crew was setting up the fire cart near the boat, running and water available on the arrival of E-2 crew.

Engine-2 arrived at approximately 12:49 and went to the boat to assess and report conditions to the incoming crews. Chief Kahles and Kirko arrived at approximately 12:51. Chief Kirko assumed incident command and assigned DC Kahles as operations chief at the boat. As incident command I remained at the top of the ramp coordinating incoming resources and assuring crew accountability and safety.

While DC Kahles was preparing the attack team for entry, 3 Coastguardsman approached him offering assistance. One of the crew was a command officer and the other two were geared up in fire PPE and available to assist in firefighting efforts. The initial attack team, HVFD staff, firefighters Knowles and Lowe made entry with a hand-line below deck to aggressively attack the fire. Heat and thick black smoke were present in the engine room greatly reducing visibility. Using a thermal imaging device they were able to see that there was no fire in the engine room and continued to move aft to locate the fire. They opened a hatch which lead to a diver support area which contained a hyperbaric chamber and dive equipment and supplies. Once they opened the hatch the heat and smoke became more intense and fire was visible below the chamber. They quickly brought the fire under control and reported conditions to Command personnel.

Tanker-1 crew arrived at approximately 12:55 and they were initially assigned to water supply operations and then to report to DC Kahles to assist the initial attack team.

The Tanker crew was assigned to assist with ventilation efforts to relieve smoke and heat from the boat so overhaul operations could resume.

When DC Kahles announced the fire under control, I canceled any additional responding units.

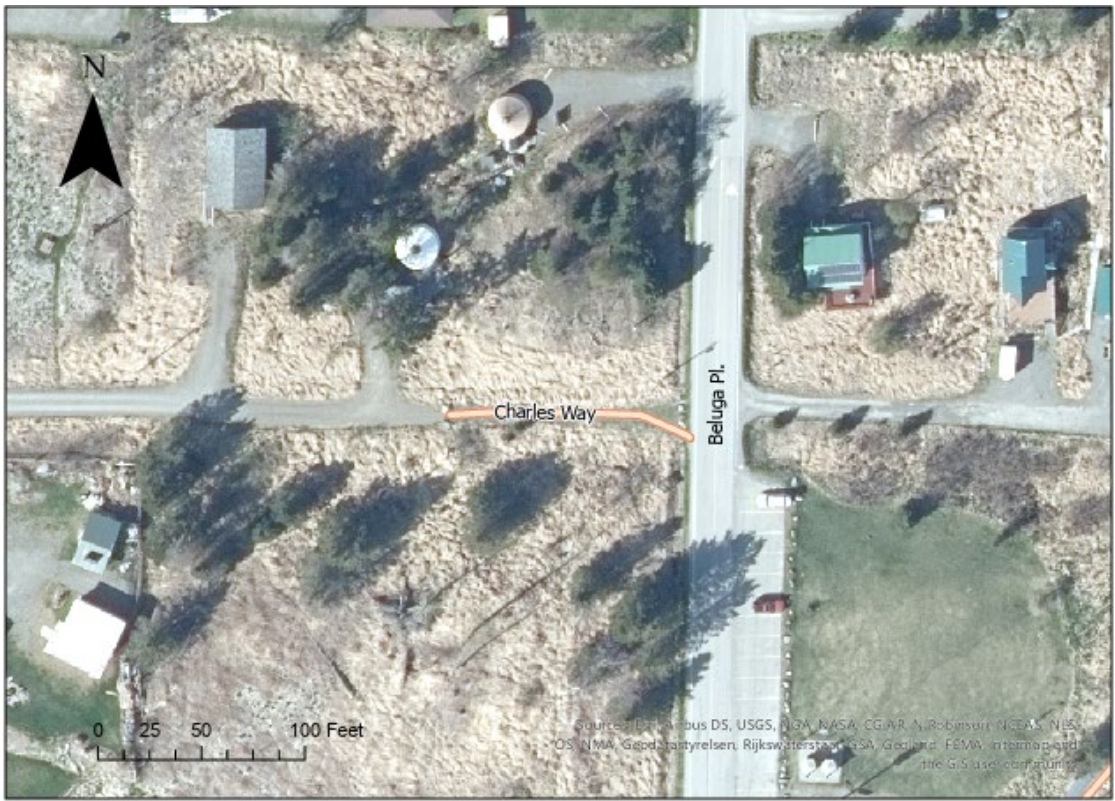
When overhaul was complete all fire suppression crews were released to put their equipment back in service.

Chief Kirko, DC Kahles and firefighter Knowles (fire investigation student) again went aboard to investigate the fire. The point of origin was determined and the cause is believed to be electrical in nature.

All HVFD units cleared the scene and returned all equipment and apparatus back in to a service ready status.



Beluga Slough Trail-ADA approaches were installed at each entry point



Charles Way-Installed with water/sewer by contractor



Day view Trail-brush hogged sides, done in house



Spruceview Trail-brush hogged both sides, done in house



Poop Deck Trail-
mowed every other
week during the
summer, in house

0 100 200 400 Feet



Story Trail-redone
with new fabric and
material by
contractor

0 25 50 100 Feet



East Fairview & West Fairview-redone with new fabric and material by contractor



Lee Drive Trail-installed with new fabric and material by contractor



Karen Hornaday Park-fabric and material on numerous walkways leading to the playground, done in house w/some volunteers

Aaron Yeaton and Chad Felice did some on-site work and recon, looking into the possibility of adding a hiking trail North of the campground



Jack Gist-
removed
blown down
trees on the
disc golf
course, done
in house

Reber Trail-brush hogged 1-2 feet on each side, done in house





Ben Walters Trail-new fabric and material were installed, in house



North and South Calhoun Trail-North trail has new fabric and material, south trial brush hogged 2-3 each side, done in house

WORK SESSION

AGENDA CALENDAR 2023

Council Meeting Dates	4:00 p.m. Worksession Topic
<i>Monday, May 8</i>	
<i>Tuesday, May 22</i>	<i>Coast Guard ws 2 5 COW @ 4</i>
<i>Monday, June 12</i>	<i>2023 City of Homer Salary and Benefits Survey</i>
<i>Monday, June 26</i>	<i>FY24/25 Capital Budget</i>
<i>Monday, July 24</i>	<i>HDR-Homer Harbor Expansion Alternatives Screening and Next Steps</i>
<i>Monday, August 14</i>	<i>HERC & Hazardous Materials Update – Economic Development Manager & Recreation Manager</i>
<i>Monday, August 28</i>	<i>2024-2029 Capital Improvement Plan & FY25 Legislative Priorities - Special Projects & Communications Coordinator</i>
<i>Monday, September 11</i>	<i>HHE study funding and timeline status by the USACE Project Development Team</i>
<i>Monday, September 25</i>	<i>Ord 23-49 Amend Title 2 & Re-Organization</i>
<i>Monday, October 9</i>	<i>HERC – Economic Development Manager & Recreation Manager</i>
<i>Monday, October 18 (off cycle)</i>	<i>Joint Work Session with Planning Commission</i>
<i>Monday, October 23</i>	<i>Finance</i>
<i>Monday, November 13</i>	<i>Exempt Employee Wage Scale</i>
<i>Monday, November 27</i>	<i>Reso 23-027 Follow-Up Re: Recreation Funding Priority</i>



MEMORANDUM

Selection of Mayor Pro Tem for 2023/2024

Item Type: Action Memorandum
Prepared For: Mayor Castner and Homer City Council
Date: October 17, 2023
From: Melissa Jacobsen, MMC, City Clerk

Per Homer City Code 2.08.080, Mayor's absence: At the first meeting of the Council following certification of the municipal election each year, there shall be appointed a Mayor Pro Tempore, by majority vote of the Council, to act as Mayor during the Mayor's temporary absence or disability.

Pursuant to Council's Operating Manual: A Mayor Pro Tem shall be elected by the majority of the Homer City Council. The term of the Mayor Pro Tem shall be until the call for election by the Homer City Council of a New Mayor Pro Tem. The Mayor Pro Tem shall, in the absence of the Mayor, act as Mayor of the City of Homer as though they themselves had taken the Oath of Office of Mayor with all duties, responsibilities and powers of the office of the Mayor of the City of Homer. The Mayor Pro Tem, when acting in that capacity, does not lose the privilege or duty to vote as a Councilmember.

Pursuant to Council's Operating Manual: Council Seat- Customarily the selection is by seniority. Senior members may choose a different seat prior to the junior members being seated. The Mayor Pro Tempore shall have first seating choice and then the Senior Councilmembers and so on and so forth. (Resolution 04-89)

RECOMMENDATION: Councilmember _____ is selected/appointed as Mayor Pro Tempore for the City of Homer for 2022/2023.

After Council selects the Mayor Pro Tempore they may have first seat choice, including remaining where they are currently seated.



MEMORANDUM

Mayor's Proposal for 2023/2024 Work Plan

Item Type: Action Memorandum
Prepared For: Homer City Council
Date: October 17, 2023
From: Mayor Castner

1. **“Champions”** The assignment of two Council members, or a Council member and the Mayor, as champions, will help with early communication and project policy development with the administrative staff and interested commissions. Past managers used champions to “champion the cause”. But in project development, the champions need to keep the Council’s priorities and existing policies in front of the others involved, and resist reporting back to the full Council with a packaged solution.
2. **Memoranda** A memorandum is a supporting document which should be used to provide information to the Council. Discussion of these reports will be held under new business and be of a limited duration. If more time is needed, a work session should be scheduled. It is imperative that the Council have an interim opportunity to take part in project development.
3. **Resolutions** When a project is ripe for public comment and final consideration, but only after the full Council has had an opportunity to examine and discuss the details in an open meeting, a resolution or ordinance may be introduced.
4. **Projects with Champions** The clerk will assign a sequential code to each project and maintain a compendium of project members and events.

I have attached my list of projects I thought were important that needed funding. In addition, and as part of this discussion topic, I have attached a memo from Public Works indicating a desire to participate through a number of pending projects they have. I also include an article about the Anchorage Assembly’s consideration of some sort of licensing scheme, which is similar to an idea I have been promoting for the City.

This only works if it brings some efficiency to reaching consensus and completion.

For scheduling and OMA purposes, the Mayor needs to be kept advised.

Recommendation:

Move to approve Memorandum CC-23-251 and the Mayors 2023/2023 Work Plan and recommended projects.



City of Homer

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Memorandum

In Re: Mayor's CIP Priorities

09/01/2023

1. Homer Harbor Expansion
2. Big Boat Haul-Out Improvements
3. Harbor Wood Grid Replacement
4. Karen Hornaday Park Public Restroom Facility
5. New Public Works Facility
6. A-Frame Water Transmission Line Replacement
7. Homer Harbor Critical Float System Replacement: Float Systems 4 & 1
8. Slope Stability & Erosion Mitigation



MEMORANDUM

Resolution 23-119, A Resolution of the City Council of Homer, Alaska Awarding a Contract to Agnew::Beck Consulting of Anchorage, Alaska for an Amount not to Exceed \$650,000 for the Purpose of Developing a New Comprehensive Plan and Complete Update of the Title 21 Zoning and Planning Code and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager.

Item Type: Backup Memorandum
Prepared For: City Council
Date: October 1, 2023
From: Ryan Foster, City Planner
Through: Rob Dumouchel, City Manager

In the interest of hiring a consultant firm to provide professional services to update the Comprehensive Plan and the Title 21 Zoning and Planning Code, staff conducted a two-stage process as noted in the Memorandum to City Council on October 10, 2022:

- Stage 1 - Request for Qualifications (RFQ): Statement of Qualifications were submitted by Agnew Beck Consulting of Anchorage, Alaska, Camiros of Chicago, Illinois, R&M Consultants, Inc. of Anchorage, Alaska, and Umiaq Environmental, LLC of Anchorage, Alaska.

Submittals were evaluated and scored by a selection panel that consisted of Rick Abboud, City Planner, Julie Engebretsen, Economic Development Manager, and Ryan Foster, Special Projects Coordinator in accordance with the scoring criteria in the RFQ. Agnew Beck Consulting, R&M Consultants and Umiaq Environmental, LLC met the necessary qualifications and were selected for the Stage 2 RFP process. Camiros was not selected for the Stage 2 RFP process.

- Stage 2 - Request for Proposals (RFP): Proposals were submitted by Agnew Beck Consulting of Anchorage, Alaska, R&M Consultants, Inc. of Anchorage, Alaska, and Umiaq Environmental, LLC of Anchorage, Alaska.

Submittals were evaluated and scored by a selection panel that consisted of Rick Abboud, City Planner, Julie Engebretsen, Economic Development Manager, and Ryan Foster, Special Projects Coordinator in accordance with the scoring criteria in the RFP (See attached). Agnew Beck Consulting had the highest score and was found to be compliant and qualified to meet the specifications to provide work required for this project. Agnew Beck Consulting, based in Anchorage, Alaska, has assembled a project team with extensive planning experience in coastal Alaska, including many projects in Homer. Project team members include Stantec, Northern Economics, Respec, Kinney Engineering, and Corvus Design. This proposal was the only one that met the required Phase II Title 21 Zoning and Planning Code scoring criteria.

Resolution 23-017 for contract award was approved at the February 27, 2023 Council meeting and vetoed by Mayor Castner. Ordinance 23-11 reduced the project budget from \$650,000 to \$250,000 for the zoning code update. The City of Homer Biennial FY24/25 Capital Budget included \$400,000 for the Comprehensive Plan update, returning the total project funding to \$650,000.

RECOMMENDATION: Adopt a Resolution awarding the contract for the Comprehensive Plan and Title 21 Zoning and Planning Code to Agnew Beck Consulting of Anchorage, Alaska. In addition, the following recommendations have been included in the draft contract scope of work:

- Clarify that the comprehensive plan components to update include the 2018 Comprehensive Plan, 2011 Spit Comprehensive Plan, and the 2006 Town Center Development Plan.
- Establish deliverables and review time built into the entire process including a 35%, 65%, 95%, and final deliverable for both the Comprehensive Plan and Title 21 Zoning and Planning Code.
- Create a steering committee to aid in the guidance of developing the comprehensive plan and zoning code update.

Attachments

Memorandum to City Council provided in the City Manager's Report at the October 10, 2022, City Council Meeting

RFQ for Comprehensive Plan and Zoning Code Update (Includes scoring requirements)

RFP for Comprehensive Plan and Zoning Code Update (Includes SOW and scoring requirements)

Draft Contract with Scope of Work

Draft Project Schedule



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Memorandum

TO: Mayor Castner and Homer City Council
FROM: Ryan Foster, Special Projects Coordinator
DATE: September 27, 2022
SUBJECT: Request for Proposal/Request for Qualifications for Updating the Comprehensive Plan and Zoning Code

An update of the Comprehensive Plan and modernization of the Zoning Code was identified as a Council priority during the 2022 Visioning work session held in March at the Pratt Museum. The Title 21 Zoning and Planning Code has been updated in sections over the years, but it has not had a significant update in decades. It is generally viewed as difficult to work with by the public and City staff and unable to achieve the vision and goals currently set out in the Comprehensive Plan. The Comprehensive Plan underwent a technical update in 2018, but since the Zoning and Planning Code implements the vision of the Comprehensive Plan, it is highly recommended to undergo a full update of the Comprehensive Plan in advance of a Code rewrite.

Given the above current situations, City staff are proposing to move forward on a two-phase project, starting with a new Comprehensive Plan and ending with a complete update of the Title 21 Zoning and Planning Code. In hiring a consultant firm to fully update the two most important regulatory documents for planning and development in the City of Homer, staff recommends a two-stage process:

- Stage 1 - Request for Qualifications (RFQ): Reviewed and scored by a selection committee.
- Stage 2 - Request for Proposals (RFP): Those firms selected through the RFQ process will then submit an RFP, with a not to exceed amount of \$650,000, for review by a selection committee that will evaluate the proposals and make a recommendation to the City Manager.

An additional component necessary for project success is a budget of \$30,000 for advertising, outreach, and materials, such as food, for public meetings.

Comprehensive Plan Update (Phase I)

What it is: A Comprehensive Plan establishes, at a high level, a vision, goals, and objectives for the future development of the City. A new Comprehensive Plan would directly influence and guide the complete update of the Title 21 Zoning and Planning Code, established as Phase II of this project. This plan also helps determine the best approach to the topics of parking, density, form/layout, mobility/connectivity, building height, sustainability, green infrastructure, and coordinating land use and transportation plans to name a few.

What Homer gets:

1. Delivery of a completely updated Comprehensive Plan.
2. A vision and guidance for the update of the Title 21 Zoning and Planning Code.
3. Public and key stakeholder outreach to better inform and guide the Comprehensive Plan.
4. Detailed consideration of the topics of parking, density, form/layout, building height, mobility/connectivity, sustainability, and green infrastructure.
5. Alignment of the Comprehensive Plan with Council Goals, Master Transportation Plan and Non-Motorized Trails and Transportation Plan (currently under development), Homer Spit Plan, and the Town Center Development Plan.
6. Presentation of the Comprehensive Plan to the Planning and Zoning Commission, Economic Development Commission, and City Council public hearings for recommendation and approval.
7. Consultants, by taking on the bulk of the project (with a limited support role by City staff), free up City staff to continue to provide day-to-day services, ensures on-time project deliverables, and utilizes consultant subject matter expertise.

What Homer receives when complete: A Comprehensive Plan that guides the future development of the City over the next 20 years and addresses the unique planning challenges of the community, such as limited developable land, a strong demand for housing, and consideration of our unique geographical and topographical conditions.

Title 21 Zoning and Planning Code Update (Phase II)

What it is: The City's Title 21 Zoning and Planning Code defines the processes, establishes zoning districts, and associated development standards for land use development in the City. The Zoning and Planning Code is the regulatory framework that implements the vision, goals, and objectives established in the Comprehensive Plan.

What Homer gets:

1. Delivery of a completely updated Title 21 Zoning and Planning Code.
2. A modernized code by bringing the standards up to date by applying measures that reflect contemporary best practices, land use trends, and market demands, while improving efficiency and user friendliness into the code.
3. A code that provides for the implementation of the vision of the new Comprehensive Plan.
4. Consultants conduct all public and key stakeholder outreach to better inform and guide the new code.
5. Alignment of the new Title 21 Zoning and Planning Code with the new Comprehensive Plan, Master Transportation Plan and Non-Motorized Trails and Transportation Plan (currently under development), Homer Spit Plan, and the Town Center Development Plan.
6. Presentation of the new Title 21 Zoning and Planning Code to Planning and Zoning Commission and Council public hearings for recommendation and approval.
7. Consultants, by taking on the bulk of the project (with a limited support role by City staff), free up City staff to continue to provide day-to-day services, ensures on-time project deliverables, and utilizes consultant subject matter expertise, especially in writing code.

What Homer receives when complete: An updated Title 21 Zoning and Planning Code that will allow the City to realize the vision and goals defined in the Comprehensive Plan with updated processes and development standards. In addition, greater efficiency, clarity, and user friendliness will be built into the zoning code.

Attachments

Request of Qualifications for Comprehensive Plan and Zoning Code Update

Request for Proposal for Comprehensive Plan and Zoning Code Update

**Request for Qualifications
By the City of Homer, Alaska
Professional Services to Update
Homer's Comprehensive Plan and Title 21 Zoning and Planning Code**

The City of Homer is soliciting qualifications from firms to perform the work of updating the City of Homer Comprehensive Plan and Title 21 Zoning and Planning Code. Statements of qualifications will be received at the Office of the City Clerk, City of Homer, 491 East Pioneer Avenue, Homer, Alaska, until **4:30 P.M., on Friday, November 18, 2022**. The time of receipt will be determined by the City Clerk's time stamp. Statements received after the date and time specified will not be considered. No electronic submissions will be accepted.

All Firms interested in submitting their qualifications for consideration for this project must submit a **City of Homer Plan Holder Registration Form to be on the Plan Holder's List and to be considered responsive**. This form must be submitted separately from qualification submissions. Plan holder registration forms and Request for Qualification packages are available online at <http://www.cityofhomer-ak.gov/rfps>

The work will consist of two phases:

Phase 1: Helping the City of Homer complete a new Comprehensive Plan

Phase 2: Helping the City of Homer update the Zoning and Planning Code.

The work will include involvement with stakeholders, including, but not limited to the City Council, City staff, community members, and community interest organizations. Timeline for completion of this work is two years, one year for each phase of the project.

All submissions will be evaluated and the City will issue an invitation to submit a proposal to those firms selected as most qualified to perform the work as described.

Please direct all questions regarding this project to:

**Ryan Foster, Special Projects Coordinator
City of Homer, Administration
491 E. Pioneer Avenue
Homer, Alaska 99603
907-299-8529**

City of Homer reserves the right to accept or reject any or all proposals, to waive irregularities or informalities in the proposals, and to award the contract to the respondent that best meets the selection criteria.

Dated this 26th day of October, 2022.

CITY OF HOMER



Robert Dumouchel, City Manager

Publish: Homer News 11/03 & 10/22
Ad#: 22-

City of Homer

Request for Qualifications

City of Homer Comprehensive Plan and Title 21: Zoning and Planning Code Update

Issue date: October 26, 2022



Submittal Deadline:

4:30 pm, November 18, 2022

**City Clerk's Office
City of Homer
491 E Pioneer Avenue
Homer, Alaska 99603**

City of Homer Comprehensive Plan and Zoning and Planning Code Updates

Issue date: October 21, 2022

The City of Homer is soliciting qualifications from qualified firms to perform the work for **City of Homer Comprehensive Plan and Title 21: Zoning and Planning Code Updates**.

The first Homer Comprehensive Plan was adopted in 1954. The most current comprehensive plan is the 2018 edition, which received a technical update. A new Comprehensive Plan is necessary to establish a current vision, goals, and objectives for the future of the City and a new zoning code will be required to implement that vision.

In selecting a consultant firm to fully update the two most important regulatory documents for planning and development in the City of Homer, the City has initiated a two-stage process:

- Stage 1 - Request for Qualifications (RFQ): Reviewed and scored by a selection committee.
- Stage 2 - Request for Proposals (RFP): Those firms selected through the RFQ process will then submit an RFP, with a not to exceed amount of \$650,000, for review by a selection committee that will evaluate the proposals and make a recommendation to the City Manager.

The City wishes to have this work conducted immediately upon issuance of contract.

RECEIPT OF QUALIFICATIONS DEADLINE: Qualifications will be accepted until 4:30 p.m., Alaska Standard Time, November 18, 2022. Qualifications shall be submitted via hard copy at the City Clerk's Office, City of Homer, 491 E Pioneer Ave, Homer, AK 99603. All proposers must submit a City of Homer Plan Holders Registration form to be on the Plan Holders List to be considered responsive.

SCOPE OF WORK: The work will consist of two phases. Phase I: helping the City of Homer complete a new Comprehensive Plan, and Phase 2: helping the City of Homer update the Zoning and Planning Code. The work will include involvement with stakeholders, including, but not limited to the City Council, City staff, community members, and community interest organizations. Timeline for completion of this work is two years, one year for each phase of the project.

EVALUATION CRITERIA: The City will review and score RFQs by selection committee. Interested parties shall submit the following items with their Statements of Qualifications:

1. Letter of interest.
2. Description of the team and its ability to meet City of Homer needs.
3. Statements of Qualifications shall include the following information:
 - a. Name(s) of firm serving as prime and any subconsultants as well as Organization Chart.
 - b. A brief history of the firm(s) serving on the team, including applicable licenses.
 - c. Resumes of key personnel, which shall include, as a minimum, the following personnel:
 - i. Project Manager
 - ii. Design Lead
 - iii. Economic Lead
 - iv. Code Writing Lead
 - e. Information demonstrating team's record of performance on past projects for communities similar in size and character to the City of Homer. Provide names and telephone numbers of five client contacts for reference purposes.
 - f. Information demonstrating team's record of performance with cost control and project scheduling.
 - g. Five writing samples demonstrating team's effectiveness writing (i) complex text for lay audiences and (ii) enforceable code. Writing samples may contain graphics.

Scoring of firms

1. Team's experience with projects of comparable size and complexity:	100 Points
2. Team's experience with cost control and project scheduling	100 Points
3. Experience of Key Personnel	100 Points
4. Writing samples	100 Points
5. Positive report from references:	<u>100 Points</u>
Total:	500 Points

**Request for Proposals
By the City of Homer, Alaska
Professional Services to Update the
City of Homer’s Comprehensive Plan and Title 21 Zoning and Planning Code**

The City of Homer, Alaska is requesting proposals from qualified firms who were pre-qualified as result of the City’s earlier Request for Statements of Qualification process. Proposals from firms who have not been pre-qualified will not be accepted.

The following subjects are discussed in this Request for Proposal (RFP) to assist you in preparing your proposal.

- I. Introduction
- II. Scope of Services
- III. General Requirements
- IV. Proposal Format and Content
- V. Evaluation Criteria and Selection Process
- VI. Schedule

I. Introduction

The City of Homer is soliciting proposals from prequalified teams to produce a comprehensive plan and fully update Homer City Code Title 21, Zoning and Planning Code. These documents will help guide future development and growth for the City of Homer with an outlook of 20 years.

The City of Homer is growing up. We are a relatively young city facing a transition point in our history. We are an eclectically developed pioneer community at the end of the road in Alaska, on its way to becoming a more intentionally developed small city, endeavoring to be best in class for municipal governance, services, and quality of life. Homer is a very significant city in Alaska, in part, because we are the transition point between the road system and numerous off-road communities. We also have a highly active port & harbor which is likely to experience a significant expansion during the Comprehensive Plan’s useful life.

The City of Homer is motivated to become the best small city in Alaska, and it all starts with planning. We are extremely excited to conduct a significant update to our Comprehensive Plan and Title 21 Zoning and Planning Code. It is important to understand that this update is not about maintaining the status quo, it is about transformative change as it relates to land use, while still maintaining Homer’s community character.

The first Homer Comprehensive Plan was adopted in 1954. The most current comprehensive plan received a technical update in 2018. Since 1999, the City has adopted a Non-Motorized Trails and Transportation Plan, a Transportation Plan, Homer Spit Comprehensive Plan, and the Town Center Development Plan, which are additional components to the Comprehensive Plan.

The City of Homer expects that public involvement will be a grass-roots effort emphasizing outreach to, and contribution from, a variety of stakeholders, including citizens, businesses, community groups/organizations, local agencies, City Advisory Bodies, and the City Council. The City further expects the community participation plan will be innovative and consider the use of focus groups, as

well as, intensive short-term teams or work groups, such as workshops, to identify issues, create a community vision, and to assist in establishing the goals and objectives.

The goal is for both phases (Phase I: The Comprehensive Plan and Phase II: Title 21, Zoning and Planning Code update) to be completed within two years after award of the contract; however, complex issues may require more in-depth study, which may result in an extension of the completion date and negotiation to amend the contract.

As in many Alaskan communities, the summer months are the “busy months” for Homer residents. One distinctive aspect of Homer is that many seasonal business operators live elsewhere during the winter months. The Proposer should develop a schedule that is flexible enough to allow busy residents and business owners/operators the opportunity for significant input throughout the planning process, while recognizing the seasonal nature of the community.

II. Scope of Services

The project consists of furnishing all labor, materials, equipment, tools, supervision, and other facilities necessary to develop a Homer Comprehensive Plan and a Title 21 Zoning and Planning Code Update as a two-phased project in accordance with the standards and criteria of the City of Homer.

Phase I: Comprehensive Plan

The project goals for updating the comprehensive plan are:

1. Create a fully updated Comprehensive Plan.
2. Determine the best approaches to the topics of housing, parking, density, form/layout, building height, sustainability, mobility/connectivity, and coordinating with the motorized and non-motorized transportation (the Master Transportation Plan is currently being updated).
3. Identify strategic actions that the City can proactively engage in to ensure the success of the Comprehensive Plan, e.g., site acquisition, infrastructure investment, etc.
4. Provide a vision and guidance for the Phase II update of the Title 21 Zoning and Planning Code.
5. Conduct public and key stakeholder outreach to better inform and guide the Comprehensive Plan.
6. Align the Comprehensive Plan with other City plans such as Master Transportation Plan, Capital Improvement Plan, and City Council Goals.
7. Deliver the Comprehensive Plan to the Planning Commission, Economic Development Commission, and City Council public hearings for recommendation and approval.
8. City staff will provide project support with a project manager, participation/facilitation in outreach events, and information/feedback to consultants.

The development of the Homer Comprehensive Plan will include, but not be limited to, the following tasks:

Task 1. Background Research and Analysis

In Task 1, the consultant will complete a review of all-relevant planning, financial, and development documents that relate to development, planning regulation, and protection of Homer’s built and natural environment. Examples of such documents include:

- 2018 Homer Comprehensive Plan Update
- Town Center Development Plan
- Homer Spit Comprehensive Plan
- Community Design Manual
- ADA Transition Plans
- Climate Action Plan
- Long Range Transportation Plan
- 2005 Homer Area Transportation Plan (currently being updated)
- Non-Motorized Transportation and Trails Plan (currently being updated)
- Adopted Water and Sewer Master Plan
- Census and growth projections
- Homer City Code (in particular Title 21 Zoning and Planning Code)
- Capital Improvement Plan/Legislative Requests/State Transportation Improvement Program Requests
- City of Homer Annual Budget
- Beach Policy
- Homer Land Allocation Plan
- 2022 Local Hazard Mitigation Plan
- State of Alaska tourism information
- State of Alaska planning enabling legislation
- Review of KPB planning and platting powers, with city granted planning powers of the city and extraterritorial power over the Bridge Creek Water Protection District

At the completion of Task 1 the consultant should be knowledgeable with the history, social and land use development patterns, culture, environmental opportunities/challenges, development constraints, infrastructure, and fiscal issues facing the City of Homer.

Task 2. Public Participation Process

The design of an effective public participation process is a critical element for the successful completion of the Homer Comprehensive Plan and Title 21, Zoning and Planning Code Updates. The consultant shall design and implement a public participation process that ensures members of the public are actively involved in the planning effort. The consultant should identify methods that do not require long standing commitments of time by members of the public yet provide for meaningful input. The use of charrettes/workshops, open houses, work sessions, online web pages/surveys, focus groups, and study circles or other suitable methods is encouraged. The consultant will work with City staff throughout the public participation process, to provide:

- Meeting Coordination
- Facilitation of Meetings
- Open Houses
- Advertisements
- Informational Handouts
- Newsletters and Other Mailings
- On-going Updates

The proposal shall identify the Public Participation Team that will be responsible for the production, publication, and distribution of informational materials and mailings. The Proposal shall include a

Public Participation Matrix, which identifies the expected points of engagement with the public, identifying the recommended roles for City staff, community stakeholders, and the consultant personnel.

Task 3. Site Analysis and Identification of Issues and Concerns

Task 3 utilizes information from the background research, site visits, and constraints mapping to analyze, and create maps and analysis illustrating the City's existing conditions. The mapping and analysis shall include:

- Brief Study Area Overview
- Key Demographic Considerations (summary of existing demographic information such as population, employment, housing, and projections)
- Existing Land Use(s)
- Existing Zoning
- Land Use and Community Design (including density, layout, and form)
- Housing
- Mobility and Transportation Network including parking
- Infrastructure (Gray and Green)
- Sustainability
- Environmental Issues/Hazards/Constraints including Flood Regulations
- Public Facilities and Services
- Recreation Facilities
- Economic Development/Opportunities
- Local Government Boundaries
- Slope Hazard Analysis

Key issues, concerns, and constraints shall be identified.

Task 4. Preparation of Goals, Objectives, and Recommendations

Based upon the information obtained in the previous tasks, the consultant shall collaborate with the community to develop goals, objectives, and recommendations.

Task 5. Development or re-development strategies

In addition, the consultant shall prepare an overall development and/or redevelopment strategy and more specific policies for the use of the land – utilization of city owned land, land acquisition and/or disposal strategies, infrastructure improvements, commercial areas, public open space, and facilities.

Task 6. Preparation of Future Growth and Development Alternatives

The consultant shall review projections of future population and economic growth and the resulting impact on land use and development patterns. Alternatives will include evaluation and discussion of future development, redevelopment, conservation practices, and impacts on public infrastructure.

The alternatives shall be described in both a narrative and graphic/mapping manner. The purpose of these alternatives is to allow the public to become more aware of the impacts of future growth in Homer

and to assist in developing goals, objectives, and recommendations. The identification of the most preferred development scenario is part of this task.

Task 7. Recommendations for Implementation

Task 7 shall consist of preparing recommendations for achieving the goals, objectives, and recommendations of the Comprehensive Plan Update. Standard implementation techniques such as zoning and subdivision regulation changes should be considered, as well as other techniques such as growth management, impact fees, encouraging walkable development centers or nodes, etc. In addition, this task shall result in the following:

- A timeframe for identified actions.
- A table allocating responsibilities for actions among the various governmental agencies and where applicable, not-for-profit organizations having interests in conducting the programs.
- A schedule of proposed Capital Improvement Projects.
- A general description of any land use development regulations or incentives that may be adopted by the City to achieve the goals, policies, and guidelines set forth in the plan.
- A description of other procedures that the City may use in monitoring and evaluating the implementation of the plan.
- A statement describing proposed programs of public services or changes in existing programs to include estimates of the needed increase in personnel, equipment, supplies, and related matters.
- The proposed development criteria to be incorporated into any recommended or existing land development regulations.
- Identification of potential funding sources for projects or other issues identified during the planning process.
- A description of measures to be implemented to promote economic, social, and environmental sustainability.

Task 8: Presentations

The consultant will be required to undertake a series of presentations at various stages of the planning effort to the Planning Commission and City Council. The purpose of these presentations is to provide information and obtain feedback. The consultant is also expected to present the plan when formally reviewed and considered by the Planning Commission and City Council. Presentations to other boards and commissions, such as the Economic Development Advisory Commission; Parks, Art, Recreation, and Culture Advisory Commission; and Port and Harbor Commission may be warranted. A minimum of six presentations should be included with the possibility of more to be negotiated.

Task 9: Final Plan

Draft a final Comprehensive Plan based on findings from Tasks 1-8 working closely with City staff and providing an opportunity for public review and comments on draft version(s).

Project Schedule

The proposal should include a schedule of major milestones for a one-year project for Phase I. The City anticipates the schedule should include, but not be limited to, the following stages:

- Project Start-Up
- Task 1 – Data Collection, Background Research and Analysis
- Task 2 – Public Participation Process
- Task 3 – Site Analysis and Identification of Issues and Concerns
- Task 4 – Preparation of Goals, Objectives, and Recommendations
- Task 5 – Development or re-development strategies
- Task 6 – Preparation of Future Growth and Development Alternatives
- Task 7 – Recommendations for Implementation
- Task 8 – Presentations
- Task 9 – Final Plan

Deliverables

All documents, reports, studies, illustrations, and maps are to be produced in a digital and PDF format. Information will be transferred to the City electronically and 25 hard copies will also be provided. All deliverables will be considered Works for Hire; that is, owned by the City of Homer upon payment of consultant’s invoices.

Website with hyperlinks (to be kept current through the end of the consultant’s contract)

Draft and Final Documents:

- Formatted for an 8 1/2” x 11” Document with 3-ring binder
- Provide all electronic files used in the creation of the report and illustrations such as GIS Shapefiles, Word files, PDFs, PowerPoint, InDesign, Illustrator, Sketchup, etc.
- Monthly status reports

Maps in Documents should meet the following specifications:

- ESRI GIS Mapping Products
 1. ESRI Shapefile Format and any associated ArcGIS/ArcMap project files/.mxd. An Adobe PDF file is also required of any GIS map product.
 2. All GIS data should be geo-referenced to NAD27, Alaska State Plane Zone 4
- Color
- 11” x 17”, folded (maximum size for inclusion in a bound document)

Phase II: Title 21 Zoning & Planning Code Update

The project goals for updating the Title 21 Zoning and Planning code are:

1. Modernize the code by bringing the standards up to date by applying measures that reflect contemporary best practices, land use trends, and market demands, while improving efficiency and user friendliness into the code.
2. Identify best code format and create a new code that enables development to take place as a mixture of uses, rather than large areas of single land use or Greenfield development.
3. Align with and implement the vision of the Comprehensive Plan.
4. Conduct all public and key stakeholder outreach to better inform and guide the updated Title 21 Zoning and Planning Code.

5. Align the updated Title 21 Zoning and Planning Code to support implementation of related City plans such as Transportation Master Plan, Stormwater, and Water/Sewer Plan.
6. Present the updated Title 21 Zoning and Planning Code to the Planning Commission and City Council public hearings for recommendation and approval.
7. City staff will provide project support with a project manager, participation/facilitation in outreach events, and information/feedback to consultants.

The development of the Title 21 Zoning and Planning Code should include, but not be limited to, the following tasks:

Task 1. Data Collection, Background Research and Analysis

Conduct analysis utilizing existing maps for future development and/or potential infill and utilizing feedback from City staff along with constraints mapping. Existing conditions analysis and mapping should include the following (much of this task can utilize information developed in Phase I of the project):

- Key Demographic Considerations (summary of existing demographic information such as population, employment, housing, and projections)
- Existing Land Use(s)
- Existing Zoning
- Mobility and Transportation Network
- Infrastructure
- Environmental Conditions/Constraints

Task 2. Technical Review of Existing Code and Recommendations

Conduct a technical review to evaluate the strengths and limitations of the current Title 21 Zoning and Planning Code and make preliminary recommendations for updating and making the document consistent with overall City policies, including the goals of the Comprehensive Plan. Provide a review based on discussions with and feedback received from code administrators and code users including City staff, design professionals, and the local development community. The Project Team should also draw from its planning experience with other communities and knowledge of land use regulatory tools. The review should evaluate the suitability of the existing Zoning and Planning Code by determining deficiencies and inadequate elements that may create inconsistent interpretations. Submit a diagnostic report that also identifies the steps required to make the Zoning and Planning Code consistent with existing practices in the City, as well as national best practices.

Task 3. Public Participation Process

Provides for public/stakeholder participation to create the overall guiding vision for the new Zoning Code. This shall include providing for a public review of the draft code, as well as a public hearing process at the Planning Commission and City Council.

Task 4. Preparation of Vision, Values, Goals, Objectives, and Recommendation for Code Type

Recommend the best code format and draft a new code that enables the vision and goals of the Comprehensive Plan to be implemented, while considering alignment with other City plans and goals.

Modernize the code by bringing the standards up to date by applying measures that reflect contemporary best practices, land use trends, and market demands, while improving efficiency and user friendliness into the code. Consider future development to take place as a mixture of uses, rather than large areas of single land use or Greenfield development.

Task 5. Draft Code

Draft a new code based on findings from Tasks 1-4 working closely with City staff and providing an opportunity for public review and comments of draft version(s). Provide how the draft code will be reviewed by legal experts.

Task 6. Presentations

The consultant is required to undertake a series of presentations at various stages of the planning effort to the Planning Commission and City Council. The purpose of these presentations is to provide information and obtain feedback. The consultant is also expected to present the code when formally reviewed and considered by the Planning Commission and City Council. Presentations to other boards and commissions, such as the Economic Development Advisory Commission; Parks, Art, Recreation, and Culture Advisory Commission; ADA Advisory Board and Port and Harbor Commission may be warranted. A minimum of four presentations should be included (identifying whether they are in-person or virtual) with the possibility of more to be negotiated.

Task 7. Final Code

Draft a final Zoning and Planning Code based on findings from Tasks 1-6, working closely with City staff and providing an opportunity for public review and comments of draft version(s).

Project Schedule

The proposal should include a schedule of major milestones for a 1-year project for Phase II. The City anticipates the schedule should include, but not limited to, the following stages:

- Project Start-Up
- Task 1 – Data Collection, Background Research and Analysis
- Task 2 – Technical Review of Existing Code and Recommendations
- Task 3 – Public Participation Process
- Task 4 – Preparation of Vision, Values, Goals, Objectives, and Recommendation for Code Type
- Task 5 – Draft Code
- Task 6 - Presentations
- Task 7 – Final Code

Deliverables

All documents, reports, studies, illustrations, and maps are to be produced in a digital and PDF format. Information will be transferred to the City electronically and 25 hard copies will also be provided. All work products will be considered Works for Hire; that is, owned by the City of Homer once the consultant's invoices are paid.

Website with hyperlinks (maintained through the end of the consultant's contract)

Draft and Final Documents:

- Formatted for an 8 1/2" x 11" Document with 3-ring binder
- Provide all electronic files used in the creation of the report and illustrations such as GIS Shapefiles, Word files, PDFs, PowerPoint, InDesign, Illustrator, Sketchup, etc.
- Publish Code online
- Monthly status reports

Maps in Documents should meet the following specifications:

- ESRI GIS Mapping Products
 1. ESRI Shapefile Format and any associated ArcGIS/ArcMap project files (.mxd). An Adobe PDF file is required of any GIS map product.
 2. All GIS data should be geo-referenced to NAD27, Alaska State Plane Zone 4
- Color
- 11" x 17", folded (maximum size for inclusion in a bound document)

III. General Requirements

The following information is presented as a general guideline for the preparation of the proposals, though not intended to be an exhaustive list of project requirements.

- A. It is the responsibility of the Proposers to estimate the actual level of effort required to complete the work.
- B. Homer will provide Over the Shoulder review of draft planning documents to provide timely comment and input.
- C. All deliverables shall be in a format and on media approved by the City. Upon completion, the City of Homer shall be furnished with digital files of all documents.

IV. Proposal Format and Content

Direct questions regarding this proposal to Ryan Foster, Special Projects Coordinator, City of Homer, (907) 299-8529 or rfoster@ci.homer.ak.us.

Proposals, which do not address the items listed in this section, may be considered incomplete and may be deemed non-responsive by the City.

PROPOSAL FORMAT

- A. Letter of Transmittal
- B. Proposed Work Plan
 1. Include a Work Plan that illustrates how you will perform the Work and demonstrates your understanding of the project
 2. Include a proposed schedule demonstrating how you anticipate the Work will flow so you can complete the project in a timely manner.

3. Include a communication strategy for project management and include any methods such as meetings, monthly reports, videoconferencing, FTP data transfer sites, and project websites.
 4. Identify major challenges that might interfere with your ability to complete the project in a timely manner.
- C. Fee Proposal and Rate Schedule
1. Submit a Fee Proposal to perform the Scope of Services described in your Work Plan.
 2. Provide an exact statement of the services to be provided within the fees proposal and fee schedule to be used in billing for services, including out-of-scope services.
 3. Provide a Fee Schedule showing fully loaded billing rates for the personnel who will be working on the Project.
- D. Submit one (1) original and four (4) hard copies of the completed Proposal in a sealed, opaque envelope marked as follows:

**City of Homer
Comprehensive Plan and Title 21 Zoning and Planning Code Update**

PROPOSAL DATED _____, 2023.

Proposals will have the Proposers name and address in the upper left corner. The Proposals shall be addressed to:

City of Homer, City Clerk's Office
491 East Pioneer Avenue
Homer, Alaska 99603

Proposals shall be received at the office of the City Clerk until **4:30 PM, January 20, 2023**. Any proposals not received by the date and time stated and marked with the City Clerk's Office stamp will not be considered.

V. Evaluation Criteria and Selection Process

The City of Homer reserves the right to reject any and all proposals submitted and shall not be liable for any costs incurred by any proposer in response to this solicitation or for any work done prior to the issuance of a notice to proceed.

A selection committee will evaluate the proposals and make a recommendation to the City Manager. The committee will use the following criteria in deriving a numerical score for each proposal:

- a. **Work Plan.** The various elements of the Work Plan will be evaluated for clarity, effectiveness, and compliance with RFP requirements.

Phase I: Comprehensive Plan

Task 1	100 Points
Task 2	100 Points
Task 3	100 Points
Task 4	100 Points
Task 5	100 Points

Task 6	100 Points
Task 7	100 Points
Task 8	100 Points
Task 9	100 Points

Phase II: Title 21 Zoning & Planning Code Update

Task 1	100 Points
Task 2	100 Points
Task 3	100 Points
Task 4	100 Points
Task 5	100 Points
Task 6	100 Points
Task 7	100 Points

b. **Schedule.** The Proposer’s Schedule will be evaluated for its expected ability to achieve the effectiveness results in a timely manner. 200 Points

c. **Price.** Evaluated based on the do not exceed amount of \$650,000 100 Points

TOTAL POSSIBLE POINTS = 1900

VI. Schedule

Proposals due:	4:30 pm	Date: January 20, 2023
Proposal Review Period:		Date: January 23-February 8, 2023
Notice of Intent to Award contract:		Date: February 9-10, 2023
City Council Award:		Date: February 27, 2023
Notice to proceed/Contract Signing		Date: February 28-March 3, 2023
Completion of contract:		Date: Two year or as extended

TERM CONTRACT FOR CONSULTANT SERVICES

This Agreement is entered into this _____ day of October 2023, by and between **Agnew Beck Consulting** (herein referred to as “**Consultant**”) and the **City of Homer (“City”)**. The Consultant and City agree to the following:

WHEREAS The City is in need of a firm with personnel possessing the skills and ability required to render consulting services to the City of Homer and Agnew Beck Consulting is qualified to perform said services.

NOW THEREFORE the parties hereto do mutually agree as follows:

1. Employment of Consultant.

Work shall be assigned by a task order. The format of the “**Task Order**” is shown in Appendix A. No work shall proceed without a fully executed “Task Order”.

2. Term of Agreement.

The term of this Agreement shall be two years from the date of execution and approval of the Homer City Council. Homer shall have the option to renew this Agreement for an additional one-year period. Exercise of this option by Homer shall be contingent upon a favorable review of the contracted services three months before the then scheduled date of termination of this Agreement. Any contract renewal must be approved by both Consultant and City.

3. Standard of Performance.

The Consultant agrees to provide all required professional services necessary to complete projects under this contract. The Consultant accepts the relationship of trust and confidence established between it and the City by this agreement. The Consultant covenants with the City to furnish its best skill and judgment, and to further the interests of the City at all times through efficient business administration and management. The Consultant shall provide all services in a competent manner. It is understood that some of the services to be rendered hereunder require professional judgment and skill. In all cases, Consultant agrees to adhere to the standards of the applicable profession.

4. Fee

The City shall pay Consultant on the basis of T&M, not to exceed \$650,000.00 without prior written authorization from the City.

5. Payments.

The City agrees to make payments to Consultant as services are performed and costs are incurred, provided Consultant submits two (2) copies of a proper invoice for each payment, in such form and accompanied by such evidence in support thereof as may be reasonably required by the City.

Billing and expense invoices shall be submitted monthly at the end of each month. Invoices shall be accompanied by a monthly activity report detailing work and accomplishments. All invoices are otherwise due and payable within 21 working days of approval by the City.

6. Independent Contractor Status

In performing under this Agreement, Consultant acts as an independent contractor and shall have responsibility for and control over the details and means for performing the services required hereunder.

7. Indemnification.

To the maximum extent permitted by law, Consultant shall defend, indemnify and save harmless City or any agent, employee, or other representative thereof, from and against losses, damages, liabilities, expenses, claims, and demands of whatever nature, including for death, personal injury, property damage or economic loss, to the extent arising out of any negligent act or negligent omission or willful misconduct of Consultant, its agents or employees while performing under the terms of this Agreement.

Where claims, lawsuits or liability arise from wrongful or negligent acts by City and Consultant together or separately, Consultant will not be responsible for the proportion of claims and costs that are attributed to the City's negligence or willful misconduct.

8. Assignment.

Consultant shall not assign this Agreement or any of the monies due or to become due hereunder without the prior written consent of City.

9. Subcontracting

Consultant may not subcontract its performance under this Agreement without prior written consent of City. Any subcontractor must agree to be bound by the terms of this Agreement applicable to the services to be performed by the subcontractor.

10. Designation of Representatives.

The parties agree, for the purposes of this Agreement, that the City shall be represented by and may act only through the City Planner or such other person as they may designate in writing. Consultant shall be represented by and may act only through Shelly Wade or such other person approved by both parties.

11. Termination

Either party may terminate this Agreement, with or without cause, after first giving thirty (30) days written notice.

12. Insurance.

The Consultant shall, at all times, at its own expense, keep in force the following described insurance for protection against the claims of employees or other persons, insuring both the Consultant and the City against liability that may accrue against them or either of them in connection with the performance of Consultant under this Agreement:

- (a) Insurance in at least the required statutory amounts covering claims under workers' compensation, disability benefits and other similar employee benefit acts;
- (b) Commercial general liability insurance covering bodily injury, death, and property damage with a combined single limit of not less than \$2,000,000; and
- (c) Errors and omissions insurance on claims made basis with a limit of liability of not less than \$2,000,000.

13. Insurance Certificate.

All insurance shall be placed with an insurance carrier or carriers satisfactory to the City, shall have deductibles satisfactory to the City, shall not be subject to cancellation or any material change except after thirty (30) days written notice to the City, and shall provide that no failure of Consultant to comply with any condition or provision of this Agreement or other conduct of Consultant or those for whose conduct it is responsible, shall void or otherwise affect the protection under the policy afforded to the City. A Certificate of Insurance reflecting full compliance with these requirements shall, at all times during the term of this Agreement, be kept on deposit at the general offices of the City. If Consultant fails to comply with these insurance requirements, the City may terminate this Agreement on ten (10) days written notice.

All insurance policies or other contract security required in this Agreement except for professional errors and omissions coverage shall allow claims to be filed based upon the time of an occurrence, and shall not provide for a shorter period in which to make claims than that provided the applicable statute of limitations. The coverage required by this Agreement shall cover all claims arising in connection with the performance of the Consultant under this Agreement, whether or not such claim is asserted during the term of this Agreement and even though judicial proceedings may not be commenced until after the expiration of this Agreement.

All insurance policies shall be written as primary policies; shall waive subrogation against City, its agents and employees; shall not be contributing with, or in excess of, any insurance coverage that the City may otherwise carry, and shall name the City as an additional insured. All insurance provided under this Agreement must remain fully available to satisfy

claims arising out of this agreement, notwithstanding any claims that may be filed against that policy

14. Claims Recovery.

Claims by the City resulting from Consultant's failure to comply with the terms of and specifications of this Agreement and/or default hereunder may be recovered by City by withholding the amount of such claims from compensation otherwise due Consultant for work performed or to be performed. City shall notify Consultant of any such failure, default or damage therefrom as soon as practicable after discovery of such event by written notice. Nothing provided herein shall be deemed as constituting an exclusive remedy on behalf of City, nor a waiver of any other rights hereunder at law or in equity.

15. Compliance with Applicable Laws.

Consultant shall, in the performance of this Agreement, comply with all applicable federal, state and local laws, ordinances, orders, rules and regulations applicable to its performance hereunder, including, without limitation, all such legal provisions pertaining to social security, income tax withholding, medical aid, industrial insurance, worker's compensation, and other employee benefit laws. Consultant also agrees to comply with all contract provisions pertaining to grant or other funding assistance which City may choose to utilize to perform work under this Agreement. Services performed under this Agreement shall be in accordance with sound, generally accepted consulting practices and shall comply with all applicable codes and standards.

16. Records and Audit.

Consultant agrees to maintain sufficient and accurate records and books of account, including detailed time records, showing all direct labor hours expended and all closure of all pending matters related to this Agreement. Said books shall be subject to inspection and audit.

17. Notices.

Any official notice that either party hereto desires to give the other shall be delivered through the United States mail by certified mail, return receipt requested, with postage thereon full prepaid and addressed as follows:

To City:

Ryan Foster, AICP
City Planner/City Consultant
Homer Planning Division
491 East Pioneer Avenue
Homer, AK 99603
907-235-3106
rfoster@homer.ci.ak.us

To Consultant:

Shelly Wade
Agnew Beck Consulting
645 G Street, Suite 200
Anchorage, AK 99501
907-222-5424
shelly@agnewbeck.com

18. Venue and Applicable Law.

The laws of Alaska will determine the interpretation, performance and enforcement of this agreement. The venue of any legal action between the parties arising as a result of this Agreement shall exclusively be laid in the Third Judicial District of the Superior Court of the State of Alaska, at Anchorage, Alaska, and this Agreement shall be interpreted in accordance with the laws of the state of Alaska.

19. Attorney's Fees

In the event either party institutes any suit or action to enforce its rights hereunder, the prevailing party shall be entitled to recover from the other party its reasonable attorney's fees and costs in such suit or action and on any appeal therefrom.

20. Ownership of Work Products

The originals of all materials prepared or developed by the Consultant, its agents or representatives hereunder; including documents, drawings, calculations, maps, sketches, notes, reports, data, and models shall become the property of the City. Materials previously created and copyrighted by the Consultant included in a project will remain property of the Consultant. Copies of all work products will be made available to the City upon request. Electronic files of work products shall become the property of both the City and Consultant, for use by either party without consent of the other party.

Should City elect to reuse the Consultant's work products for other than the original project and, or purpose, City will indemnify Consultant against any responsibilities or liabilities arising from reuse. Consultant's professional seals and signatures shall be removed from drawings, plans, specifications, estimates, and other construction documents, and replaced with the seal and signature of the professional consultant, architect, surveyor, landscape architect who has assumed the responsibility for reuse. The Consultant shall not be responsible or be required to provide any documentation, suitability reviews, or verifications for the reuse of work products.

21. Equal Employment Opportunity

The Consultant shall not discriminate against any employee or applicant for employment because of race, religion, color, national origin, or because of age, physical handicap, sex, marital status, change in marital status, pregnancy, or parenthood when the reasonable demands of the position do not require distinction on the basis of age, physical handicap, sex, marital status, change in marital status, pregnancy, or parenthood. The Consultant shall take affirmative action required by law to ensure that applicants are employed and that employees are treated during employment without regard to their race, color, religion, national origin, ancestry, age, or marital status.

22. Waiver.

No failure on the party of either City or Consultant to enforce any covenant or provision herein contained, nor any right hereunder unless in writing and signed by the parties sought to be bound, shall discharge or invalidate such covenants or provisions or affect the right of the City or Consultant to enforce the same or any other provision in the event of any subsequent breach or default.

23. Binding Effect.

The terms, conditions and covenants contained in this Agreement shall apply to, inure to the benefit of, and bind the parties and their respective successors.

24. No Assignment or Delegation.

The Consultant may not assign, subcontract or delegate this agreement, or any part of it, or any right to any of the money to be paid under it without written consent of the City.

25. Independent Contractor

The Consultant shall be an independent contractor in the performance of the work under this agreement, and shall not be an employee or agent of the City.

26. Entire Agreement.

This Agreement constitutes the entire agreement between the parties with respect to the subject matter hereof, and all prior negotiations and understandings are superseded and replaced by this Agreement and shall be of no further force and effect. No modification of this Agreement shall be of any force or effect unless reduced to writing, signed by both parties and expressly made a part of the Agreement.

IN WITNESS WHEREOF, the parties hereto have executed, or caused to be executed by their duly authorized officials, this Agreement on the respective date indicated below.

CITY OF HOMER

By: _____
Rob Dumouchel, City Manager Date

CONSULTANT:

By: _____
Shelly Wade Date

APPENDIX “A”

TASK ORDER #__

This Task Order pertains to an Agreement by and between the City of Homer, (“OWNER”), and Agnew Beck Consulting, (“CONSULTANT”), dated October ____, 2023, (“the AGREEMENT”). Consultant agrees to perform the services described below. This Task Order shall not be binding until it has been properly signed by both parties.

PART 1.0 PROJECT DESCRIPTION

Completion of a two phase project:

Phase I: Deliver a new Comprehensive Plan that guides the future development of the City over the next 20 years and addresses the unique planning challenges of the community, such as limited developable land, a strong demand for housing, and consideration of our unique geographical and topographical conditions.

Phase II: Deliver an updated Title 21 Zoning and Planning Code that will allow the City to realize the vision and goals defined in the Comprehensive Plan with updated processes and development standards. In addition, greater efficiency, clarity, and user friendliness will be built into the zoning code.

PART 2.0 SCOPE OF SERVICES TO BE PERFORMED BY CONSULTANT

Scope of Services

The project consists of furnishing all labor, materials, equipment, tools, supervision, and other facilities necessary to develop a Homer Comprehensive Plan and a Title 21 Zoning and Planning Code Update as a two-phased project in accordance with the standards and criteria of the City of Homer.

Phase I: Comprehensive Plan

The project goals for updating the comprehensive plan are:

1. Create a fully updated Comprehensive Plan, including replacement of the 2018 Comprehensive Plan, 2011 Spit Comprehensive Plan, and the 2006 Town Center Development Plan.
2. Determine the best approaches to the topics of housing, parking, density, form/layout, building height, sustainability, mobility/connectivity, and coordinating with the motorized and non-motorized transportation (the Master Transportation Plan is currently being updated).
3. Identify strategic actions that the City can proactively engage in to ensure the success of the Comprehensive Plan, e.g., site acquisition, infrastructure investment, etc.
4. Provide a vision and guidance for the Phase II update of the Title 21 Zoning and Planning Code.
5. Conduct public and key stakeholder outreach to better inform and guide the Comprehensive Plan.

6. Align the Comprehensive Plan with other City plans such as Master Transportation Plan, Capital Improvement Plan, and City Council Goals.
7. Deliver the Comprehensive Plan to the Planning Commission, Economic Development Commission, and City Council public hearings for recommendation and approval.
8. City staff will provide project support with a project manager, participation/facilitation in outreach events, and information/feedback to consultants.

The development of the Homer Comprehensive Plan will include, but not be limited to, the following tasks:

Task 1. Background Research and Analysis

In Task 1, the consultant will complete a review of all-relevant planning, financial, and development documents that relate to development, planning regulation, and protection of Homer's built and natural environment. Examples of such documents include:

- 2018 Homer Comprehensive Plan Update
- Town Center Development Plan
- Homer Spit Comprehensive Plan
- Community Design Manual
- ADA Transition Plans
- Climate Action Plan
- Long Range Transportation Plan
- 2005 Homer Area Transportation Plan (currently being updated)
- Non-Motorized Transportation and Trails Plan (currently being updated)
- Adopted Water and Sewer Master Plan
- Census and growth projections
- Homer City Code (in particular Title 21 Zoning and Planning Code)
- Capital Improvement Plan/Legislative Requests/State Transportation Improvement Program Requests
- City of Homer Annual Budget
- Beach Policy
- Homer Land Allocation Plan
- 2022 Local Hazard Mitigation Plan
- State of Alaska tourism information
- State of Alaska planning enabling legislation
- Review of KPB planning and platting powers, with city granted planning powers of the city and extraterritorial power over the Bridge Creek Water Protection District ▪ Meeting Coordination
- Facilitation of Meetings
- Open Houses
- Advertisements
- Informational Handouts
- Newsletters and Other Mailings
- On-going Updates

At the completion of Task 1 the consultant should be knowledgeable with the history, social and land use development patterns, culture, environmental opportunities/challenges, development constraints, infrastructure, and fiscal issues facing the City of Homer.

Task 2. Public Participation Process

The design of an effective public participation process is a critical element for the successful completion of the Homer Comprehensive Plan and Title 21, Zoning and Planning Code Updates. The consultant shall design and implement a public participation process that ensures members of the public are actively involved in the planning effort, including creation of a steering committee to aid in the guidance in developing the comprehensive plan. The consultant should identify methods that do not require long standing commitments of time by members of the public yet provide for meaningful input. The use of charrettes/workshops, open houses, work sessions, online web pages/surveys, focus groups, and study circles or other suitable methods is encouraged. The consultant will work with City staff throughout the public participation process, to provide:

The proposal shall identify the Public Participation Team that will be responsible for the production, publication, and distribution of informational materials and mailings. The Proposal shall include a Public Participation Matrix, which identifies the expected points of engagement with the public, identifying the recommended roles for City staff, community stakeholders, and the consultant personnel.

Task 3. Site Analysis and Identification of Issues and Concerns

Task 3 utilizes information from the background research, site visits, and constraints mapping to analyze, and create maps and analysis illustrating the City's existing conditions. The mapping and analysis shall include:

- Brief Study Area Overview
- Key Demographic Considerations (summary of existing demographic information such as population, employment, housing, and projections)
- Existing Land Use(s)
- Existing Zoning
- Land Use and Community Design (including density, layout, and form)
- Housing
- Mobility and Transportation Network including parking
- Infrastructure (Gray and Green)
- Sustainability
- Environmental Issues/Hazards/Constraints including Flood Regulations
- Public Facilities and Services
- Recreation Facilities
- Economic Development/Opportunities
- Local Government Boundaries
- Slope Hazard Analysis

Key issues, concerns, and constraints shall be identified.

Task 4. Preparation of Goals, Objectives, and Recommendations

Based upon the information obtained in the previous tasks, the consultant shall collaborate with the community to develop goals, objectives, and recommendations.

Task 5. Development or re-development strategies

In addition, the consultant shall prepare an overall development and/or redevelopment strategy and more specific policies for the use of the land – utilization of city owned land, land acquisition and/or disposal strategies, infrastructure improvements, commercial areas, public open space, and facilities.

Task 6. Preparation of Future Growth and Development Alternatives

The consultant shall review projections of future population and economic growth and the resulting impact on land use and development patterns. Alternatives will include evaluation and discussion of future development, redevelopment, conservation practices, and impacts on public infrastructure.

The alternatives shall be described in both a narrative and graphic/mapping manner. The purpose of these alternatives is to allow the public to become more aware of the impacts of future growth in Homer and to assist in developing goals, objectives, and recommendations. The identification of the most preferred development scenario is part of this task.

Task 7. Recommendations for Implementation

Task 7 shall consist of preparing recommendations for achieving the goals, objectives, and recommendations of the Comprehensive Plan Update. Standard implementation techniques such as zoning and subdivision regulation changes should be considered, as well as other techniques such as growth management, impact fees, encouraging walkable development centers or nodes, etc. In addition, this task shall result in the following:

- A timeframe for identified actions.
- A table allocating responsibilities for actions among the various governmental agencies and where applicable, not-for-profit organizations having interests in conducting the programs.
- A schedule of proposed Capital Improvement Projects.
- A general description of any land use development regulations or incentives that may be adopted by the City to achieve the goals, policies, and guidelines set forth in the plan.
- A description of other procedures that the City may use in monitoring and evaluating the implementation of the plan.
- A statement describing proposed programs of public services or changes in existing programs to include estimates of the needed increase in personnel, equipment, supplies, and related matters.
- The proposed development criteria to be incorporated into any recommended or existing land development regulations.
- Identification of potential funding sources for projects or other issues identified during the planning process.
- A description of measures to be implemented to promote economic, social, and environmental sustainability.

Task 8: Presentations

The consultant will be required to undertake a series of presentations at various stages of the planning effort to the Planning Commission and City Council. The purpose of these presentations is to provide information and obtain feedback. The consultant is also expected to present the plan when formally reviewed and considered by the Planning Commission and City Council. Presentations to other boards and commissions, such as the Economic Development Advisory Commission; Parks, Art, Recreation, and Culture Advisory Commission; and Port and Harbor Commission may be warranted. A minimum of six presentations should be included with the possibility of more to be negotiated.

Task 9: Final Plan

Draft a final Comprehensive Plan based on findings from Tasks 1-8 working closely with City staff and providing an opportunity for public review and comments on draft version(s).

Project Schedule

The proposal should include a schedule of major milestones for a one-year project for Phase I. The City anticipates the schedule should include, but not be limited to, the following stages:

Project Start-Up

- Task 1 – Data Collection, Background Research and Analysis
- Task 2 – Public Participation Process
- Task 3 – Site Analysis and Identification of Issues and Concerns
- Task 4 – Preparation of Goals, Objectives, and Recommendations
- Task 5 – Development or re-development strategies
- Task 6 – Preparation of Future Growth and Development Alternatives
- Task 7 – Recommendations for Implementation
- Task 8 – Presentations
- Task 9 – Final Plan

Deliverables

All documents, reports, studies, illustrations, and maps are to be produced in a digital and PDF format. Information will be transferred to the City electronically and 25 hard copies will also be provided. All deliverables will be considered Works for Hire; that is, owned by the City of Homer upon payment of consultant's invoices.

Website with hyperlinks (maintained through the end of the consultant's contract)

Draft and Final Documents:

- Submissions include 35%, 65%, 95%, and Final
- Formatted for an 8 1/2" x 11" Document with 3-ring binder
- Provide all electronic files used in the creation of the report and illustrations such as GIS Shapefiles, Word files, PDFs, PowerPoint, InDesign, Illustrator, Sketchup, etc.
- Publish Code online
- Monthly meeting and status reports

Maps in Documents should meet the following specifications:

- ESRI GIS Mapping Products 1. ESRI Shapefile Format and any associated ArcGIS/ArcMap project files .mxd). An Adobe PDF file is required of any GIS map product.
- All GIS data should be geo-referenced to NAD27, Alaska State Plane Zone 4
- Color 11” x 17”, folded (maximum size for inclusion in a bound document)

Phase II: Title 21 Zoning & Planning Code Update

The project goals for updating the Title 21 Zoning and Planning code are:

1. Modernize the code by bringing the standards up to date by applying measures that reflect contemporary best practices, land use trends, and market demands, while improving efficiency and user friendliness into the code.
2. Identify best code format and create a new code that enables development to take place as a mixture of uses, rather than large areas of single land use or Greenfield development.
3. Align with and implement the vision of the Comprehensive Plan.
4. Conduct all public and key stakeholder outreach to better inform and guide the updated Title 21 Zoning and Planning Code.
5. Align the updated Title 21 Zoning and Planning Code to support implementation of related City plans such as Transportation Master Plan, Stormwater, and Water/Sewer Plan.
6. Present the updated Title 21 Zoning and Planning Code to the Planning Commission and City Council public hearings for recommendation and approval.
7. City staff will provide project support with a project manager, participation/facilitation in outreach events, and information/feedback to consultants.

The development of the Title 21 Zoning and Planning Code should include, but not be limited to, the following tasks:

Task 1. Data Collection, Background Research and Analysis

Conduct analysis utilizing existing maps for future development and/or potential infill and utilizing feedback from City staff along with constraints mapping. Existing conditions analysis and mapping should include the following (much of this task can utilize information developed in Phase I of the project):

- Key Demographic Considerations (summary of existing demographic information such as population, employment, housing, and projections)
- Existing Land Use(s)
- Existing Zoning
- Mobility and Transportation Network
- Infrastructure
- Environmental Conditions/Constraints

Task 2. Technical Review of Existing Code and Recommendations

Conduct a technical review to evaluate the strengths and limitations of the current Title 21 Zoning and Planning Code and make preliminary recommendations for updating and making the document consistent with overall City policies, including the goals of the Comprehensive Plan. Provide a review based on discussions with and feedback received from code administrators and

code users including City staff, design professionals, and the local development community. The Project Team should also draw from its planning experience with other communities and knowledge of land use regulatory tools. The review should evaluate the suitability of the existing Zoning and Planning Code by determining deficiencies and inadequate elements that may create inconsistent interpretations. Submit a diagnostic report that also identifies the steps required to make the Zoning and Planning Code consistent with existing practices in the City, as well as national best practices.

Task 3. Public Participation Process

Provides for public/stakeholder participation to create the overall guiding vision for the new Zoning Code; including the creation of a steering committee to aid in the guidance of developing the zoning code update. This shall include providing for a public review of the draft code, as well as a public hearing process at the Planning Commission and City Council.

Task 4. Preparation of Vision, Values, Goals, Objectives, and Recommendation for Code Type

Recommend the best code format and draft a new code that enables the vision and goals of the Comprehensive Plan to be implemented, while considering alignment with other City plans and goals.

Modernize the code by bringing the standards up to date by applying measures that reflect contemporary best practices, land use trends, and market demands, while improving efficiency and user friendliness into the code. Consider future development to take place as a mixture of uses, rather than large areas of single land use or Greenfield development.

Task 5. Draft Code

Draft a new code based on findings from Tasks 1-4 working closely with City staff and providing an opportunity for public review and comments of draft version(s). Provide how the draft code will be reviewed by legal experts.

Task 6. Presentations

The consultant is required to undertake a series of presentations at various stages of the planning effort to the Planning Commission and City Council. The purpose of these presentations is to provide information and obtain feedback. The consultant is also expected to present the code when formally reviewed and considered by the Planning Commission and City Council. Presentations to other boards and commissions, such as the Economic Development Advisory Commission; Parks, Art, Recreation, and Culture Advisory Commission; ADA Advisory Board and Port and Harbor Commission may be warranted. A minimum of four presentations should be included (identifying whether they are in-person or virtual) with the possibility of more to be negotiated.

Task 7. Final Code

Draft a final Zoning and Planning Code based on findings from Tasks 1-6, working closely with City staff and providing an opportunity for public review and comments of draft version(s).

Project Schedule

The proposal should include a schedule of major milestones for a 1-year project for Phase II. The City anticipates the schedule should include, but not limited to, the following stages:

- Project Start-Up
- Task 1 – Data Collection, Background Research and Analysis
- Task 2 – Technical Review of Existing Code and Recommendations
- Task 3 – Public Participation Process
- Task 4 – Preparation of Vision, Values, Goals, Objectives, and Recommendation for Code Type
- Task 5 – Draft Code
- Task 6 - Presentations
- Task 7 – Final Code

PART 3.0 OWNER’S RESPONSIBILITIES

Completion of all tasks outlined in the scope of work, public outreach coordination and facilitation, presentations, and delivery of the final documents.

PART 4.0 DELIVERABLES AND TIME PERIOD

Deliverables

All documents, reports, studies, illustrations, and maps are to be produced in a digital and PDF format. Information will be transferred to the City electronically and 25 hard copies will also be provided. All work products will be considered Works for Hire; that is, owned by the City of Homer once the consultant’s invoices are paid.

Website with hyperlinks (maintained through the end of the consultant’s contract)

Draft and Final Documents:

- Submissions include 35%, 65%, 95%, and Final
- Formatted for an 8 1/2” x 11” Document with 3-ring binder
- Provide all electronic files used in the creation of the report and illustrations such as GIS Shapefiles, Word files, PDFs, PowerPoint, InDesign, Illustrator, Sketchup, etc.
- Publish Code online
- Monthly meeting and status reports

Maps in Documents should meet the following specifications:

- ESRI GIS Mapping Products 1. ESRI Shapefile Format and any associated ArcGIS/ArcMap project files .mxd). An Adobe PDF file is required of any GIS map product.
- All GIS data should be geo-referenced to NAD27, Alaska State Plane Zone 4
- Color 11” x 17”, folded (maximum size for inclusion in a bound document)

PART 5.0 PAYMENTS TO CONSULTANT

Payment shall be on the basis of T&M, not to exceed \$650,000.00 without prior written authorization from the City.

For City of Homer

Signature:

Robert Dumouchel, City Manager Date

For Consultant

Signature:

Shelly Wade Date

DRAFT

2023

2024

Oct

Nov

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Jan

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May

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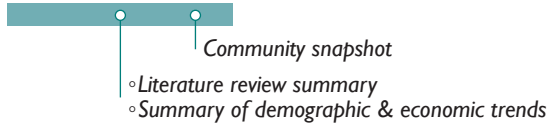
Sep

PHASE I TASKS

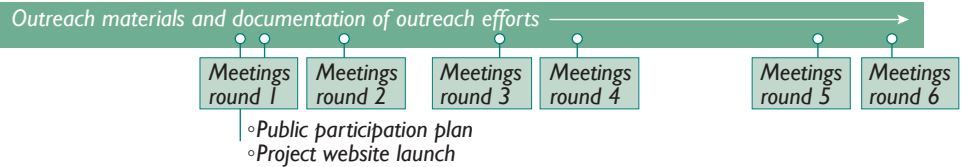
0: Project Start-up and Ongoing Project Management



1: Background Research and Analysis



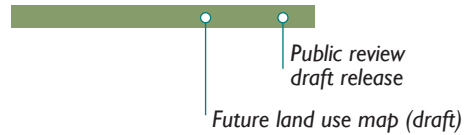
2: Public Participation Process



3: Site Analysis and Identification of Issues and Concerns



4: Preparation of Goals, Objectives, and Recommendations



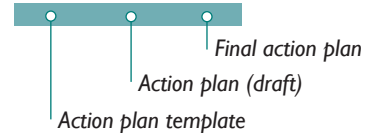
5: Development or Re-development Strategies



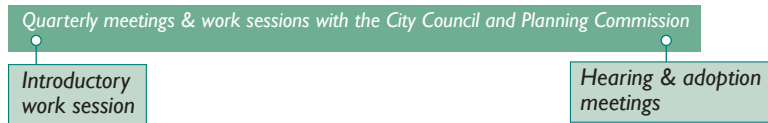
6: Preparation of Future Growth and Development Alternatives



7: Recommendations for Implementation

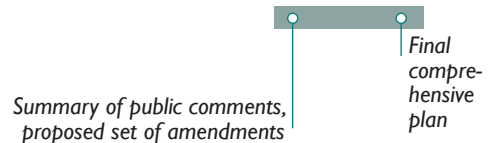


8: Presentations



9: Final Plan

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2024

2025

Oct

Nov

Dec

Jan

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Apr

May

Jun

Jul

Aug

Sep

PHASE II TASKS

1: Data Collection, Background Research and Analysis

Ongoing Project Management

Kickoff meeting

Summary of key findings & emerging recommendations

2: Technical Review of Existing Code and Recommendations (Code Audit)

Code audit

Diagnostic report

3: Public Participation Process

Outreach materials and documentation of outreach efforts

Public participation plan

4: Preparation of Vision, Values, Goals, Objectives, and Recommendations for Code

Summary of revised code format & regulatory topics

5: Draft Code

Internal draft of Title 21

Public review draft of Title 21

6: Presentations

Quarterly meetings & work sessions with Planning Commission & other boards, commissions

Final code presentations to the Planning Commission & City Council

7: Final Code

Summary of public comments, proposed amendments

Final code & zoning map for adoption, final transfer of all files

**CITY OF HOMER
HOMER, ALASKA**

City Manager

RESOLUTION 23-119

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA APPROVING A CONTRACT WITH AGNEW BECK CONSULTING OF ANCHORAGE, ALASKA, FOR AN AMOUNT NOT TO EXCEED \$650,000 FOR THE PURPOSE OF DEVELOPING A NEW COMPREHENSIVE PLAN AND A COMPLETE UPDATE OF THE TITLE 21 ZONING AND PLANNING CODE AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE THE APPROPRIATE DOCUMENTS.

WHEREAS, At the October 10, 2022, City Council Meeting, staff provided a memorandum recommending a two-stage process, a Request for Qualifications and a Request for Proposals, for soliciting professional planning services to develop a new Comprehensive Plan and a complete update of the Title 21 Zoning and Planning Code; and

WHEREAS, The Request for Qualifications was advertised in the Homer News October 27, 2022 and November 3, 2022, and sent to two plans rooms in the state and three plans rooms out of state, and posted on the city website; and

WHEREAS, Qualifications were due by 4:30 p.m. Friday December 9, 2022 and four statements of qualifications were received by the City Clerk's Office; and

WHEREAS, A committee reviewed statements of qualifications on December 13, 2022, selecting three of the four firms for the second stage Request for Proposals process; and

WHEREAS, Proposals were due by 4:30 p.m. Friday January 20, 2023 and three proposals were received by the City Clerk's Office; and

WHEREAS, A committee reviewed proposals on February 1, 2023, selecting the firm of Agnew Beck Consulting of Anchorage, Alaska as the most responsive fitting the requirements of the City; and

WHEREAS, Resolution 23-017 was approved at the February 27, 2023 Council meeting; and

WHEREAS, Resolution 23-017 for the contract award was vetoed by Mayor Castner; and

WHEREAS, Ordinance 23-11 reduced the project budget from \$650,000 to \$250,000; and

44 WHEREAS, The City of Homer Biennial FY24/25 Capital Budget included \$400,000 for the
45 Comprehensive Plan update; and

46
47 WHEREAS, The project scope of work needs to clarify that the comprehensive plan
48 components to update include the 2018 Comprehensive Plan, 2011 Spit Comprehensive Plan,
49 2006 Town Center Development Plan; and

50
51 WHEREAS, The project scope of work needs to establish deliverables and review time
52 built into the entire process including a 35%, 65%, 95%, and final deliverable for both the
53 Comprehensive Plan and Title 21 Zoning and Planning Code; and

54
55 WHEREAS, The project scope of work needs to create a steering committee to aid in the
56 guidance of developing the comprehensive plan and zoning code update; and

57
58 WHEREAS, This award is not final until notice is received by Agnew Beck Consulting
59 from the City of Homer.

60
61 NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, hereby
62 awards the contract for developing a new Comprehensive Plan and a complete update of the
63 Title 21 Zoning and Planning Code to Agnew Beck of Anchorage, Alaska in an amount not to
64 exceed \$650,000 and authorizes the City Manager to negotiate and execute the appropriate
65 documents.

66
67 PASSED AND ADOPTED by the Homer City Council this 23rd day of October, 2023.

68
69 CITY OF HOMER
70
71 _____
72 KEN CASTNER, MAYOR

73 ATTEST:
74
75 _____
76 MELISSA JACOBSEN, MMC, CITY CLERK

77
78 Fiscal note: Ordinance 23-11 appropriates \$250,000, Ordinance 23-23 appropriates \$400,000

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

3 Lord/Erickson/Mayor

4 **RESOLUTION 23-120**

5
6 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA
7 PROVIDING DETAIL AND DIRECTION FOR WORKING WITH STAFF
8 TO UPDATE FINANCIAL REPORTING TO THE COUNCIL AND
9 DEVELOP A FINANCIAL PLAN FOR THE CITY.

10
11 WHEREAS, During the Council’s 2021 strategic planning session, the concept of a
12 “financial plan” was put at the top of the list of priorities, highlighting that a solid financial
13 understanding and sideboards are paramount to responsible decision-making; and
14

15 WHEREAS, Homer City Code 3.05.12 lays out the requirement for the City to have a
16 Complete financial plan which is defined as the budget: “The budget shall provide a complete
17 financial plan of all City funds and activities for the next two fiscal years.” ; and
18

19 WHEREAS, The City of Homer is organized as a municipality with a manager acting as
20 the chief administrative officer, (AS 29.20.460); and
21

22 WHEREAS, As the chief administrator the manager shall make monthly financial reports
23 and other reports on municipal finances and operations as required by the governing body,
24 (AS 29.20.500); and
25

26 WHEREAS, Improving the consistency and timeliness of our monthly reporting is the
27 Council's current priority; and
28

29 WHEREAS, The Mayor and Council have identified additional areas that need to be
30 better understood and communicated pertaining to the City’s finances to ensure transparency
31 and prudent decision-making by the Council; and
32

33 WHEREAS, A “financial plan” for the purposes of these activities will be a report which
34 outlines guidelines and expectations about: the budget document, monthly & quarterly
35 financial reporting, Fund-specific financial policies, Citywide CARMA planning, procurement,
36 and audit expectations; and
37

38 WHEREAS, We encourage open and respectful dialogue, questions from the public, and
39 a problem-solving perspective as we work through these topics.
40

41 NOW, THEREFORE, BE IT RESOLVED that the Homer City Council establishes a financial
42 plan workgroup with two members of Council, staff, and the Mayor to develop a draft plan for
43 the Council’s review by February 2024 which includes:

- 44 ● A defined and agreed upon system, with approved templates, of regular financial
45 reporting to the Council (i.e. monthly balance sheet for specified funds, budget to
46 actuals, etc.)
- 47 ● Using the Utility Fund as an example, complete financial policies for the General Fund
48 and Enterprise Fund. We direct the Port and Harbor Commission to begin working with
49 staff on a Financial Policy for the Enterprise Fund. This should include how we budget
50 for projects that we don’t anticipate during the budgeting process (reserve accounts!),
51 how different funds are used and minimum/maximum amounts to target within those
52 funds, how we fund large capital projects, etc.
- 53 ● Citywide CARMA planning, in line with what Public Works has done for the Fleet, Roads,
54 and Utility, exploring the potential of moving back to subaccounts within General
55 CARMA to better track funding.
- 56 ● A review of the audit process, an established goal for audit timeline, and our current
57 audit contracts with recommendations for when we are off-target of our goals.
- 58 ● An update to the City’s Procurement Policy.

59
60 BE IT FURTHER RESOLVED that the City will do a full review of Homer City Code Title 3
61 in 2024 following Council review, feedback, and approval of the financial plan outlined above.

62
63 PASSED AND ADOPTED by the Homer City Council this 23rd day of October, 2023.

64
65 CITY OF HOMER

66
67 _____
68 KEN CASTNER, MAYOR

69 ATTEST:

70
71 _____
72 MELISSA JACOBSEN, MMC, CITY CLERK

73
74 Fiscal note: N/A