



Agenda

City Council Regular Meeting

Monday, February 24, 2025 at 6:00 PM

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

Homer City Hall

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

Zoom Webinar ID: 205 093 973 Password: 610853

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

CALL TO ORDER, PLEDGE OF ALLEGIANCE

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

MAYORAL PROCLAMATIONS AND RECOGNITIONS

PUBLIC COMMENT ON MATTERS ALREADY ON THE AGENDA

RECONSIDERATION

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

- a. Homer City Council Unapproved Special Meeting Minutes of January 27, 2025 and February 10, 2025 and Regular Meeting Minutes of February 10, 2025. City Clerk. Recommend adoption.
- b. Memorandum CC-25-060 from Mayor re: Re-Appointment of Robert Archibald to the Prince William Sound Regional Citizens Advisory Council (PWSRCAC). Recommend approval.
- c. Memorandum CC-25-061 from City Clerk re: Alcohol License Renewals for Water Rudders and Fresh Catch Cafe. Recommend approval.
- d. Memorandum CC-25-062 from Mayor re: Re-Appointment of Karin Marks to the Kenai Peninsula Economic Development District. Recommend approval.
- e. Ordinance 25-17, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating an FY24 Transportation Program Grant in the Amount of \$1,100,000 from the Denali Commission for the Purpose of Completing Design and Permitting for Homer Harbor Critical Float System Replacement Project. City Manager/Port Director. Introduction February 24, 2025 Public Hearing and Second Reading March 10, 2025.

Memorandum CC-25-063 from Port Director as backup

- f. Ordinance 25-18, An Ordinance of the City Council of Homer, Alaska, Amending the FY25 Capital Budget by Appropriating an Additional \$17,000 from the Water Capital Asset Repair and Maintenance Allowance (CARMA) Fund to Purchase One Membrane Filter Module for the Water Treatment Plant. City Manager/Public Works Director. Introduction February 24, 2025 Public Hearing and Second Reading March 10, 2025.

Memorandum CC-25-064 from Public Works Director as backup

- g. Ordinance 25-19, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Chapter 5.16 Public Nuisance Abatement, to Direct Appeals to the Office of Administrative Hearings or a Hearing Officer Appointed by the City Manager. City Manager. Introduction February 24, 2025 Public Hearing and Second Reading March 10, 2025.

Memorandum CC-25-065 from Community Development Director as backup

- h. Ordinance 25-20, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.16 Residential Office District, 21.24 General Commercial 1 District, and 21.26 General Commercial 2 District, Adding Studio as a Permitted Use in Each District. Planning Commission.

Memorandum CC-25-066 from City Planner as backup

- i. Ordinance 25-21, An Ordinance of the City Council of Homer, Alaska, Amending the FY25 Capital Budget by Appropriating \$300,000 from the Water Capital Asset Repair Maintenance Allowance (CARMA) Fund for the Replacement of the Water Main on Ohlson Lane and Bunnell Avenue. City Manager/Public Works Director. Introduction February 24, 2025 Public Hearing and Second Reading March 10, 2025.

Memorandum CC-25-067 from Public Works Director as backup

- j. Ordinance 25-22, An Ordinance of the City Council of Homer, Alaska, Amending the FY25 Capital Budget by Authorizing an Expenditure of \$10,000 from the Sister City 40th Anniversary Fund to Create the Sister City Program of Homer Field of Interest Fund with the Homer Foundation. Venuti. Introduction February 24, 2025 Public Hearing and Second Reading March 10, 2025.

Memorandum CC-25-068 from Sister City Coordinator as backup

- k. Ordinance 25-23, An Ordinance of the City Council of Homer, Alaska, Amending the FY25 Capital Budget by Accepting and Appropriating a Grant from the Homer Foundation Youth Advisory Committee in the Amount of \$3,500 for Community Recreation Activities. City Manager/Recreation Manager. Introduction February 24, 2025 Public Hearing and Second Reading March 10, 2025

Memorandum CC-25-069 from Recreation Manager as backup

- l. Resolution 25-015, A Resolution of the City Council of Homer, Alaska, Awarding a Contract to Structured Communication Systems, Inc. of Anchorage, Alaska in the Amount of \$24,000 for

the Development of a City of Homer Cybersecurity Plan and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Chief Technology Officer.

- [m.](#) Resolution 25-016, A Resolution of the City Council of Homer, Alaska, Petitioning the Alaska State Alcoholic Beverage Control Board to Issue Ten Additional Restaurant or Eating Place Licenses within the City of Homer as Authorized by Alaska Statute 04.11405. Davis/Venuti.

Memorandum CC-25-070 from Community Development Director as backup

- [n.](#) Resolution 25-017, A Resolution of the City Council of Homer, Alaska, Approving an Amendment to the City's Sublease with New Pacific Airlines, Inc. DBA Ravn Alaska and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager.

Memorandum CC-25-071 from Port Director/Airport Terminal Manager as backup

- [o.](#) Resolution 25-018, A Resolution of the City Council of Homer, Alaska, Amending Task Order 22-02, Owners Representative Services Contract with HDR Engineering for the New Large Vessel Harbor Project. City Manager/Port Director.

Memorandum CC-25-072 from Port Director as backup

- [p.](#) Resolution 25-019, A Resolution of the City Council of Homer, Alaska, Awarding a Contract for Fish Grinding Facility Operations to The Alaskan Fish Factory and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Port Director.

Memorandum CC-25-073 from Port Director 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. Planning Commission
- f. Americans with Disabilities Act Advisory Board
- g. Library Advisory Board
- h. Parks Art Recreation and Culture Advisory Commission
- i. Lunch with A Councilmember Report - Councilmember Venuti
- j. AML Winter Conference Report

PUBLIC HEARING(S)

- a. Ordinance 25-12, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Chapter 1.04, General Provisions to Create a Hearing Officer Appointment Procedure. City Manager. Introduction February 10, 2025 Public Hearing and Second Reading February 24, 2025

Memorandum CC-25-074 from Acting City Manager as backup

Memorandum CC-25-044 from Community Development Director as backup

- b. Ordinance 25-11, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Chapter 21.90 Administration and Enforcement to Direct Appeals to the Office of Administrative Hearings or a Hearing Officer Appointed by the City Manager. City Manager. Introduction February 10, 2025 Public Hearing and Second Reading February 24, 2025.

Ordinance 25-11(S), An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Chapter 21.90 Administration and Enforcement to Direct Appeals to the Office of Administrative Hearings or a Hearing Officer Appointed by the City Manager. City Manager.

Memorandum CC-25-075 from Acting City Manager as backup

Memorandum CC-25-043 from Community Development Director as backup

- c. Ordinance 25-13, An Ordinance of the City Council of Homer, Alaska, Adopting Revisions to the Port of Homer Terminal Tariff No. 1, Rule 5 Section 5.05 regarding Liability Insurance Requirements for Recreational Vessels. City Manager/Port Director. Introduction February 10, 2025 Public Hearing and Second Reading February 24, 2025.

Memorandum CC-25-045 from Port Director as backup

- d. Ordinance 25-14, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating the Hazard Mitigation Grant 4413-001 Amendment #2 from the Alaska Division of Homeland Security & Emergency Management, which Adds Funds in the Amount of \$120,300 to Procure and Construct a Fiber Optic Line as Part of the Raw Water Transmission Main Replacement Project and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Public Works Director. Introduction February 10, 2025 Public Hearing and Second Reading February 24, 2025.

Memorandum CC-25-046 from Public Works Director as backup

- e. Ordinance 25-15, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a Grant from the Homer Foundation Youth Advisory Committee in the Amount of \$1,000 for the Homer Public Library. City Manager/Library Director. Introduction February 10, 2025 Public Hearing and Second Reading February 24, 2025.

Memorandum CC-25-047 from Library Director as backup

- [f.](#) Ordinance 25-16, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2025 Capital Budget by Appropriating \$22,000 from the Port Reserves Fund to Install Electricity to the Camera Poles at Ramps One Through Five. City Manager/Port Director. Introduction February 10, 2025 Public Hearing and Second Reading February 24, 2025.

Memorandum CC-25-048 from Port Director as backup

ORDINANCE(S)

CITY MANAGER'S REPORT

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

- [b.](#) Financial Report

Monthly FY25 YTD Report

PENDING BUSINESS

NEW BUSINESS

RESOLUTIONS

COMMENTS OF THE AUDIENCE

COMMENTS OF THE CITY ATTORNEY

COMMENTS OF THE CITY CLERK

COMMENTS OF THE CITY MANAGER

COMMENTS OF THE MAYOR

COMMENTS OF THE CITY COUNCIL

ADJOURNMENT

The next Regular Meeting is Monday, March 10, 2025 at 6:00 p.m., Committee of the Whole at 5:00 p.m. A worksession is scheduled for 4:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

Session 25-04 a Special Meeting of the City Council of Homer, Alaska was called to order on Monday, January 27, 2025 by Mayor Lord at 3:30 p.m. at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

PRESENT: COUNCILMEMBERS ERICKSON, HANSEN, ADERHOLD, VENUTI, PARSONS

ABSENT: COUNCILMEMBER DAVIS (EXCUSED)

STAFF: CITY MANAGER JACOBSEN
CITY CLERK KRAUSE
CHIEF TECHNOLOGY OFFICER JIRSA
HR DIRECTOR BROWNING

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

ADERHOLD/VENUTI MOVE TO APPROVE THE AGENDA.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PUBLIC COMMENT ON MATTERS ALREADY ON THE AGENDA

There was no public present.

NEW BUSINESS

- a. Memorandum CC-25-023 from City Clerk re: Request for Executive Session Pursuant to AS 44.62.310 (A-C)(2) Subjects that Tend to Prejudice the Reputation and Character of any Person, Provided the Person May Request a Public discussion (City Manager Jacobsen Six-Month Performance Evaluation)

Mayor Lord introduced the item by reading of the title and requested a motion and second.

ADERHOLD/VENUTI MOVED TO ADJOURN TO EXECUTIVE SESSION PURSUANT TO AS 44.62.310 (A-C)(2) SUBJECTS THAT TEND TO PREJUDICE THE REPUTATION AND CHARACTER OF ANY PERSON PROVIDED THAT THE PERSON MAY REQUEST A PUBLIC DISCUSSION. CITY MANAGER'S 6 MONTH PERFORMANCE EVALUATION.

There was no discussion and a roll call vote was requested.

VOTE. YES. ADERHOLD, HANSEN, ERICKSON, PARSONS, VENUTI

Motion carried.

Mayor Lord adjourned the meeting to executive session at 3:40 p.m. The meeting was reconvened at 4:40 p.m.

COMMENTS OF THE AUDIENCE

There was no public present.

ADJOURNMENT

Mayor Lord adjourned the meeting at 4:43 p.m., announcing the next meeting of the Committee of the Whole at 5:00 p.m. with the Regular Meeting at 6:00 p.m., All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

RENEE KRAUSE, MMC, CITY CLERK

APPROVED: _____

Session 25-05 a Special Meeting of the City Council of Homer, Alaska was called to order on Monday, February 10, 2025 by Mayor Pro Tem Aderhold at 3:30 p.m. at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

PRESENT: COUNCILMEMBERS ERICKSON, HANSEN, ADERHOLD, VENUTI, PARSONS, DAVIS

ABSENT: COUNCILMEMBER LORD (EXCUSED)

STAFF: CITY MANAGER JACOBSEN
CITY CLERK KRAUSE
PORT DIRECTOR HAWKINS
CITY ATTORNEY GATTI
CITY ATTORNEY MCMAHON

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

ERICKSON/VENUTI MOVE TO APPROVE THE AGENDA.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PUBLIC COMMENT ON MATTERS ALREADY ON THE AGENDA

There was no public present.

NEW BUSINESS

- a. Memorandum CC-25-058 from City Clerk re: Request for Executive Session Pursuant to AS 44.62.310 (A-C)(1,4) Matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity and which by law, municipal charter or ordinance are required to be confidential, (Potential Litigation Airport Lease Termination)

Mayor Pro Tem Aderhold introduced the item by reading of the title and requested a motion and second.

ERICKSON/VENUTI MOVED TO ADJOURN TO EXECUTIVE SESSION PURSUANT TO AS 44.62.310 (A-C)(2) SUBJECTS THAT TEND TO PREJUDICE THE REPUTATION AND CHARACTER OF ANY PERSON PROVIDED THAT THE PERSON MAY REQUEST A PUBLIC DISCUSSION. CITY MANAGER'S 6 MONTH PERFORMANCE EVALUATION.

There was no discussion and a roll call vote was requested.

VOTE. YES. DAVIS, HANSEN, ERICKSON, PARSONS, VENUTI, ADERHOLD

Motion carried.

Mayor Pro Tem Aderhold adjourned the meeting to executive session at 3:36 p.m. The meeting was reconvened at 4:03 p.m.

COMMENTS OF THE AUDIENCE

There was no public present.

ADJOURNMENT

Mayor Pro Tem Aderhold adjourned the meeting at 4:05 p.m., announcing the next meeting of the Worksession would commence immediately. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

RENEE KRAUSE, MMC, CITY CLERK

APPROVED: _____

Session 25-04 a Regular Meeting of the City Council of Homer, Alaska was called to order on Monday, February 10, 2025 by Mayor Pro Tem Aderhold 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. City Council held a Special Meeting at 3:30 p.m. to consider potential litigation of an airport lease termination and were presented the Draft Comprehensive Plan by Agnew::Beck at the Committee of the Whole meeting at 5:00 p.m.

PRESENT: COUNCILMEMBERS ERICKSON, HANSEN, ADERHOLD, VENUTI, PARSONS, DAVIS

ABSENT: MAYOR LORD (EXCUSED)

STAFF: CITY MANAGER JACOBSEN
CITY CLERK KRAUSE
PORT DIRECTOR HAWKINS
CHIEF TECHNOLOGY OFFICER JIRSA
COMMUNITY DEVELOPMENT MANAGER ENGBRETSSEN
PUBLIC WORKS DIRECTOR KORT
FINANCE DIRECTOR FISCHER
SPECIAL PROJECTS AND COMMUNICATIONS COORDINATOR CARROLL
HR DIRECTOR BROWNING
CITY PLANNER FOSTER
RECREATION MANAGER ILLG
CITY ATTORNEY GATTI
POLICE CHIEF ROBL
LIBRARY DIRECTOR BERRY

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

Due to the City Clerk omitting the Supplemental items listing for Mayor Pro Tem Aderhold to read into the record, Ms. Krause read the items into the record for City Council: **CONSENT AGENDA** Item e. Resolution 25-006, Approving a Lease Assignment from Eagle Eye Charters, LLC DBA Bob's Trophy Charters to The Dragging Anchor, LLC Memorandum CC-25-037 from Deputy City Clerk as backup. Item f. Resolution 25-007, Stating the City's Intention to Formally Partner with the State of Alaska Department of Transportation and Public Facilities in Local Sponsorship of a US Army Corps of Engineers General Investigation to Address Homer Spit Coastal Erosion a corrected Resolution 25-007 fixing typographical error on Line 95 (Missing zero). **PUBLIC HEARINGS** Item a. Ordinance 25-01, Amending the Homer City Zoning Map to Rezone a Portion of the Rural Residential (RR) Zoning District to General Commercial 1 (GC1) Zoning District. Public Comments Received. Item b. Ordinance 25-02, Appropriating \$135,000 for the Purchase of Twenty Acres located North of Karen Hornaday Hillside Park a corrected Financial Supplement identifying the correct fund and public comment received. **ORDINANCES** Item a. Ordinance 25-08, Amending Homer City Code to Add Chapter 2.30 Entitled Incident Management Planning. Memorandum CC-25-036 from Councilmember Erickson as backup. **NEW BUSINESS** b. Memorandum CC-25-028 from City Clerk re: Vacation of a Portion of B Street Right of Way Public Comment Received and requested a motion and second.

Mayor Pro Tem Aderhold requested a motion.

ERICKSON/VENUTI MOVE TO APPROVE 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

Mayor Pro Tem Aderhold invited the public to provide comment on any subject on the agenda except those ordinances for public hearing:

- Ordinance 25-07, Appropriating \$67,480.81 from the HAWSP Fund for the Purpose of Reimbursing Seven Property Owners in the Bunnell Ave/Charles Way Special Assessment District for the Cost of E-One Lift Stations
- Ordinance 25-08, Amending Homer City Code to Add Chapter 2.30 Entitled Incident Management Planning;
- Ordinance 25-09, Appropriating \$50,000 from Port Reserves Fund for the Purpose of Obtaining Professional Grant Writing Services on a Grant Application to Replace Float Systems 4 and 1 in the Small Boat Harbor;
- Ordinance 25-10, Reappropriating \$40,000 from the Workstation Upgrade to Microsoft Office 2021 Project.

Frank Griswold, city resident, expressed concerns on Ordinance 25-11 and Ordinance 25-12 recommending that they be pulled from the Consent Agenda believing they needed further discussion due to the details surrounding the City Manager appointing a Hearing Officer.

Penelope Haas, non-resident, commenting on behalf of the Kachemak Bay Conservation Society, expressed concerns on Memorandum CC-25-028 and Ordinance 25-01 and encouraged the Council to deny these actions believing that city code provides the basis for this action.

Marie McCarty, non-resident, speaking on behalf of Kachemak Heritage Land Trust, commented on Resolution 24-124(S), stating they are working with the city and expressed full support on the substitute resolution.

Bruce Petska, city resident, expressed comments in support of Memorandum CC-25-028 and Ordinance 25-01 noting the benefit that most of those here to testify, have been fortunate to live in a couple of generations of prosperity, carving out their little piece of paradise and emphasizing the need for the future generations.

Heath Smith, city resident, commented on compromise, stating if Memorandum CC-25-028 and Ordinance 25-01 are voted down and the city has to implement new taxes, that is problematic since the City would be closing the door on new businesses, jobs and tax revenue. He advocated for the City to look to the future to determine what they want, and what it takes to do those things as a city. He noted that there is another generation involved in that process.

Karin Marks, city resident, commented in support of Memorandum CC-25-028 and Ordinance 25-01. Ms. Marks wanted to offered a correction on an error she noticed in the minutes of a planning commission meeting stating that she commented in opposition of the project which she was never in opposition. Ms. Marks expressed

further comments in support of the project, noting the efforts made by Doyon to meet the residents' concerns and the economic benefit to Homer.

Richard Rosenbloom, city resident, expressed his objection to Memorandum CC-25-028 and Ordinance 25-01 and urged City Council to require Doyon to provide robust legal protections for public access from B Street to the Homer Spit Road and the two viewing platforms on a permanent basis.

Mike Stark, non-resident, expressed comments in support of Memorandum 25-028 and Ordinance 25-01 citing his experience in construction, the approval by the Kenai Peninsula Borough Planning Commission, possible mitigation requirements with contaminated soils and runoff flowing into the wetlands and believing that what is being proposed was a fair and equitable trade.

Scott Adams, city resident, expressed comments on Memorandum CC-25-028 and Ordinance 25-01 noting the changes over the 30 years he was away from South Miami where he was born comparing them to Alaska and Homer questioning Doyon's intent when they purchased the parcel on Bay Avenue, knowing they needed the vacation of the right of way.

Glenn Seaman, city resident and property owner on Bay Avenue, commented on Memorandum CC-25-028 and Ordinance 25-01 expressed his appreciation for Doyon's willingness to come back with a much friendlier proposal and the 30-foot vegetated buffer but questioned whether that meant they were keeping the existing spruce trees and vegetation, and then questioned the number of parking spaces to be adequate to serve the hotel guests, conference facilities, employees, restaurant, etc. and the fear of people parking on Bay Avenue and where the overflow cars would park as well as birders wishing to use the platforms. He recommended Council postpone Ordinance 25-01 until those issues are clarified and addressed.

Tammy Schrader, non-resident, stated she would like Council to deny Ordinance 25-01 and Memorandum CC-25-028 as it was their duty to protect public lands and public access to those lands. She cited previous council actions and borough code regarding vacating rights of way, there have been too many moving parts to this project and believed the planning commission did not fully address the issues, environmental impacts and the rural residential area being surrounded by GC1 zoning.

Mary Griswold, city resident, commented in support of Memorandum CC-25-028 and Ordinance 25-01 noting the benefits to the City by providing ADA compliant access to two new platforms, access to the Homer Spit Road from Bay Avenue/Ocean Drive, similarities to the Farmwald Circle Right of Way vacation with this project, building a trail south along the right of way was not appropriate as people and dogs should not trample sensitive wetland habitat nor trespass on private property. She then proceeded to provide what the City will receive for granting the vacation noting it was beneficial to residents and visitors.

Lani Raymond, city resident, commented on Memorandum CC-25-028 and Ordinance 25-01 expressing that the City should secure better public access guarantees to the lighthouse viewing area before giving Doyon the right of way, stating that the city has the responsibility to do what is in the public and city's best interest, historical and traditional use of the lighthouse viewing platform has been available for viewing the shorebirds there. The Right of way should only be given with ironclad agreements for public access from Bay Avenue to Homer Spit Road for both viewing platforms.

Michael Armstrong, non-resident, member of the Kachemak Bay Shorebird Festival Planning Committee and active birder, speaking for himself. Mr. Armstrong advocated for City Council to perform their due diligence to

make sure that they are getting their money's worth for the vacation. He expressed concerns on the public access or pedestrian easement for the viewing platform and how that is applied.

Rika Mouw, city resident, expressed comments related to Memorandum CC-25-028 and Ordinance 25-01 citing Comprehensive Plan update being presented to the public, noting the top priorities outlined, holding developers to the spirit of sustainable growth, require planning to follow the Comprehensive Plan, traffic considerations, limit Doyon to the currently zoned parcels with a more appropriately scaled project which would be echoing the Comprehensive Plan.

Gregor Welpton, city resident and property owner, commented on Memorandum CC-25-028 and Ordinance 25-01 expressing concerns with the parcel having no vegetation to block their view of the hotel and parking and requested Council to not approve these actions until Doyon can provide answers to these concerns. He then noted that he was not against the project.

Doug Van Patten, city resident, expressed concerns regarding Memorandum CC-25-028 and Ordinance 25-01 regarding traffic impacts especially at the intersection of Kachemak Drive and Homer Spit Road, building that large a structure in a known flight path of an active runway, listing several past accidents then commented that Town Center would be better location for a project such as this where there is 26 acres of land to develop and it would benefit everyone.

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 January 27, 2025. City Clerk. Recommend adoption.
- b. Memorandum CC-25-040 from Mayor re: Appointment of David Atwood to the Port & Harbor Advisory Commission. Recommend approval.
- c. Memorandum CC-25-041 from City Clerk re: New Marijuana Manufacturing License Application. Recommend approval.
- d. Memorandum CC-25-042 from City Clerk re: New Restaurant/Eating Place Seasonal Alcohol License Application. Recommend approval.
- e. Ordinance 25-11, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Chapter 21.90 Administration and Enforcement to Direct Appeals to the Office of Administrative Hearings or a Hearing Officer Appointed by the City Manager. City Manager. Introduction February 10, 2025 Public Hearing and Second Reading February 24, 2025.

Memorandum CC-25-043 from Community Development Director as backup

Councilmember Erickson requested this item be moved to Ordinances item a.

- f. Ordinance 25-12, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Chapter 1.04, General Provisions to Create a Hearing Officer Appointment Procedure. City Manager. Introduction February 10, 2025 Public Hearing and Second Reading February 24, 2025.

Memorandum CC-25-044 from Community Development Director as backup

Councilmember Erickson requested this item be moved to Ordinances item b.

- g. Ordinance 25-13, An Ordinance of the City Council of Homer, Alaska, Adopting Revisions to the Port of Homer Terminal Tariff No. 1, Rule Five Section 5.05 regarding Liability Insurance Requirements for Recreational Vessels. City Manager/Port Director. Introduction February 10, 2025 Public Hearing and Second Reading February 24, 2025.

Memorandum CC-25-045 from Port Director as backup

- h. Ordinance 25-14, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating the Hazard Mitigation Grant 4413-001 Amendment #2 from the Alaska Division of Homeland Security & Emergency Management, which Adds Funds in the Amount of \$120,300 to Procure and Construct a Fiber Optic Line as Part of the Raw Water Transmission Main Replacement Project and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Public Works Director. Introduction February 10, 2025 Public Hearing and Second Reading February 24, 2025.

Memorandum CC-25-046 from Public Works Director as backup

- i. Ordinance 25-15, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a Grant from the Homer Foundation Youth Advisory Committee in the Amount of \$1,000 for the Homer Public Library. City Manager/Library Director. Introduction February 10, 2025 Public Hearing and Second Reading February 24, 2025.

Memorandum CC-25-047 from Library Director as backup

- j. Ordinance 25-16, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2025 Capital Budget by Appropriating \$22,000 from the Port Reserves Fund to Install Electricity to the Camera Poles at Ramps One Through Five. City Manager/Port Director. Introduction February 10, 2025 Public Hearing and Second Reading February 24, 2025.

Memorandum CC-25-048 from Port Director as backup

- k. Resolution 25-008, A Resolution of the City Council of Homer, Alaska, Acknowledging the City of Homer Surplus Equipment Sale Winter 2025 Bid Results. City Clerk. Recommend adoption.
- l. Resolution 25-009, A Resolution of the City Council of Homer, Alaska, Requesting the Kenai Peninsula Borough Provide the City of Homer a Fee Waiver for Scrap Metals and Brush/Slash

and Authorizing the City Manager to Negotiate Disposal Terms with the Kenai Peninsula Borough. City Manager/Public Works Director. Recommend adoption.

Memorandum CC-25-049 from Public Works Director as backup

- m. Resolution 25-010, A Resolution of the City Council of Homer, Alaska, Authorizing the Single Source Procurement of Ice Metering Equipment from North Star Ice Equipment Corporation of Seattle, Washington in the Amount of \$101,100 and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Port Director. Recommend adoption.

Memorandum CC-25-050 from Port Director as backup

- n. Resolution 25-011, Authorizing the Establishment of an Field of Interest Fund with the Homer Foundation to Support the Sister City Program of Homer. Venuti. Recommend adoption.

Memorandum CC-25-051 from Sister City Coordinator as backup

- o. Resolution 25-012, A Resolution of the City Council of Homer, Alaska, Expressing Support for the Homer Spit Transportation Resiliency Project and Endorsing the Alaska Department of Transportation and Public Facilities Application to the U.S. Department of Transportation for a Planning Grant Under the FY24/FY26 Promoting Resilient Operations for a Transformative, Efficient and Cost Effective Transportation (PROTECT) Grant Program. Mayor. Recommend adoption.
- p. Resolution 25-013, A Resolution of the City Council of Homer, Alaska, Authorizing a Task Order to HDR Engineering in an Amount Not to Exceed \$50,000 for Grant Writing Services for a FY2025 Federal Port Infrastructure Development Program Grant to Support Replacing Float Systems in Homer's Small Boat Harbor and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Port Director. Recommend adoption.

Memorandum CC-25-052 from Port Director as backup

ERICKSON/VENUTI MOVE TO APPROVE THE CONSENT AGENDA AS READ.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

VISITORS

- a. Pratt Museum Budget Appropriation Request - Patty Relay
- Pratt Museum Presentation
 - 2024 Pratt Museum Annual Report
 - External Strategic Plan 2025-2030

Mayor Pro Tem Aderhold introduced the topic and invited Patty Relay to make her presentation.

Ms. Relay presented to the City Council on the progress to become sustainable and to support the FY26/FY27 Budget Request of \$200,000. She noted new marketing strategies and materials and expressed the Museum's appreciation for the ongoing support from the City.

b. Lighthouse Village Development Project by Doyon - Zach Dunlap, Operations Director

Mayor pro tem Aderhold introduced the topic and invited Mr. Dunlap to make his presentation.

Zach Dunlap, Operations Director with Doyon Limited presented project information using illustrative drawings of the proposed project, pointing out the ADA Compliant Pedestrian Trail to two viewing platforms and sidewalks to the intersection of Kachemak Drive and Homer Spit Road from the B Street/Bay Avenue right of way access, the plat note granting the public access easement to the City and the location of the vegetated buffer as well as other locations for vegetation.

Mr. Dunlap facilitated questions and answers from Council members on the following:

- Lighting
- Connection Access to the Homer Spit Road
- What would happen if the Council vetoed the vacation or rezoning of the parcel
- Parking
- Deterrent to overflow parking on Bay Avenue
- Assurance to the City on not clearcutting the existing vegetation on Lot 163
 - Instruction to a contractor to ensure that will not be cleared
- Disposition of the utilities within the right of way

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

a. Worksession Report

City Manager Jacobsen reported Council discussion focused on the Water and Sewer Rate Model and information provided by Finance Director Fischer, with discussion continuing at the next meeting regarding monthly service fees, consumption rates, addressing inequity between seasonal residents and year round residents.

b. Committee of the Whole Report

City Manager Jacobsen reported on receiving a presentation regarding the Draft Comprehensive Plan from Shelly Wade with Agnew::Beck.

c. Mayor's Report

Mayor Pro Tem Aderhold reported on the two letters included in the supplemental packet.

d. Borough Report

Kelly Cooper, Assembly person, reported on:

- New Borough Website

- Appointment of Assemblyperson Leslie Morton to fill Bill Elam's seat for District 5
- Purchasing a Building Automation System for Port Graham Schools
- Purchase an Excavator for the Homer Transfer Station
- Next Meeting is February 26th for Tourism Industry Work Group and
- February 18th is a Virtual Workshop on the comprehensive safety action plan
- Encouraged attendance at the Budget development talks at the 6pm
- School Budget development Meeting on February 11th at 6:00 p.m. at Homer High School

e. Planning Commission

Mike Stark, Commissioner reported on:

- Reviewing title 21
- Approving Rezone on Kachemak Drive
- Adding dance Studio as a permitted use
- Clarification on contiguous
- Impacts on new development in residential and commercial areas
- Enforcement issues

Commissioner Stark confirmed that the Commission approved the rezone on Kachemak Drive property for Councilmember Venuti.

f. Port and Harbor Advisory Commission

- i. Memorandum CC-25-053 re: Recommendations Requested via Reso 24-024 Land Allocation Plan - Large Vessel Haul Out Area

Mayor Pro tem Aderhold called for a recess at 7:55 p.m. The meeting was called back to order at 8:05 p.m.

PUBLIC HEARING(S)

- a. Ordinance 25-07, An Ordinance of the City Council of Homer, Alaska, Amending the FY25 Capital Budget by Appropriation \$67,480.81 from the Homer Accelerated Water and Sewer Program (HAWSP) for the Purpose of Reimbursing Seven Property Owners in the Bunnell Ave/Charles Way Special Assessment District for the Cost of E-One Lift Stations. City Manager. Introduction January 27, 2025 Public Hearing and Second Reading February 10, 2025.

Memorandum CC-25-030 from City Manager as backup

Memorandum CC-25-059 from City Manager as backup

Mayor Pro tem Aderhold opened the public hearing for Ordinance 25-07.

There was one who testified.

Mayor Pro Tem Aderhold closed the public hearing and requested a motion.

ERICKSON/DAVIS - MOVED TO ADOPT ORDINANCE 25-07 BY READING OF TITLE FOR SECOND AND FINAL READING.

Discussion ensued on following points:

- Requested clarification on how the project costs were distributed
- Information provided on the original assessment was calculated using the benefitted area methodology which was then modified by the developable land area by the former Public Works Director so smaller lots were assessed at 7500 sf, the Van parcel was assessed at a little larger and the City property was assessed the full area due to the Bishops Beach Park property.
- Memorandum CC-25-059 provided additional options such as dividing the city's portion, postponing and request staff calculate a more equitable reimbursement or remove the city's reimbursement and divide that among property owners that did not receive lift stations
- E-one lift station costs were spread across the district and but only a few are getting reimbursed

ERICKSON/VENUTI MOVED TO POSTPONE ORDINANCE 25-07 AND REQUEST STAFF TO RECALCULATE A MORE EQUITABLE REIMBURSEMENT BASED ON ACTUAL BENEFIT OTHER PROPERTY OWNERS RECEIVED AND DETERMINE A TIMELINE AND METHOD FOR HOLDING THESE REIMBURSEMENT FUNDS AND CRITERIA TO REIMBURSE PROPERTY OWNERS WHEN THEY DEVELOP THEIR PROPERTY TO THE MARCH 10TH MEETING.

There was no further discussion on the motion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

City Manager Jacobsen expressed her appreciation for Mr. Long's patience and willingness to work with the city on this very unusual situation.

- b. Ordinance 25-08, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code to Add Chapter 2.30 Entitled Incident Management Planning. Erickson. Introduction January 27, 2025 Public Hearing and Second Reading February 10, 2025.

Ordinance 25-08(S), An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code to Add Chapter 2.30 Entitled Incident Management Planning. Erickson.

Memorandum CC-25-036 from Councilmember Erickson as backup

Mayor Pro tem Aderhold opened the public hearing for Ordinance 25-08. Having no public coming forward to testify she closed the public hearing and requested a motion.

ERICKSON/VENUTI - MOVED TO ADOPT ORDINANCE 25-08 BY READING OF TITLE FOR SECOND AND FINAL READING.

Mayor Pro Tem Aderhold asked if there was any discussion or motion.

ERICKSON/VENUTI MOVED TO SUBSITUTE ORDINANCE 25-08 WITH ORDINANCE 25-08(S) BY READING OF TITLE.

Councilmember Erickson briefly expressed the reason for forward the substitute.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- c. Ordinance 25-09, An Ordinance of the City Council of Homer, Alaska, Amending the FY25 Capital Budget by Appropriating \$50,000 from Port Reserves Fund for the Purpose of Obtaining Professional Grant Writing Services to Assist with a Federal FY2025 Port Infrastructure Development Program Grant Application to Replace Float Systems 4 and 1 in the Small Boat Harbor. City Manager/Port Director. Introduction January 27, 2025 Public Hearing and Second Reading February 10, 2025.

Memorandum CC-25-033 from Port Director & Special Projects Coordinator as backup

Mayor Pro Tem Aderhold opened the public hearing for Ordinance 25-09. Having no public coming forward to testify she closed the public hearing and requested a motion.

ERICKSON/VENUTI MOVE TO ADOPT ORDINANCE 25-09 BY READING OF TITLE FOR SECOND AND FINAL READING.

Councilmember Venuti briefly commented on supporting the ordinance due to the condition of the floats.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- d. Ordinance 25-10, An Ordinance of the City Council of Homer, Alaska, Amending the FY25 Capital Budget by Reappropriating FY23 State of Alaska Community Assistance Program Payment in the Amount of \$40,000 from the Workstation Upgrade to Microsoft Office 2021 Project. City Manager/Chief Technology Officer. Introduction January 27, 2025 Public Hearing and Second Reading February 10, 2025.

Memorandum CC-25-034 from Chief Technology Officer as backup

Mayor Pro Tem Aderhold opened the public hearing for Ordinance 25-10. Having no public coming forward to testify she closed the public hearing and requested a motion.

ERICKSON/VENUTI MOVE TO ADOPT ORDINANCE 25-10 BY READING OF TITLE FOR SECOND AND FINAL READING.

There was a brief discussion on the pilot plan for Office 365 to determine it would work efficiently for the city.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

ORDINANCE(S)

- a. Ordinance 25-11, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Chapter 21.90 Administration and Enforcement to Direct Appeals to the Office of Administrative Hearings or a Hearing Officer Appointed by the City Manager. City Manager. Introduction February 10, 2025 Public Hearing and Second Reading February 24, 2025.

Memorandum CC-25-043 from Community Development Director as backup

Mayor Pro Tem Aderhold introduced Ordinance 25-11 by reading of the title and requested a motion to introduce.

ERICKSON/VENUTI MOVED TO INTRODUCE ORDINANCE 25-11 BY READING OF THE TITLE.

Discussion on the following points was conducted:

- moving to Hearing Officer, maintaining neutrality and protecting city employees/commissioners.
- City Manager Jacobsen reviewed a possible implementation of using a Hearing Officer, appellant chose the Council and the limited knowledge of legal proceedings
- process on selection of a hearing officer
- Office of Administrative Hearings (OAH) does create longer timelines for processing
 - There were some delays in the process but the OAH uses a pre-hearing clearance as well

City Attorney Gatti offered comments on the value of the process, use of experienced law judges, and provided example of previous appeals.

Further discussion on the following points were made:

- Clarification provided that this ordinance would bring appeals of a Zoning Permit before OAH or Hearing Officer appointed by the City Manager, right now it would go to the Planning Commission
- Definition of a Hearing Officer
- OAH appoints available judge
- City Manager would select from a listing of Hearing Officer Services
 - Listing would be created from results of a Request for Proposals or similar process
 - Qualifications would be as required such as experience, etc.
- Changes from 30 days to 10 days – is to tighten up the process – this is a satisfactory time period to respond to an appeal filed and appellant/appellee can file appeal to superior or supreme court.
- Amending the title regarding appointment of hearing officer
 - Staff will review for amendments

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- b. Ordinance 25-12, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Chapter 1.04, General Provisions to Create a Hearing Officer Appointment Procedure. City Manager. Introduction February 10, 2025 Public Hearing and Second Reading February 24, 2025.

Memorandum CC-25-044 from Community Development Director as backup

Mayor Pro Tem Aderhold introduced Ordinance 25-12 by reading of the title and requested a motion to introduce.

ERICKSON/VENUTI MOVED TO INTRODUCE ORDINANCE 25-12 BY READING OF THE TITLE.

Councilmember Davis noted that the concerns were covered in the proceeding discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

CITY MANAGER'S REPORT

- a. City Manager's Report—*Please Refer to Supplemental Packet*

City Manager Jacobsen commented on the following:

- Interest in buying the City's parcel on Main Street.
 - Comments expressed by Council were:
 - It was offered previously for sale with no interest and Council at that time pulled from the market
 - Fist of Five poll done at the table indicated Council would be interested in discussion
 - Schedule at future Committee of the Whole before the Land Allocation Plan
 - Use of the property for parking and load/unload zone for tour buses
 - Acknowledged lots of work needed for this option
 - Kachemak City Council will provide a response to the March 10th Worksession date at their meeting on Wednesday, February 12th
 - Specific topics for discussion can be forwarded to City Manager Jacobsen for this worksession on March 10th with Kachemak City
- b. Financial Report
- FY25 2nd Quarter Report
 - Combined Financial

PENDING BUSINESS

- a. Resolution 24-124, A Resolution of the City Council of Homer, Alaska, Authorizing the City Manager to Pursue the Purchase of Lands for the Purpose of Green Infrastructure Planning, Construction, and Conservation and to Bring Forward the Necessary Ordinances to the City Council. City Manager/Community Development Director.

Resolution 24-124(S), A Resolution of the City Council of Homer, Alaska, Authorizing the City Manager to Pursue the Purchase of Lands for the Purpose of Green Infrastructure Planning, ~~Construction~~, and Conservation and to Bring Forward the Necessary Ordinances to the City Council. City Manager/Community Development Director.

Memorandum CC-24-248 from Community Development Director as backup

Memorandum CC-25-054 from Community Development Director as backup

Mayor Pro Tem Aderhold questioned if there was a motion on the floor to adopt this resolution from a previous meeting.

City Manager Jacobsen confirmed that there was a motion to adopt before the Council.

City Clerk Krause nodded in consent.

Mayor Pro Tem Aderhold requested a motion to substitute.

ERICKSON/VENUTI MOVED TO SUBSTITUTE RESOLUTION 24-124 WITH RESOLUTION 24-124(S) BY READING OF TITLE ONLY.

Community Development Director Engebretsen provided clarification on the following:

- intent of the original resolution
- concerns of the HART Fund and fiscal situation
 - better strategy at this point would be to stick to acquiring parcels for conservation
- probable costs of the overall project running into the millions of dollars
- Still meeting the requirements of the grant
- There was no required match for this grant funding
- Grant monies do not cover infrastructure
- Land must be purchased with other funding to construct stormwater infrastructure

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- b. Memorandum CC-25-028 from City Clerk re: Vacation of a Portion of B Street Right of Way and Associated Utility Easements South of Bay Avenue granted by Bay View Subdivision Plat HM839.

Memorandum CC-25-055 from City Planner as backup

Mayor Pro Tem Aderhold introduced the topic by reading of the title. She requested clarification from Staff whether there was motion on the table before them from the previous meeting.

There was a brief discussion on whether there was a previous motion on the floor and it was clarified that there was no motion, Council requested information from the City Planner and postponed to this meeting.

City Manager Jacobsen provided further clarification on the next steps Council could take with the City Clerk providing a nod in agreement – make a motion adopt the recommendation of Memorandum CC-25-028 or move to veto the Borough's approval of the proposed vacation.

Mayor Pro Tem Aderhold advised Council that comments must be limited to the vacation of the right of way, clarifying that issues or concerns regarding items addressed by the Conditional Use Permit are not on the table for Council to address and they do not have the authority to change what has been approved by the Planning Commission. She further stated that if a motion to veto is made then Council must provide very good reasons why they are vetoing the vacation.

City Manager Jacobsen reiterated the next steps for Council.

Discussion was facilitated on the following points:

- Pages 441 and 442 of the packet include directions from Robert Ruffner, Kenai Peninsula Borough Planning Director, that City Council is to provide a yes or no vote. There is no more negotiating, or conditions as there has been some confusion expressed this past week and that statement makes it very clear.
- City Council must state on the record why they are vetoing.

DAVIS/ERICKSON MOVED TO ADOPT THE RECOMMENDATION IN MEMORANDUM CC-25-028 BY READING OF TITLE ONLY.

Councilmember Parsons pointed out the approval vote by the Borough Planning Commission as six in favor, one refusal and one absence. The Homer Planning Commission six in favor and one absence noting that the topic of equal of better access was discussed multiple times and if you go back to the Planning Commission November 3rd meeting at the start of part 2 in the recording it is clearly stated that in their opinion this is far more superior, providing better access. He expressed concerns on if it is the Council's intent to veto this action based on the Commission voices how they could move that forward.

Councilmember Erickson recalled her service on the Planning Commission and following the letter of the law and the different requirements for a CUP that has to be met, noting that there are not a lot of other choices. She stated that it is not about your feelings but whether they (applicant) has met the letter of the law. They have met the letter of the law with the CUP and has shown us what they plan which was a really nice boardwalk, viewing stations and they are going to take care of that, noted the ADA compliance and getting over to the Spit Road. She is comfortable with the project as presented and noted that it was a weighty issue and make a decision based on fact.

There was no further discussion or comments.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- c. Ordinance 25-01, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.10.030 Amending the Homer City Zoning Map to Rezone a Portion of the Rural Residential (RR) Zoning District to General Commercial 1 (GC1) Zoning District. Planning Commission. Introduction January 13, 2025 Public Hearing and Second Reading January 27, 2025.

Memorandum CC-25-004 from City Planner as backup
Memorandum CC-25-029 from City Planner as backup
Memorandum CC-25-056 from City Planner as backup

Public Comment Received

Mayor Pro Tem Aderhold introduced the topic by reading of the title. She noted that this was introduced on January 13, 2025, a Public Hearing was conducted on January 27, 2025 and it was postponed to this meeting. She noted the memoranda provided as backup and written public comment received. There was a motion before the Council as follows:

ADERHOLD VENUTI MOVE TO ADOPT ORDINANCE 25-01 BY READING OF TITLE FOR SECOND AND FINAL READING.

Mayor Pro Tem Aderhold opened the floor to additional discussion if any.

Discussion ensued regarding the following:

- placement of the proposed condos from the bluff edge
- combining the lots and placement of putting it all on one lot
- review of the buffer zone and how it is beneficial to the project

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

NEW BUSINESS

RESOLUTION(S)

- a. Resolution 25-014, A Resolution of the City Council of Homer, Alaska, Stating the City's 2025 Legislative Priorities and Positions. Aderhold.

Memorandum CC-25-057 from Councilmember as backup

Mayor Pro Tem Aderhold introduced the resolution by reading of the title and requested a motion.

ERICKSON/VENUTI MOVED TO ADOPT RESOLUTION 25-014 BY READING OF TITLE ONLY.

Mayor Pro Tem Aderhold requested a volunteer to make an amendment as requested. She clarified why the entire amendment as provided was needed.

VENUTI/DAVIS MOVED TO AMEND RESOLUTION 25-014 AFTER LINE 81, ADD A NEW BULLET TO READ “HB60, MUNICIPAL AND STATE PROCUREMENT: HB60 PROPOSES A MANDATE THAT PUBLIC INSTITUTIONS, INCLUDING JAILS, PRIORITIZE THE PROCUREMENT OF ALASKA-GROWN AGRICULTURAL AND SEAFOOD PRODUCTS. WHILE THE BILL AIMS TO SUPPORT LOCAL PRODUCERS, IT HAS SIGNIFICANT IMPLICATIONS FOR MUNICIPAL OPERATIONS, FISCAL POLICY, AND ECONOMIC COMPETITIVENESS. THE HOMER JAIL PROVIDES PRISONER MEALS THROUGH A COMPETITIVELY BID CONTRACT. REQUIRING THE CONTRACTOR TO PROVIDE MEALS WITH ALASKA-GROWN AGRICULTURAL AND SEAFOOD PRODUCTS COULD IMPOSE UNDESIRABLE CONSTRAINTS ON THE CONTRACTOR AND INCREASE OUR COSTS, RESULTING IN AN UNFUNDED MANDATE.”

VOTE. (AMENDMENT) NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Mayor Pro Tem Aderhold noted they now have the Amended

Discussion ensued on the drafting of this resolution, trying to capture the important legislative actions and the state's actions resulting in pushing costs onto the municipalities.

VOTE. (Main as amended). NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

COMMENTS OF THE AUDIENCE

Karin Marks, city resident, expressed her appreciation for Council approval of Memorandum CC-25-028 and Ordinance 25-01 and assured them that Doyon and this project will be watched closely by the community to make sure that they fulfill all their promises.

Wayne Aderhold, city resident, commented on the Haven House Ski for women Fund Raiser.

Bruce Petska, city resident, expressed his concerns for the next generation, the not in my backyard attitudes and creating an image that Homer is open for business should be embraced, stating it was more than Doyon's

project here but included the people in Juneau and farther down the line to streamline the money that is going to come here and we have got to change that perspective. He noted the meetings for the next evening regarding the school funding and the comprehensive plan and commented on healthy food and meals for prisoners and school children. Mr. Petska noted that it was up to this generation to make sure that the next generation had the opportunities and protection available.

Zach Dunlap, Doyon Limited, expressed his appreciation for the City Council, and staff and the public with this project.

COMMENTS OF THE CITY ATTORNEY

City Attorney Gatti did not have any additional comments.

COMMENTS OF THE CITY CLERK

City Clerk Krause commented on having a good meeting and announced vacancies on the ADA Advisory Board for residents or non-residents.

COMMENTS OF THE CITY MANAGER

City Manager Jacobsen announced open positions within the City and encouraged people to apply.

COMMENTS OF THE MAYOR

COMMENTS OF THE CITY COUNCIL

Councilmember Venuti commented on the Winter Carnival and Parade, noted the School Board meeting and Open House event on the Draft Comp Plan, families moving to Anchorage for opportunities, wished everyone a Happy Valentine's Day.

Councilmember Parsons expressed appreciation for the City Manager, the Clerk's Office, and Mayor Pro Tem Aderhold for her work on the AML. He noted that he has had numerous conversations with the public on the Doyon project and they were always calm and polite.

Councilmember Davis had no additional comments.

Councilmember Erickson commented on the public comments received on the intersection of Kachemak Drive and the Homer Spit Road and spoke with DOT who informed her that there is a planned visit at the end of the month and they are required by policy to review roads that they have worked on after two years so this is time appropriate. Ms. Erickson reported the death of Lee Shelford and recounted personal experiences as a child growing up and stated that the community is losing someone that has done quite a bit for Homer and wished everyone a Happy Valentine's Day.

Councilmember Hansen commented on a recent hiking trip on the land purchased above Karen Hornaday Park and noted that the hike was steep, but the views were wonderful. Ms. Hansen then expressed comments on the upcoming wrestling event for Homer Middle School and encouraged everyone to come out and support the kids.

Mayor Pro Tem Aderhold expressed appreciation for the public comment received in person and in writing and noted that there are some very passionate people in the community. She agreed that they needed to hold Doyon to account on what they say they are going to do and looked forward to see how the project progresses.

ADJOURNMENT

Mayor Pro Tem Aderhold adjourned the meeting at 9:23 p.m. The next Regular Meeting is Monday, February 24, 2025 at 6:00 p.m., Committee of the Whole at 5:00 p.m. A worksession is scheduled for 4:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

RENEE KRAUSE, MMC, CITY CLERK

APPROVED: _____



MEMORANDUM

Reappointment of Robert Archibald as Homer's Representative to the Prince William Sound Regional Citizens Advisory Council (PWSRCAC)

Item Type: Action Memorandum
Prepared For: City Council
Meeting Date: February 13, 2025
From: Rachel Lord, Mayor

Summary Statement:

Robert Archibald is reappointed to the Prince William Sound Regional Citizens Advisory Council for a two year term that expires May 2027.

Recommendation:

Confirm the reappointment of Robert Archibald to the Prince William Sound Regional Citizens Advisory Council.

To Mayor Rachel Lord
City of Homer AK
491 E. Pioneer Ave.
Homer, AK 99603

February 7, 2025

Dear Mayor Lord,
Please accept this letter as a formal request to be reappointed to the Prince William Sound Regional Citizens Advisory Council as the Board Member representing the City of Homer.

Regards,
Robert Archibald
PO Box 2460
Homer AK. 99603
(907) 299-0852



MEMORANDUM

Liquor License Renewal Application for Water Rudders and Fresh Catch Cafe

Item Type: Action Memorandum
Prepared For: Mayor Lord and Homer City Council
Date: February 24, 2025
From: Renee Krause, MMC, City Clerk

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

Type: Restaurant/Eating Place
License #: 6091
DBA Name: Water Rudders
Service Location: 1308 Lake Shore Drive, Suite A2, Homer, AK 99603
Licensee: Water Rudders, LLC
Designated Licensee: Stephanie Greer
Mailing Address: 41390 Ptarmigan Heights Drive, Homer, AK 99603

Type: Restaurant/Eating Place
License #: 4894
DBA Name: Fresh Catch Cafe
Service Location: 4025 Homer Spit Road #5, Homer, AK 99603
Licensee: Sake 59, LLC
Designated Licensee: Jackie Kondak
Mailing Address: 4361 Calhoun Ct., Homer, AK 99603

Recommendation:

Voice non-objection and approval for the Liquor License Application Renewals for Water Rudders and Fresh Catch Cafe.

Attachments:

AMCO Application Packet for Water Rudders, LLC
AMCO Application Packet for Fresh Catch Cafe
Non-Objection Kenai Peninsula Borough
Non-Objection from Homer Police Department



Document reference ID : 3965

Renewal Application Summary

Application ID:	3965
License No:	6091
License Type applied for Renewal:	Restaurant Eating Place License (REPL)
Licensee Name:	Water Rudders, Llc
Application Status:	In Review
Application Submitted On:	11/05/2024 09:38 AM

Entity Information

Business Structure:	Limited liability company
FEIN/SSN Number:	
Alaska Entity number (CBPL):	10197204
Alaska Entity Formed Date:	
Home State:	

Entity Contact Information

Entity Address:	41390 Ptarmigan Heights Drive, Homer, AK, 99603
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Renewal Information

Are there any changes to your ownership structure that have not been reported to AMCO prior to this application?:

No

As set forth in AS 04.11.330, how many hours did you operate during the first calendar year for this renewal period?:

The license was regularly operated continuously throughout the first calendar year for this renewal period.

As set forth in AS 04.11.330, how many hours did you operate during the second calendar year for this renewal period?:

The license was regularly operated continuously throughout the second calendar year for this renewal period.

Please select the seasonality:

Seasonal

Please Provide your six-month operating period:

05/15 - 09/15

Operation Period Details:

We intend to operate seasonally during the summer months.

Has any person or entity in this application been convicted or disciplined for a violation of Title 04, 3 AAC 304 or 305, or a local ordinance adopted under AS 04.21.010 in the preceding two calendar years?:

No

Have any notices of violation or citations been issued for this license during the preceding two years?:

No

Restaurant Detail

Dining after standard closing hours: AS 04.16.010(c)	Yes
Dining by persons 16 – 20 years of age: AS 04.16.049(a)(2)	Yes
Dining by persons under the age of 16 years, accompanied by a person over the age of 21: AS 04.16.049(a)(3)	Yes
Employment for any persons under 21 years of age: AS 04.16.049(c)	Yes
List where within the premises minors are anticipated to have access in the course of either dining or employment. (Example: Minors will only be allowed in the dining area. OR Minors will only be employed and present in the Kitchen.)	
Minors who are dining with us will only have access to the dining area. Minors who are employed with us will have access to the dining area and kitchen, but all alcohol will be stored in the locked storage closet as indicated in the premises diagram. Only employees who meet the criteria such as being over the age of 21 with appropriate training/certification will have access to the storage area. Minors, whether patrons or employees will be closely monitored by TAP/TIP trained servers/managers to ensure they do not have access to alcohol. Minors will not have access to the locked storage area unless supervised by a manager with proper training over the age of 21.	
Describe the policies, practices and procedures that will be in place to ensure that minors do not gain access to alcohol while dining or employed at your premises.	
A manager over the age of 21 will be onsite during operating hours to ensure minors do not gain access to alcohol while dining or while working. Eligible employees shall carry or have available to show a current course card or a photocopy of the card certifying completion of an approved alcohol server education course and will closely monitor patrons and employees under the age of 21 to ensure they do not have access to alcohol.	
Is an owner, manager, or assistant manager who is 21 years of age or older always present on the premises during business hours?	Yes

Food Service Permit

Is your license located in Municipality of Anchorage?	No
Do you have Approved food service permit for this premises?	Yes

Entertainment & Service

Are any forms of entertainment offered or available within the licensed business or within the proposed licensed premises?	No
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Hours Of Operation

Sunday	06:00 AM - 10:00 PM
Monday	06:00 AM - 10:00 PM
Tuesday	06:00 AM - 10:00 PM
Wednesday	06:00 AM - 10:00 PM
Thursday	06:00 AM - 10:00 PM
Friday	06:00 AM - 10:00 PM
Saturday	06:00 AM - 10:00 PM

Attestations

As an applicant for a liquor license renewal, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 305, and that this application, including all accompanying schedules and statements, are true, correct, and complete.

I agree to provide all information required by the Alcoholic Beverage Control Board or requested by AMCO staff in support of this application and understand that failure to do so by any deadline given to me by AMCO staff will result in this application being returned and the license being potentially expired if I do not comply with statutory or regulatory requirements.

I certify that in accordance with AS 04.11.450, no one other than the licensee(s), as defined in AS 04.11.260, has a direct or indirect financial interest in the licensed business.

I certify that this entity is in good standing with Corporations, Business and Professional Licensing (CBPL) and that all entity officials and stakeholders are current and I have provided AMCO with all required changes of the ownership structure of the business license and have provided all required documents for any new or changes of officers.

I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check identification of patrons have completed an alcohol server education course approved by the ABC Board and keep current, valid copies of their course completion cards on the licensed premises during all working hours, if applicable for this license type as set forth in AS 04.21.025 and 3 AAC 305.700.

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

Signature

This application was digitally signed by : Stephanie Greer on 11/04/2024 03:00 PM

Payment Info

Payment Type : CC

Payment Id: e80a8d69-40d8-4e8a-93b7-88c71f65bb1a

Receipt Number: 100950429

Payment Date: 11/5/2024 9:44:08 AM



Document reference ID : 3965

Licensing Application Summary

Application ID:	3965
Applicant Name:	Water Rudders, Llc
License Type applied for:	Restaurant Eating Place License (REPL) (AS 04.09.210)
Application Status:	In Review
Application Submitted On:	11/05/2024 09:38 AM

Entity Information

Business Structure:	Limited liability company
Alaska Entity Number (CBPL):	10197204

Entity Contact Information

Entity Address:	41390 Ptarmigan Heights Drive, Homer, AK, 99603, USA
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Ownership / Principal Party Details

Principal Parent Entity	Principal Party	Role	%Ownership
Water Rudders, Llc	Stephanie Greer As Co-Trustee Greer Community Property Trust	Member	50
Water Rudders, Llc	Forrest Greer As Co-Trustee Greer Community Property Trust	Member	50

Premises Address

Address: 1308 Lake Shore Drive, Suite A2, Homer, AK, USA

Does the proposed site include a valid street address? Yes

Basic Business information

Business/Trade Name: Water Rudders

Local Government and Community Council Details

City/Municipality Homer

Borough Kenai Peninsula Borough

Restaurant Detail

Dining after standard closing hours: AS 04.16.010(c) Yes

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

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

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

Food Service Permit

Entertainment & Service

Public Notice Posting Attestation and Publishers Affidavit

Attestations

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

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

I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check the identification of a patron will complete an approved alcohol server education course, if required by AS 04.21.025, and, while selling or serving alcoholic beverages, will carry or have available to show a current course card or a photocopy of the card certifying completion of approved alcohol server education course, if required by 3 AAC 305.700.

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

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

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

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

I certify I have provided a menu of a variety of types of food appropriate for meals that are prepared on the licensed premises.

I certify that non-employees under 21 years of age will not enter and remain on the licensed premises except for the purposes of dining only.

I certify that the sale and service of food and alcoholic beverages and any other business on the licensed premises is under the sole control of the licensee.

I certify the licensed premises is a bona fide restaurant as defined in AS 04.21.080(b).

I certify there is supervision on the licensed premises adequate to reasonably ensure that a person under 21 years of age will not gain access to alcoholic beverages.

Signature

Payment Info

Payment Type : CC

Payment Id: e80a8d69-40d8-4e8a-93b7-88c71f65bb1a

Receipt Number: 100950429

Payment Date: 11/5/2024 9:44:08 AM



Alaska Alcoholic Beverage Control Board

Form AB-33: 2025/2026 Renewal Restaurant Receipts Affidavit

What is this form?

A restaurant or eating place licensee must file a complete copy of this form along with its 2025/2026 license renewal application, in order to provide evidence to the Alcoholic Beverage Control Board that this licensed restaurant's receipts from the sale of food upon the licensed premises constitute no less than 50% of the gross receipts (food + alcohol sales) of the licensed premises for each calendar year in 2023 and 2024, as currently required by AS 04.09.210(e) and AS 04.09.360(g). This form is confidential.

This form must be completed and submitted with Form AB-17 to AMCO's main office before a license renewal application may be reviewed.

Section 1 – Establishment Information

This form is being submitted for the following license:

Licensee:	Water Rudders, LLC	License #:	6091
License Type:	Restaurant Eating Place License (REPL)		
Doing Business As:	Water Rudders		

Section 2 – Gross Receipts for 2023 and 2024

Please fill out the following information carefully, contact AMCO staff if you have questions regarding this form. Enter the dollar amounts of the food and gross (food + alcohol) receipts on the licensed premises and calculate the percentage of gross revenue that is from food sales on the licensed premises for each calendar year. (Food Revenue ÷ Gross Revenue x 100 = %)

\$ <input type="text"/>	÷	\$ <input type="text"/>	X 100 =	<input type="text"/>	%
2023 Food Sales		2023 Food + Alcohol Sales		81.65	

\$ <input type="text"/>	÷	\$ <input type="text"/>	X 100 =	<input type="text"/>	%
2024 Food Sales		2024 Food + Alcohol Sales		83.1	

I declare under penalty of perjury that this form, including all accompanying schedules and statements, is true, correct, and complete.

Stephanie Greer
Printed name of licensee

Stephanie Greer
Digitally signed by Stephanie Greer
Date: 2025.02.10 11:32:30 -05'00'
Signature of licensee



THE STATE
of ALASKA
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community,
and Economic Development

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

February 10, 2025

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

Licensee: **Water Rudders, LLC**

DBA: Water Rudders

VIA email: homerseaplanebase@gmail.com

CC: None

Local Government 1: Homer

Local Government 2: Kenai Peninsula Borough

Via Email: mjacobsen@ci.homer.ak.us; rkrause@ci.homer.ak.us; clerk@cityofhomer.ak.gov;
micheletturner@kpb.us; sessert@kpb.us; mjenkins@kpb.us; nscarlett@kpb.us; mboehmler@kpb.us;
rraidmae@kpb.us; slopez@kpb.us; bcarter@kpb.us; jrasor@kpb.us

Community Council: n/a

Via Email: n/a

Re: Restaurant or Eating Place License #6091 Combined Renewal Notice for 2025-2026 Renewal Cycle

License Number:	#6091
License Type:	Restaurant or Eating Place
Licensee:	Water Rudders, LLC
Doing Business As:	Water Rudders
Physical Address:	1308 Lake Shore Drive, Suite A2, Homer, AK 99603
Designated Licensee:	Water Rudders, LLC
Phone Number:	907-299-5494
Email Address:	homerseaplanebase@gmail.com

☒ License Renewal Application

☐ Endorsement Renewal Application

Dear Licensee:

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

Your application is now considered complete and will be sent electronically to the local governing body(ies), your community council if your proposed premises are in Anchorage or certain locations in the Matanuska-

Susitna Borough, and to any non-profit agencies who have requested notification of applications. The local governing body(ies) will have 60 days to protest the renewal of your license.

Your application will be scheduled for the **April 15th, 2025** board meeting for Alcoholic Beverage Control Board consideration. The address and call-in number for the meeting will be posted on our home page. The board will not grant or deny your application at the meeting unless your local government waives its right to protest per AS 04.11.480(a).

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

Dear Local Government:

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

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

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

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

Please contact the local governing body with jurisdiction over the proposed premises for information regarding the review of this application. Comments or objections you may have about the application should first be presented to the local governing body. If you have any questions, please email Alcohol.licensing@alaska.gov

Sincerely,
Alysha Pacarro, Licensing Examiner II
For
Kevin Richard, Director



Wednesday, February 12, 2025

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

Renee Krause, City Clerk
City of Homer

RE: Non-Objection of Application

Licensee/Applicant	:	Stephanie Greer
Business Name	:	Water Rudders
License Type	:	Restaurant/Eating Places - Seasonal
License Location	:	1308 Lakeshore Drive Suite A2 Homer, AK 99603, City of Homer
License No.	:	6091
Application Type	:	License Renewal

Dear Ms. Krause,

This serves to advise that the Kenai Peninsula Borough has reviewed the above referenced application and has no objection.

Should you have any questions, or need additional information, please do not hesitate to let us know.

Sincerely,

Michele Turner, CMC
Borough Clerk

cc: homerseaplanebase@gmail.com;

mailto:amco.localgovernmentonly@alaska.gov



City of Homer

www.cityofhomer-ak.gov

Police Department

625 Grubstake Avenue
Homer, Alaska 99603

police@cityofhomer-ak.gov

(p) 907-235-3150

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

Memorandum

TO: City Clerk
FROM: MARK ROBL, CHIEF OF POLICE
DATE: February 10th, 2025
SUBJECT: Liquor License Renewal

The Police Department has no objection to this Liquor License Renewal

LICENSE TYPE: Restaurant/Eating Place License
LICENSE # 6091
DBA NAME Water Rudders
SERVICE LOCATION: 1308 Lakeshore Drive, Suite A2, Homer, AK 99603
LICENSEE: Water Rudders, LLC
DESIGNATED LICENSEE: Stephanie Greer
MAILING ADDRESS: 42390 Ptarmigan Heights Drive, Homer, AK 99603



Alaska Alcoholic Beverage Control Board

Form AB-17: 2025/2026 General Renewal Application

- This form and any required supplemental forms must be completed, **signed by the licensee**, and postmarked no later than December 31, 2024, per AS 04.11.270, 3 AAC 305.050, with all required fees paid in full, or a non-refundable \$500.00 late fee applies.
- Any complete application for renewal and required fees that have not been postmarked, emailed, or submitted through AK-ACCIS by February 28, 2025, will result in expiration of the alcoholic beverage license per AS 04.11.540.
- All fields of this application must be deemed complete by AMCO staff and must be accompanied by the mandatory fees and all documents required, or the application will be returned without being processed, per AS 04.11.270.
- Receipt and/or processing of renewal payments by AMCO staff neither indicates nor guarantees in any way that an application will be deemed complete, renewed, or that it will be scheduled for the next ABC Board meeting.

Section 1 - Establishment Contact Information

Doing Business As:	Fresh Catch Cafe	License #:	4094
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If your mailing address has changed, write the NEW address below:

Mailing Address:			
City:		State:	
		ZIP:	

Section 2 - Licensee Contact Information

Contact Licensee: The individual listed below must be part of the ownership structure of the licensee listed in Section 1. This person will be the designated point of contact regarding this license unless the Optional contact is completed.

Contact Licensee:	Jackie Kondak	Contact Phone:	299 5529
Contact Email:	freshcatchcafehome2@gmail.com		

Optional: If you wish for AMCO staff to communicate with anyone other than the Contact Licensee (such as legal counsel) about your license, list their information below:

Name of Contact:		Contact Phone:	
Contact Email:			

Section 3 - Renewal of Endorsement or Endorsements

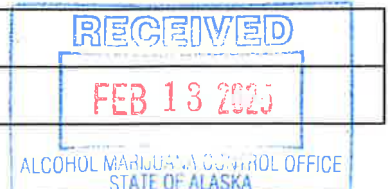
Do you have an active endorsement(s) associated to the license you are renewing? If no skip to the next section.
If **YES** answer **ONE** of the below questions in the affirmative:

1. I will renew **ALL** of my active endorsement or endorsements.
2. I will **NOT** renew **ANY** of my active endorsement or endorsements.
3. I want to renew one or more of my active endorsement or endorsements and I am listing here the endorsement or endorsements I do **NOT** want to renew.

YES NO

<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

Endorsement Not Renewing		Endorsement Not Renewing	
Endorsement Not Renewing		Endorsement Not Renewing	





Section 4 – for Package Stores ONLY: Written Order Information

Package Stores ONLY: Do you intend to sell alcoholic beverages and ship them to another location in response to written solicitation in calendar years 2025 and/or 2026? If so, if you have not already done so, you will need to apply for a Shipping Endorsement here: <https://accis.elicense365.com/#>

YES	NO
<input type="checkbox"/>	<input type="checkbox"/>

Section 5 – Ownership Structure Certification

Did the ownership structure of the licensed business change in 2023/2024?

YES	NO
<input type="checkbox"/>	<input checked="" type="checkbox"/>

If **Yes** and you have **NOT** notified AMCO, you will need to apply for a Change of Officials here: <https://accis.elicense365.com/#>

<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------

If **No**, certify the statement below by initialing the box to the right of the statement:

I certify that the ownership structure of the business who owns this alcohol license did not change in any way during the calendar years 2023 or 2024.

Section 6 – License Operation

Unless you continuously operated (more than 240 hours) in 2023 or 2024, check ONE BOX for EACH CALENDAR YEAR that best describes how this alcoholic beverage license was operated as set forth in AS 04.11.330:

1. The license was **only operated during a specified time (seasonal)** each year. (Not to exceed 6 months per year)
If your seasonal operation dates have changed, list them below:

2023	2024
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

_____ to _____

2. The license was only operated to meet the minimum requirement of 240 total hours each calendar year.
A complete AB-30: Proof of Minimum Operation Checklist, and all documentation and corresponding fee must be provided with this form, or through AK-ACCIS here: <https://accis.elicense365.com/#>

<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------

3. The license was not operated at all or was operated less than the minimum requirement of 240 total hours each year, during one or both calendar years. A complete Form AB-29: Waiver of Operation Application and corresponding fees must be submitted with this application for each calendar year during which the license was not operated. You may submit this through AK-ACCIS here: <https://accis.elicense365.com/#>

<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------

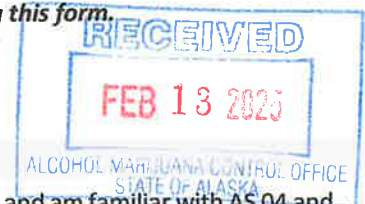
Section 7 - Violations and Convictions

Have any Notices of Violation been issued for this license in 2023 or 2024?

Has any person or entity in this application been convicted of a violation of Title 04, 3AAC 304, 3 AAC 305 or a local ordinance adopted under AS 04.21.010 in 2023 or 2024?

YES	NO
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>

If you checked YES, you MUST attach a list of all Notices of Violation and/or Convictions per AS 04.11.270(a)(2). If you are unsure if you have received any Notices of Violation, contact the office before submitting this form.



Section 8 – Certifications

As an applicant for a liquor license renewal, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 305, and that this application, including all accompanying schedules and statements, are true, correct, and complete.



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

alcohol.licensing@alaska.gov

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

Phone: 907.269.0350

- I agree to provide all information required by the Alcoholic Beverage Control Board or requested by AMCO staff in support of this application and understand that failure to do so by any deadline given to me by AMCO staff will result in this application being returned and the license being potentially expired if I do not comply with statutory or regulatory requirements.
- I certify that in accordance with AS 04.11.450, no one other than the licensee(s), as defined in AS 04.11.260, has a direct or indirect financial interest in the licensed business.
- I certify that this entity is in good standing with Corporations, Business and Professional Licensing (CBPL) and that all entity officials and stakeholders are current, and I have provided AMCO with all required changes of the ownership structure of the business license and have provided all required documents for any new or changes of officers.
- I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check identification of patrons have completed an alcohol server education course approved by the ABC Board and keep current, valid copies of their course completion cards on the licensed premises during all working hours, if applicable for this license type as set forth in AS 04.21.025 and 3 AAC 305.700.
- I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.

Jackie Kondak

Printed name of licensee

[Signature]

Signature of licensee

Restaurant and Eating Place applications must include a completed AB-33: Restaurant Receipts Affidavit
Sporting Activity/Recreational Site applications must include a completed AB-36: Sporting Activity/Recreational Site Statement
Beverage Dispensary Tourism applications must include a completed AB-37: Beverage Dispensary Tourism Statement
Wholesale applications must include a completed AB-25: Supplier Certification
Common Carrier vessel applications must include a current safety inspection certificate

Manufacturer Direct Shipment Licensees must apply for renewal through the
AK-ACCIS online system here: <https://accis.elicense365.com/#>

New This Renewal- Endorsement Fee(s) and Paper Application Fee:

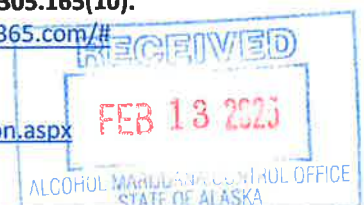
Endorsement renewals will require the biennial \$200.00 fee per endorsement. **Multiple Fixed Counter Endorsements** require ONE \$200.00 biennial fee regardless of how many fixed counters are attached to the license.

This paper form requires an additional submission fee of \$150.00 per 3 AAC 305.165(10).

Avoid additional fees and apply through AK-ACCIS here: <https://accis.elicense365.com/#>

All renewal and supplemental forms are available online:

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



FOR OFFICE USE ONLY

License Fee:	\$ 625.00	Application Fee:	\$ 300.00	Misc. Fee:	\$ _____
Endorsement Fee:	\$ _____	Paper Form Fee	\$150.00		\$ _____
Total Fees Due:				\$	925.00

Receipt #101037790



Alaska Alcoholic Beverage Control Board

Form AB-33: 2025/2026 Renewal Restaurant Receipts Affidavit

What is this form?

A restaurant or eating place licensee must file a complete copy of this form along with its 2025/2026 license renewal application, in order to provide evidence to the Alcoholic Beverage Control Board that this licensed restaurant's receipts from the sale of food upon the licensed premises constitute no less than 50% of the gross receipts (food + alcohol sales) of the licensed premises for each calendar year in 2023 and 2024, as currently required by AS 04.09.210(e) and AS 04.09.360(g). This form is confidential.

This form must be completed and submitted with Form AB-17 to AMCO's main office before a license renewal application may be reviewed.

Section 1 – Establishment Information

This form is being submitted for the following license:

Licensee:	SAKE59 LLC	License #:	4894
License Type:	Restaurant or Eating Place		
Doing Business As:	Fresh Catch Cafe		

Section 2 – Gross Receipts for 2023 and 2024

Please fill out the following information carefully, contact AMCO staff if you have questions regarding this form. Enter the dollar amounts of the food and gross (food + alcohol) receipts on the licensed premises and calculate the percentage of gross revenue that is from food sales on the licensed premises for each calendar year. (Food Revenue ÷ Gross Revenue x 100 = %)

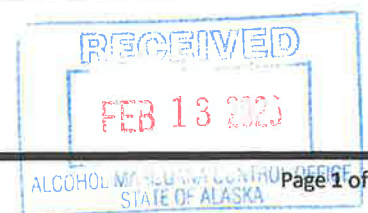
\$ [REDACTED]	÷	\$ [REDACTED]	X 100 =	79.97 %
2023 Food Sales		2023 Food + Alcohol Sales		2023 Percent from Food

\$ [REDACTED]	÷	\$ [REDACTED]	X 100 =	78.48 %
2024 Food Sales		2024 Food + Alcohol Sales		2024 Percent from Food

I declare under penalty of perjury that this form, including all accompanying schedules and statements, is true, correct, and complete.

Jackie Kondak
Printed name of licensee

[Signature]
Signature of licensee



Receipt # 101037790



THE STATE
of ALASKA
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community,
and Economic Development

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

February 14, 2025

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

Licensee: Sake 59 LLC

DBA: Fresh Catch Café

VIA email: freshcatchcafehomer@gmail.com

CC: None

Local Government 1: Homer

Local Government 2: Kenai Peninsula Borough

Via Email: mjacobsen@ci.homer.ak.us; rkrause@ci.homer.ak.us; clerk@cityofhomer-ak.gov;
micheleturner@kpb.us; sessert@kpb.us; mjenkins@kpb.us; nscarlett@kpb.us; mboehmler@kpb.us;
rraidmae@kpb.us; slopez@kpb.us; bcarter@kpb.us; jrasor@kpb.us

Community Council: n/a

Via Email: n/a

Re: Restaurant Eating Place – Seasonal License #4894 Combined Renewal Notice for 2025-2026 Renewal Cycle

License Number:	#4894
License Type:	Restaurant Eating Place – Seasonal
Licensee:	Sake 59 LLC
Doing Business As:	Fresh Catch Café
Physical Address:	4025 Homer Spit Rd #5, Homer, AK 99603
Designated Licensee:	Sake 59 LLC
Phone Number:	907-299-5529
Email Address:	freshcatchcafehomer@gmail.com

☒ License Renewal Application

☐ Endorsement Renewal Application

Dear Licensee:

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

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

Your application will be scheduled for the **April 15th, 2025** board meeting for Alcoholic Beverage Control Board consideration. The address and call-in number for the meeting will be posted on our home page. The board will not grant or deny your application at the meeting unless your local government waives its right to protest per AS 04.11.480(a).

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

Dear Local Government:

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

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

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

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

Please contact the local governing body with jurisdiction over the proposed premises for information regarding the review of this application. Comments or objections you may have about the application should first be presented to the local governing body. If you have any questions, please email Alcohol.licensing@alaska.gov

Sincerely,
Alysha Pacarro, Licensing Examiner II
For
Kevin Richard, Director



Tuesday, February 18, 2025

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

Renee Krause, City Clerk
City of Homer

RE: Non-Objection of Application

Licensee/Applicant	:	Jackie Kondak
Business Name	:	Fresh Catch Café
License Type	:	Restaurant/Eating Places - Public Convenience
License Location	:	4025 Homer Spit Rd. #5 Homer, AK 99603, City of Homer
License No.	:	4894
Application Type	:	License Renewal

Dear Ms. Krause,

This serves to advise that the Kenai Peninsula Borough has reviewed the above referenced application and has no objection.

Should you have any questions, or need additional information, please do not hesitate to let us know.

Sincerely,

Michele Turner, CMC
Borough Clerk

cc: j.kondak81@gmail.com;

<mailto:amco.localgovernmentonly@alaska.gov>



MEMORANDUM

No Objection -Liquor License Renewal for Fresh Catch Cafe

Item Type: Action Memorandum
Prepared For: Renee Krause, MMC, City Clerk
Copy to: Lisa Linegar, Dispatch Supervisor
Date: February 120, 2025
From: Mark Robl, Chief of Police

Homer Police Department has no objection to a liquor license renewal for:

Type: Restaurant/Eating Place
License #: 4894
DBA Name: Fresh Catch Cafe
Service Location: 4025 Homer Spit Road #5, Homer, AK 99603
Licensee: Sake 59, LLC
Designated Licensee: Jackie Kondak
Mailing Address: 4361 Calhoun Ct., Homer, AK 99603



MEMORANDUM

Re-appointment of Karin Marks to the Kenai Peninsula Economic Development District

Item Type: Backup Memorandum
Prepared For: Mayor Lord and City Council
Date: November 12, 2024
From: Renee Krause, MMC, City Clerk
Through: Melissa Jacobsen, City Manager

Homer City Code 2.76.040(i) directs that the Economic Development Advisory Commission should provide a representative for the KPB Economic Development District Board. Karin Marks has indicated that she would like to continue her service and requested re-appointment.

The seat is for three years, commencing in January 1, 2025 and expiring December 31, 2028.

The Kenai Peninsula Economic Development District (KPEDD), a private non-government resource, enhances the quality of life for Borough residents through responsible and sustainable regional economic development.

Since 1988, KPEDD has been involved in a variety of projects, including public works projects, shellfish industry development, international trade, promoting a North Slope Natural Gas Pipeline to Cook Inlet, infrastructure development, workforce planning, community action plans, and tailored business assistance. Each year KPEDD hosts the Industry Outlook Forum, an educational event held in alternating communities which discusses current federal, state, local, and industry projects.

Goals and objectives are developed with broad community support in the five-year Comprehensive Economic Development Strategy, or CEDS. These identified goals and action plans shape the economic development for the Kenai Peninsula Borough.

RECOMMENDATION:

Confirm the re- appointment of Karin Marks as the EDC Representative on the KPEDD Board.

Fiscal note: N/A

Attachment:

Re-appointment application Karin Marks



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: Karen Marks
Physical Address Where you Claim Residency: 202 W Pioneer Ave #C Homer AK 99603
Mailing Address: Same as above
City: _____ State: _____ Zip: _____
Phone Number(s): 907 202 4748
Email: weskar70@gmail.com

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 KPEDD Board

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? 3 years as member at large 3 years Homer Rep

Background Information

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

Homer Economic Dev Advisory Comm / Homer Chamber of Commerce
Pratt ^{museum} ~~museum~~ / Pier One Theater / MAPP Housing Committee
Peony Celebration Committee

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.

As I have had time on the Board + representing Homer, I have come to gain understanding of more of Homer's relationship with the rest of the Borough especially the South Peninsula, and Central. This has allowed me to explain our positions + ideas at Board meetings. I think this history can allow me to be effective going forward as I work with Homer staff, KPEOD staff and nonprofits especially in areas that concern our areas such as mariculture, housing, transportation + workforce development to name a few.

Thank you for considering my reappointment



MEMORANDUM

Ordinance 25-17, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a FY24 Transportation Program Grant in the amount of \$1,100,000 from the Denali Commission for the purpose of completing design and permitting for Homer Harbor Critical Float System Replacement. City Manager/Port Director.

Item Type: Back-Up Memorandum
Prepared For: Mayor Lord and Homer City Council
Date: February 18, 2025
From: Bryan Hawkins, Port Director
Through: Melissa Jacobsen, City Manager

The City of Homer has been awarded an FY24 Transportation Program Grant from the Denali Commission in the amount of 1,100,000. As described by the Commission, this grant program “addresses planning, design and construction of ports, harbors, and other rural waterfront needs such as barge landings and docking facilities.”

This funding will support the completion of field investigations and geotechnical investigation inside the harbor basin where the existing float systems are, 100% design drawings for the project—which is currently at 30% design—and the required environmental review and permitting.

This project requires a local match of \$855,000, which will be verified as each phase of the project is completed. This local match could be met in part by a Designated Legislative Grant in the amount of \$250,000 which is included in the draft Federal FY25 budget as a part of the Transportation, Housing and Urban Development Appropriations Bill.

Completing design and permitting for Homer Harbor Critical Float System Replacement will not only increase the number of grant programs for which the project is eligible, it will decrease the amount of risk and uncertainty in the project budget, making it a more competitive applicant for all available funding.

RECOMMENDATION: Accept and appropriate the FY24 Transportation Program Grant in the amount of \$1,100,000 from the Denali Commission.



Denali Commission
550 West 7th Ave, Suite 1230
Anchorage, AK 99501

907.271.1414 (P)
888.480.4321(TF)
www.denali.gov

August 23, 2024

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

*****Delivered via email to citymanager@cityofhomer-ak.gov *****

RE: 2024 Denali Commission Program Grants FOA DC-WP-24-001

Dear Ms. Jacobsen,

I am pleased to inform you that a selection committee recently evaluated your application for **2024 Denali Commission Program Grant** funds. Your application for the Homer Port Coastal Freight Phase 1 Project was approved for funding in the amount of **\$1,100,000**.

Please note: this letter does not authorize you to incur costs or otherwise obligate Denali Commission funds until your financial assistance award has been fully executed.

Transportation Program Manager Nikki Navio will be in touch soon to assist you in identifying any additional information that may be relative to your project and to negotiate your financial assistance award.

Congratulations on your successful application. We at the Denali Commission look forward to working closely with you on this important project and offer our best wishes for your success. If you have any questions regarding this award, please feel free to contact Nikki at 907-271-1414.

Sincerely,

Jocelyn Fenton
Interim Federal Co-Chair

cc: Nikki Navio, Denali Commission Transportation Program Manager
Janet Davis, Denali Commission Grants Officer

**CITY OF HOMER
HOMER, ALASKA**

City Manager/
Port Director

ORDINANCE 25-17

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
AMENDING THE FY25 CAPITAL BUDGET BY ACCEPTING AND
APPROPRIATING A FY24 TRANSPORTATION PROGRAM GRANT IN
THE AMOUNT OF \$1,100,000 FROM THE DENALI COMMISSION FOR
THE PURPOSE OF COMPLETING DESIGN AND PERMITTING FOR
HOMER HARBOR CRITICAL FLOAT SYSTEM REPLACEMENT WITH A
LOCAL MATCH OF \$855,000 AND AUTHORIZING THE CITY
MANAGER TO EXECUTE THE APPROPRIATE DOCUMENTS

WHEREAS, The Homer Harbor Critical Float System Replacement is ranked third among
the City of Homer FY2026 State and Federal Legislative Priorities in the Capital Improvement
Plan; and

WHEREAS, The City submitted an application to the Denali Commission Transportation
Program for funding to complete design and permitting activities for the Harbor Critical Float
System Replacement project for the Homer Harbor; and

WHEREAS, As a 'shovel-ready' project with completed design and permitting, Homer
Harbor Critical Float System Replacement will become eligible for more sources of grant
funding; and

WHEREAS, The Denali Commission has awarded the City a grant in the amount of
\$1,100,000 requiring a local match of \$855,000; and

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The Homer City Council hereby amends the FY25 Capital Budget by accepting
and appropriating a FY24 Transportation Program Grant in the amount of \$1,100,000 from the
Denali Commission for the purpose of completing design and permitting for Homer Harbor
Critical Float System Replacement with a local match of \$855,000 as follows:

Revenue:

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
415-XXXX	Denali Commission Grant	\$1,100,000

Expenditure:

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
456-0380	Homer Harbor Critical Float System Replacement Project	\$855,000

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

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

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA this ____ day of _____, 2025.

CITY OF HOMER

RACHEL LORD, MAYOR

ATTEST:

RENEE KRAUSE, MMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

First Reading:

Public Hearing:

Second Reading:

Effective Date:

**Financial Assistance Award Terms and Conditions
Between the Denali Commission and City of Homer
For Homer Port FREIGHT (Freight Resiliency & Efficiency – Improving Greater
Homer-area Transportation) – Phase 1 Design & Permitting
Award No. _____**

1. Project Summary

- a. Scope of Work: Complete design, environmental review and permitting for the Float System 4 & 1 Replacement project which will help safeguard Homer's critical marine transportation infrastructure
- b. Deliverables: See Attachment A: Scope of Work.
- c. Budget: The Commission makes \$1,100,000 available for the project via this Financial Assistance Award (FAA) and is designated as a non-federal match to other federal funds. This amount includes all direct, indirect, and pre-award costs (if any) authorized pursuant to 2 CFR 200.458. Other partners on the project include City of Homer, who in total is contributing an additional \$855,000. All Commission funding shall be used for the scope of work identified in this FAA only. Any funds remaining after the full scope of work has been completed shall be returned to the Denali Commission consistent with 2 CFR 200.345.
- d. Delivery Method: The City of Homer will oversee all tasks and contracts and competitively procure a contractor to achieve 35% design, initiate long-lead time permit activities, and develop the request for proposals, followed by procuring a design-build team to complete the design.
- e. Performance Period: The Period of Performance for this FAA is 6 January 2025 through 31 July 2026. In accordance with 2 CFR 200.309 Recipients can only incur obligations or costs against this FAA during the Period of Performance, unless specifically authorized in the Special Provisions. If a project cannot be completed within the approved Period of Performance, an extension request must be made in accordance with the Commission's Recipient Guidelines and Requirements (RGR).
- f. Place of Performance and Beneficiaries: The place of performance is Homer, a small, rural, first-class city in Census Tract 10, approximately 220 miles south of Anchorage, Alaska on the southern end of the Kenai Peninsula. The community has a population of 5,522 people, 7.6% of whom identify as American Indian or Alaska Native.

Homer is:

- not identified as a distressed community in the Commission's 2023 Distressed Communities Report
- not identified as an Environmentally Threatened Community in the Commission's 2019 Statewide Threat Assessment

- not identified as disadvantaged per the Council on Environmental Quality's Climate and Economic Justice Screening Tool

Additional details are included in Attachment A.

2. Project Reporting and Commission Site Visits

Progress reports and a closeout report are required under this FAA. Progress Reports shall be submitted at the frequency stipulated in the Special Provisions.

The Closeout Report shall be completed within 90 days of the end of the Period of Performance. All reports must be submitted using the Denali Commission's online Project Database System, available at [Denali Commission Project Database](#).

Commission staff or agents of the Commission may visit the project site or home office to monitor progress during or after the Period of Performance. The Recipient shall coordinate and make information available to facilitate such site visits.

Refer to the [Recipient Guidelines and Requirements](#) document for further information related to reports and site visits.

3. Payments

The Commission shall make payments under this FAA per [2 CFR 200.305](#) by electronic transfer in response to a [Standard Form 270 \(SF-270\)](#) "Request for Advance or Reimbursement", submitted by the Recipient. At a minimum, all SF-270s must include summary cost information on labor, materials, contracts/consultants, and indirect costs. Detailed documentation is required for any single expenditure greater than \$50,000. The Special Provisions will indicate if Pre-award Costs and/or Advance Payments are authorized under this FAA. Requests for reimbursements may be made as needed. Refer to the [Recipient Guidelines and Requirements](#) document for further information about submitting SF-270s.

4. Modifications

In accordance with [2 CFR 200.308](#), the Recipient shall report deviations in project scope, budget, delivery method, management plan, schedule, or changed site conditions and request prior approvals from the Program Manager. The Recipient shall also submit written requests to the Program Manager to replace Key Staff identified in the Special Provisions. Refer to the [Recipient Guidelines and Requirements](#) document for further information about modifying a Financial Assistance Award.

5. Financial Management, Record Keeping, Internal Controls, and Audits

The Recipient must have financial management and record-keeping systems consistent with [2 CFR 200.302](#). If the Recipient is a State organization, it must

expend and account for FAA funds in accordance with applicable State laws and procedures for expending and accounting for the State's own funds.

The Recipient must establish and maintain adequate internal controls with respect to this FAA that are consistent with [2 CFR 200.303](#).

In accordance with [2 CFR 200.501](#), Recipients that expend \$750,000 or more of federal funds in a year shall have a single or program-specific audit conducted for that year.

Refer to the [Recipient Guidelines and Requirements](#) document for further information about financial management, record keeping, internal controls, and audits.

6. Direct and Indirect Costs

All direct costs must be allowable, allocable, and reasonable. Indirect costs must be allocable based on accepted accounting policies and practices and in accordance with the Recipient's Negotiated Cost Rate Agreement (NCRA), as applicable. Recipients not having an NCRA may charge the 15% De Minimis rate to [Modified Total Direct Costs \(MTDC\)](#). Indirect costs must be included as a line item or identified with appropriate notes in the approved FAA budget. Refer to [2 CFR 200 Subpart E \(Cost Principles\)](#) and the [Recipient Guidelines and Requirements](#) document for further information on direct and indirect costs.

7. Sub-Awards

All sub-awards and contracts issued by the Recipient under this FAA must comply with [2 CFR 200.331](#) and [332](#).

8. Procurements

- a. States: In accordance with [2 CFR 200.317](#), when procuring property and services under this FAA, a State Recipient must follow the same policies and procedures it uses for procurements from its non-Federal funds. The State Recipient must also comply with [2 CFR 200.322](#) and ensure that every purchase order or contract includes any clauses and provisions required by [2 CFR 200.326](#).
- b. Other Non-Federal Entities: All other non-Federal Recipients, including subrecipients of a State, must follow their own documented procurement procedures, provided that the procedures conform to applicable Federal law and the standards in [2 CFR 200.318](#) through [200.326](#). Refer to the *Recipient Guidelines and Requirements* document for further information.

9. Acknowledgment of Support

The Recipient shall name the Denali Commission as a financial contributor and project/program partner in all media correspondence related to the work supported by this FAA. If Commission funds are used for construction, the Recipient shall also display a sign at the construction site acknowledging the Commission's support. Refer to the [Recipient Guidelines and Requirements](#) document for further information.

10. Real Property and Equipment

The Disposition requirements and restrictions outlined in [2 CFR 200.310](#) through [200.316](#) apply unless specifically altered in the Special Provisions to this FAA.

Any Real Property reporting requirements that apply in accordance with [2 CFR 200.329](#) will be stipulated in the Special Provisions to this FAA.

11. Conflict of Interest

In accordance with [2 CFR 200.112](#), the Recipient must disclose in writing any potential conflicts of interest to the Commission. In addition, [2 CFR 200.318](#) requires that Recipients maintain written standards of conduct covering conflicts of interest and governing the performance of their employees engaged in the selection, award, and administration of contracts. Refer to the [Recipient Guidelines and Requirements](#) document for further information.

12. Denali Commission Policies

Recipients may be required to comply with specific published Denali Commission policies which can be found in the [Recipient Guidelines and Requirements](#) document. The Special Provisions to this FAA will stipulate any specific requirements or deliverables related to these policies.

13. Laws and Regulations

Recipients are required to comply with all applicable Federal laws and regulations. General categories of potentially applicable laws and regulations are summarized below. Refer to the [Recipient Guidelines and Requirements](#) document for further information on specific laws and regulations that may apply.

- a. Debarment and Suspension
- b. Whistle-blower Protection
- c. Non-Discrimination
- d. Lobbying and Propaganda
- e. Environmental
- f. Drug-Free Workplace
- g. Travel
- h. Human Rights
- i. Animal Welfare

- j. Executive Compensation
- k. Build America, Buy America Act

14. Other Provisions

- a. The United States expressly disclaims any and all responsibility or liability to the Recipient or sub-recipients for the actions of the Recipient or sub-recipients resulting in death, bodily injury, property damages, or any other losses resulting in any way from the performance of this FAA, including sub-awards, contracts, or sub-contracts issued in connection with this FAA.
- b. To the maximum extent practicable, considering applicable laws, the Recipient shall accomplish the project contemplated by this FAA using local Alaska firms and labor.
- c. All terms and conditions in this FAA apply to any sub-recipient under this FAA.
- d. Failure to comply with the provisions of this FAA or maintain satisfactory performance may result in additional FAA conditions pursuant to [2 CFR 200.207](#). This includes but is not limited to temporarily withholding payments pending the correction of the deficiency, disallowance of project costs, and wholly or partially suspending or terminating the FAA. In addition, failure to comply with this FAA's provisions may also negatively impact the Recipient's eligibility for future Federal awards.

15. Special Provisions

Progress Reports: Shall be submitted on a quarterly basis. The first reporting period is upon Notice of Award and quarterly thereafter in accordance with the Commission's *Recipient Guidelines and Requirements*.

Pre-award Costs: Allowable upon review and approval from the Program Manager.

Match Requirements: Final SF-270 will not be reimbursed until documentation of match portion has been provided for each task and activity.

Advance Payments: Allowable upon review and approval from the Program Manager.

Key Staff: The following individuals will serve as key staff on the project.

Role	Name	Title	Phone	Email
Signatory Official	Melissa Jacobsen	City Manager	907-435-3102	mjacobsen@ci.homer.ak.us
Program Manager	Bryan Hawkins	Port Director	907-435-3157	bhawkins@ci.homer.ak.us
Back-up Program Manager	Amy Woodruff	Port & Harbor Administrative Supervisor	907-435-3146	awoodruff@ci.homer.ak.us
Financial Manager	Elizabeth Fischer	Finance Director	907-435-3117	efischer@ci.homer.ak.us
Back-up Financial Manager	Jenna DeLumeau	Comptroller	907-435-3116	jdelaide@ci.homer.ak.us
Staff Liaison	Jenny Carroll	Special Projects & Communications Coordinator	907-435-3101	jcarroll@ci.homer.ak.us

Denali Commission Policies:

- *Investment Guidance Policy:* Initiatives and projects developed pursuant to this FAA must maximize match funding and long-term benefits to Alaska.
- *Sustainability Policy:* Initiatives and projects developed pursuant to this FAA must include analysis that shows the initiative/project will be sustainable.
- *Community Planning Policy:* Initiatives and projects developed pursuant to this FAA must be consistent with local and regional planning documents.
- *Open Door Policy:* Any facilities developed pursuant to this FAA shall be available to all potential users.
- *Private Enterprise Policy:* Initiatives and projects developed pursuant to this FAA shall not compete with private interests.
- *Competitive Bid Policy:* Where multiple Alaska-based vendors can complete the required work, Recipients are encouraged to pursue a competitive bid; price competition is required for all contracts over \$3 million.

NEPA: Project falls under Denali Commission National Environmental Policy Act (NEPA) Implementing Procedures published in [45 CFR Part 900](#) on 1 October 2016 Categorical Exclusion A5 for design. In addition to design, the project includes a full NEPA review conforming to Title 23 requirements.

Cooperative Agreement: Not Applicable (N/A)

Equipment Disposition: N/A

Insurance: The Denali Commission shall be named additional insured on City of Homer's General Liability Insurance Policy, the General Liability Insurance Policy of the prime architectural/engineering firm(s) retained to design the project, the Liability Insurance Policy of the first tier construction firm(s) who will construct the project, and the Liability Insurance Policy of all other independent professional service firms (e.g. land surveyors, geotechnical engineers) with a primary role on the project.

Bonds: Bid (if applicable), Payment and Performance bonds in accordance with 2 CFR 200.325.

Ownership and Site Control: N/A

Davis Bacon Wages: N/A

Climate Change and Infrastructure Resilience: City of Homer is encouraged to consult the ASCE Manual of Practice 140 (MOP 140) Climate-Resilient Infrastructure: Adaptive Design and Risk Management, 2018. Simple use of historical environmental data to inform design work is not appropriate. Recipient and/or Recipient's design professionals shall judiciously account for the potential for increased rates of permafrost thaw, coastal/riverine erosion, and flooding during the design life of the infrastructure.

Real Property Disposition: N/A

Real Property Reporting: N/A

16. Program Manager, Financial Manager & Other Contact Information

Denali Commission	City of Homer
Nikki Navio Program Manager 550 W. 7th Avenue, Suite 1230 Anchorage, AK 99501 Phone: 907-271-1413 E-mail: nnavio@denali.gov	Bryan Hawkins Project Manager 491 E. Pioneer Avenue Homer, AK 99603 Phone: 907-435-3157 Email: bhawkins@ci.homer.ak.us
Janet Davis Grants Management Officer 550 W. 7th Avenue, Suite 1230 Anchorage, AK 99501 Phone: 907-271-3036 E-mail: jdavis@denali.gov	Elizabeth Fischer Finance Director 491 E. Pioneer Avenue Homer, AK 99603 Phone: 907-435-3117 Email: efischer@ci.homer.ak.us



MEMORANDUM

Ordinance 25-18, An Ordinance of the City Council of Homer, Alaska, Amending the FY25 Capital Budget by Appropriating an Additional \$17,000 from the Water Capital Asset Repair and Maintenance Allowance (CARMA) Fund to Purchase One Membrane Filter Module for the Water Treatment Plant. City Manager/Public Works Director.

Item Type: Backup Memorandum
Prepared For: City Council
Date: February 12, 2025
From: Daniel Kort, Public Works Director
Through: Melissa Jacobsen, City Manager

I. Issue: The purpose of this Memorandum is to request an additional appropriation of \$17,000 from the Water CARMA for the purpose of paying increased costs of providing membrane replacement modules for the Water Treatment Plant (WTP).

II. Background:

Homer's drinking water treatment technology involves the use of modules of very small diameter membranes, which are hung on racks, similar to a drying rack of angel hair pasta. Water passes through the membranes, which filter out sediment, organics and other particles. The WTP contains space for six of these racks, called "membrane trains" of which five are currently in use. The sixth rack location is vacant and is for future expansion to accommodate larger flows as water demand in Homer increases over time.

The original membrane trains were installed in 2009, with an expected life span of 10-14 years. Therefore, the current filter trains are at the end of their useful life. In 2023 a plan was developed for replacing these filter trains over several years in order to space out their expiration. The FY24/25 Capital Budget included \$80,000 to purchase one membrane train each fiscal year. The first membrane train was purchased and installed in FY24 for \$95,000 after a supplemental appropriation. This current additional appropriation request of \$17,000 is in addition to the already appropriated \$80,000 to cover the extra cost for the purchase of the second membrane train.

As stated in Ordinance 23-57, we will be asking for additional appropriations in future years to address future purchases. Once completed, we will have replaced all five of the original membrane trains.

The City's water treatment plant operators have the skills, abilities and tools to install the new membrane trains and have completed the installation of the first membrane filter train.

- III. RECOMMENDATION:** That the City Council appropriate an additional \$17,000 from the Water CARMA fund to pay for the acquisition of membrane filter trains for the Water Treatment Plant.

**CITY OF HOMER
HOMER, ALASKA**

City Manager/
Public Works Director

ORDINANCE 23-57

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
AMENDING THE FY24 CAPITAL BUDGET BY APPROPRIATING AN
ADDITIONAL \$35,000 FROM THE WATER CAPITAL ASSET REPAIR
AND MAINTENANCE ALLOWANCE (CARMA) FUND TO PURCHASE
ONE MEMBRANE FILTER MODULE FOR THE WATER TREATMENT
PLANT.

WHEREAS, Ordinance 23-23(A-3) adopted the FY24/25 Capital Budget, which authorized
\$80,000 in FY24 to procure one membrane filter train; and

WHEREAS, An additional funding of \$35,000 is necessary to complete the FY24 purchase
after negotiating technical and financial factors and the cost of the consultant support; and

WHEREAS, The City's water is treated with a sophisticated system of long, small-
diameter hollow threads, which, when connected together in a frame, comprise a "membrane
filter", referred to as a "train"; and

WHEREAS, The Water Treatment Plant (WTP), built in 2007, has room for five membrane
filter trains, which have a predicted life span of 10-15 years; and

WHEREAS, The WTP currently has five filter trains operating that are currently operating
and past their expected useful life; and

WHEREAS, The FY25 Capital Budget includes \$80,000 to procure a second membrane
filter train, and the intent is to budget for the purchase of one each in FY26, FY27 and FY28.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The Homer City Council hereby amends the FY24 Capital Budget by
appropriating an additional \$35,000 to fund the increased purchase price of one membrane
filter module for the Water Treatment Plant as follows:

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
256-0378	WTP Membrane Train	\$35,000

Section 2. The total appropriation is \$115,000 as follows:

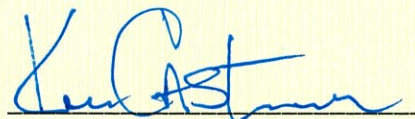
<u>Fund</u>	<u>Description</u>	<u>Amount</u>
256-0378	WTP Membrane Train - Existing Appropriation	\$80,000
256-0378	WTP Membrane Train – Additional Funding	\$35,000

Section 3. The City Manager is authorized to execute the appropriate documents.

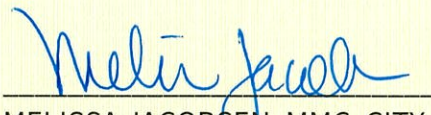
Section 4. This is a budget amendment ordinance, is temporary in nature, and shall not be codified.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA this 27th day of November, 2023.

CITY OF HOMER


KEN CASTNER, MAYOR

ATTEST:


MELISSA JACOBSEN, MMC, CITY CLERK

YES: 6

NO: 0

ABSTAIN: 0

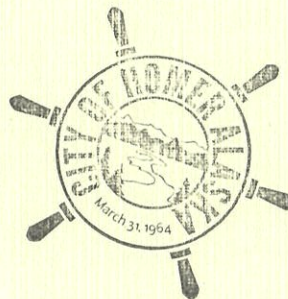
ABSENT: 0

Introduction: November 13, 2023

Public Hearing: November 27, 2023

Second Reading: November 27, 2023

Effective Date: November 28, 2023





MEMORANDUM

Ordinance 23-57, An Ordinance of the City Council of Homer, Alaska Amending the FY24 Capital Budget by Appropriating an Additional \$35,000 from the Water Capital Asset Repair and Maintenance Allowance Fund to Purchase One Membrane Filter Module for the Water Treatment Plant. City Manager/Public Works Director.

Item Type: Backup Memorandum
Prepared For: City Council
Date: October 31, 2023
From: Janette Keiser, PE, Public Works Director/City Engineer
Through: Rob Dumouchel, City Manager

I. **Issue:** The purpose of this Memorandum is to request an additional appropriation of \$30,061 from the Water CARMA for the purpose of paying increased costs of providing membrane replacement modules for the Water Treatment Plant (WTP).

II. **Background:**

Homer's drinking water treatment technology involves the use of modules of very small diameter membranes, which are hung on racks, similar to a drying rack of angel hair pasta. Water passes through the membranes, which trap sediment, organics and other particles. The WTP contains space for six of these racks, called "membrane trains" of which five are currently in use. The sixth rack allows Homer to accommodate larger flows as water demand increases over time. The original membrane trains were installed in 2009, with an expected life span of 10-14 years. Thus, we are at the end of their useful life, so we have developed a plan for replacing them over the next few years. The FY24 Capital Budget includes \$80,000 to purchase one membrane train and the FY25 Capital Budget includes \$80,000 to purchase a second membrane train. We now know the cost of the first membrane train, including a modest contingency, is \$95,000. We need an additional appropriation of \$30,061 to cover the extra cost of the first membrane train.

We will be asking for additional appropriations in future years to address future purchases. We are contemplating purchase of five membrane trains in total to replace each of the original membrane trains.

We are also requesting an additional \$15,061 to cover the costs of the HDR Task Order. We needed help to review the specifications of the membrane trains, as some of the characteristics of the technology has changed in the past 14 years. Plus, we need to ensure brand new membranes won't adversely affect our current flow conditions at the WTP. So, we commissioned HDR, the original WTP designers to help us negotiate design parameters and features for the new membrane trains as well as to negotiate price indices. HDR's Task Order 23-04 for this work was authorized by Resolution 23-006 and cost \$15,061. The work has been done. We now have a final proposal from the manufacturer, Zenon Environmental Corporation (Zenon), for the new membrane trains.

The Zenon's proposal covers membrane replacement over a period of five years, anticipating purchase of one membrane train each year. This locks in the base price for all five membrane trains. Prices will be adjusted for inflation.

The total value for the purchase of five membrane trains is \$463,870. The Annual Payment is \$92,774 for the first year. Payments for subsequent years will be subject to inflationary adjustments, in accordance with the US CPI-U, All Urban Consumers. In addition to the membrane trains themselves, this price includes fiber repair kits and other parts required to connect the new membranes to the existing frameworks. In the event future City Councils do not appropriate funds for future payments, we have the option to terminate the purchase agreement. Once terminated, there is no option to restart the agreement; we will need to start from scratch.

The City's water treatment plant operators have the skills, abilities and tools to install the new membrane trains once we receive them. We may ask HDR to help commission the new membrane trains to ensure smooth transition between old and new flow parameters. We will assess the need, and request funding, for this possibility when we get the first train.

Homer City Code allows exceptions to be made to bidding requirements in the cases where a sole source procurements is justified, HCC 3.16.060(i). A sole source procurement is justified in this case because Zenon (1) provided the original membrane trains and (2) is the only manufacturer of these specialized membranes in the country.

Zenon's cost proposal is deem fair and reasonable, because it is based on the price guarantee formula that was part of the original purchase in 2009, adjusted for inflation, shipping and other incidental costs we've been able to identify and negotiate, such as costs for the repair kits, etc. The membranes themselves are manufactured in Hungary and subject to U.S. Custom duties, which are subject to change. Because of this, we recommend a small contingency be provided to account for small cost adjustments.

Delivery is projected to be 52 weeks after receipt of a purchase order.

We are asking for a total increase in appropriation of \$35,000, which includes \$15,000 for the additional costs for the membrane trains and \$15,061 for the cost of the HDR Task Order and a contingency amount:

• HDR Task Order	\$ 15,061
• Membrane train	\$ 95,000
• <u>Contingency</u>	<u>\$ 4,939</u>
Total needed	\$115,000
• Currently authorized	<u>\$ 80,000</u>
Additional \$ needed	\$ 35,000

- III. RECOMMENDATION:** That the City Council appropriate an additional \$35,000 from the Water CARMAS fund to pay for the acquisition of membrane filter trains for the Water Treatment Plant, including (a) purchase of one membrane filter train and (b) consultant services related to the transaction.

CITY OF HOMER
FINANCIAL SUPPLEMENT

PROJECT NAME	Additional Funding - WTP Membrane Filter	DATE	11/08/2023
DEPARTMENT	Public Works	SPONSOR	PW Director
REQUESTED AMOUNT	\$ 35,000		

DESCRIPTION	<p>An additional funding of \$35,000 is necessary to complete the FY24 purchase after negotiating technical and financial factors and the cost of the consultant support.</p> <p>The City's water is treated with a sophisticated system of long, small-diameter hollow threads, which, when connected together in a frame, comprise a "membrane filter", referred to as a "train". The Water Treatment Plant (WTP), built in 2007, has room for five membrane filter trains, which have a predicted life span of 10-15 years. The WTP currently has five filter trains operating that are currently operating and past their expected useful life.</p>
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FUNDING SOURCE(S)	OPERATING	GF CARMA	GF FLEET CARMA	PORT RESERVES	WATER CARMA
	0%	0%	0%	0%	100%
	HAWSP	HART-ROADS	HART-TRAILS	PORT FLEET RESERVES	SEWER CARMA
	0%	0%	0%	0%	0%

FUNDING SOURCE 1: WATER CARMA (256-0378)		FUNDING SOURCE 2:		FUNDING SOURCE 3:	
Current Balance	\$ 2,119,591	Current Balance	_____	Current Balance	_____
Encumbered	\$ 821,770	Encumbered	_____	Encumbered	_____
Requested Amount	\$ 35,000	Requested Amount	_____	Requested Amount	_____
Other Items on Current Agenda	\$ 0	Other Items on Current Agenda	_____	Other Items on Current Agenda	_____
Remaining Balance	\$ 1,262,821	Remaining Balance	_____	Remaining Balance	_____
FUNDING SOURCE 4:		FUNDING SOURCE 5:		FUNDING SOURCE 6:	
Current Balance	_____	Current Balance	_____	Current Balance	_____
Encumbered	_____	Encumbered	_____	Encumbered	_____
Requested Amount	_____	Requested Amount	_____	Requested Amount	_____
Remaining Balance	_____	Remaining Balance	_____	Remaining Balance	_____

**CITY OF HOMER
HOMER, ALASKA**

City Manager
Public Works Director

ORDINANCE 25-18

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
AMENDING THE FY25 CAPITAL BUDGET BY APPROPRIATING AN
ADDITIONAL \$17,000 FROM THE WATER CAPITAL ASSET REPAIR
AND MAINTENANCE ALLOWANCE (CARMA) FUND TO PURCHASE
ONE MEMBRANE FILTER MODULE FOR THE WATER TREATMENT
PLANT.

WHEREAS, The City's water is treated with a sophisticated system of long, small-diameter hollow threads, which, when connected together in a frame, comprise a "membrane filter", referred to as a "train"; and

WHEREAS, The Water Treatment Plant (WTP), built in 2007, has room for six membrane filter trains, which have a predicted life span of 10-15 years; and

WHEREAS, The WTP currently has five filter trains operating and one filter train space as reserved for future expansion; and

WHEREAS, It is time to procure replacements for the five that are currently operating and past their expected useful life; and

WHEREAS, The FY25 Capital Budget includes \$80,000 to procure one membrane filter train; and

WHEREAS, The first filter train was purchase for approximately \$95,000 under Ordinance 23-57 and installed in FY24; and

WHEREAS, The anticipated cost including a modest contingency for the second filter train after coordination with the vendor is expected to be approximately \$97,000, which exceeds the available budget by \$17,000; and

WHEREAS, Funds are available in the Water CARMA fund to support the cost increase.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The Homer City Council hereby amends the FY25 Capital Budget by appropriating an additional \$17,000 as follows:

45	<u>Fund</u>	<u>Description</u>	<u>Amount</u>
46	256-0378	WTP Membrane Train	\$17,000

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

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA this ____ day of _____, 2025.

CITY OF HOMER

RACHEL LORD, MAYOR

ATTEST:

RENEE KRAUSE, MMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

Introduction:

Public Hearing:

Second Reading:

Effective Date:

CITY OF HOMER FINANCIAL SUPPLEMENT

PROJECT NAME	<u>Additional Funding - Membrane Filter for Water Treatment Plant</u>	DATE	<u>02/19/2025</u>
DEPARTMENT	<u>Public Works</u>	SPONSOR	<u>City Manager/PW Director</u>
REQUESTED AMOUNT	<u>\$ 17,000</u>		

DESCRIPTION	<p>The City's water is treated with a sophisticated system of long, small-diameter hollow threads, which, when connected together in a frame, comprise a "membrane filter", referred to as a "train". The Water Treatment Plant (WTP), built in 2007, has room for six membrane filter trains, which have a predicted life span of 10-15 years. The WTP currently has five filter trains operating and one filter train space as reserved for future expansion. It is time to procure replacements for the five that are currently operating and past their expected useful life. The FY25 Capital Budget includes \$80,000 to procure one membrane filter train. The first filter train was purchase for approximately \$95,000 under Ordinance 23-57 and installed in FY24. The anticipated cost including a modest contingency for the second filter train after coordination with the vendor is expected to be approximately \$97,000, which exceeds the available budget by \$17,000.</p>
-------------	--

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

FUNDING SOURCE 1: WATER CARMA (256-0378)		FUNDING SOURCE 2:		FUNDING SOURCE 3:	
Current Balance	<u>\$ 2,222,705</u>	Current Balance	<u> </u>	Current Balance	<u> </u>
Encumbered	<u>\$ 1,156,706</u>	Encumbered	<u> </u>	Encumbered	<u> </u>
Requested Amount	<u>\$ 17,000</u>	Requested Amount	<u> </u>	Requested Amount	<u> </u>
Other Items on Current Agenda	<u>\$ 300,000</u>	Other Items on Current Agenda	<u> </u>	Other Items on Current Agenda	<u> </u>
Remaining Balance	<u>\$ 748,999</u>	Remaining Balance	<u> </u>	Remaining Balance	<u> </u>
FUNDING SOURCE 4:		FUNDING SOURCE 5:		FUNDING SOURCE 6:	
Current Balance	<u> </u>	Current Balance	<u> </u>	Current Balance	<u> </u>
Encumbered	<u> </u>	Encumbered	<u> </u>	Encumbered	<u> </u>
Requested Amount	<u> </u>	Requested Amount	<u> </u>	Requested Amount	<u> </u>
Remaining Balance	<u> </u>	Remaining Balance	<u> </u>	Remaining Balance	<u> </u>



MEMORANDUM

Ordinance 25-19, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Chapter 5.16 Public Nuisance Abatement, to Direct Appeals to the Office of Administrative Hearings or a Hearing Officer Appointed by the City Manager. City Manager.

Item Type: Backup Memorandum
Prepared For: Mayor Lord and Homer City Council
Date: February 12, 2025
From: Julie Engebretsen, Community Development Director
Through: Melissa Jacobsen, City Manager

Background

Last spring, Council voiced concern over the lack of city codes for enforcement. Staff and the attorney spent some time reviewing sections of code that address code compliance, and recommends amendments to Title 1, Title 5, and Title 21. Ordinances 25-11 and 25-12 address Titles 1 and 21. This ordinance addresses Title 5.

Analysis

Homer City Code Title 5.16 addresses Public Nuisance Abatement. This section of code still has the City Council sitting as the Board of Adjustment as the body that hears appeals. The proposed ordinance would standardize Title 5.16 with the rest of City Code, which sends appeals to the Office of Administrative Hearings or a hearing officer. The ordinance also refines some of the code addressing abatement and process for fines and appeals.

RECOMMENDATION:

Introduce Ordinance 25-19, conduct a public hearing at the following meeting, and adopt the ordinance.

**CITY OF HOMER
HOMER, ALASKA**

City Manager

ORDINANCE 25-19

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
AMENDING HOMER CITY CODE CHAPTER 5.16, PUBLIC NUISANCE
ABATEMENT, TO DIRECT APPEALS TO THE OFFICE OF
ADMINISTRATIVE HEARINGS OR A HEARING OFFICER APPOINTED
BY THE CITY MANAGER.

WHEREAS, The City of Homer hereby wishes to reassign responsibility for
administrative appeals of public nuisance citations to the State of Alaska Office of
Administrative Hearings or a hearing officer appointed by the City Manager.

NOW, THEREFORE, The City of Homer Ordains:

Section 1: The Homer City Council hereby amends Homer City Code Chapter 5.16, Public
Nuisance Abatement, as follows:

Chapter 5.16.010 Definitions.

“Abatement” means the removal, stoppage, prostration, or destruction of that which causes
or constitutes a nuisance, whether by breaking or pulling it down, or otherwise destroying, or
effacing it, or by any other method or means.

~~“Appeals Board” means the City Council or another commission, board, or person designated
or appointed by resolution of the City Council with authority to conduct appeals under this
chapter.~~

“Building Inspector” means the person designated in writing who has been adequately trained
and is determined to be a qualified inspector for the purposes of determining the structural
safety of a structure.

“Department” means the Police Department or another department or division of the City
designated in writing by the City Manager to have the authority, in whole or in part, to enforce
this chapter.

“Owner” means the owner of record based on the Kenai Peninsula Borough Assessor’s record
or any person with legal, financial or equitable interest in the property on which the alleged
public nuisance exists at the time of the violation.

“Property” means any real property, premises, structure or location on which a public nuisance is alleged to exist.

“Public nuisance” means any fence, wall, shed, deck, house, garage, building, structure or any part of any of the aforesaid; or any tree, pole, or smokestack; or any excavation, hole, pit, basement, cellar, sidewalk subspace, dock, wharf or landing dock; or any lot, land, yard, premises or location which in its entirety, or in any part thereof, by reason of the condition in which the same is found or permitted to be or remain, shall or may endanger the health, safety, life, limb or property, or cause any hurt, harm, damage or injury to any one or more persons in the City, in any one or more of the following particulars:

1. By reason of being a menace, threat or hazard to the general health and safety of the community.

2. By reason of being a fire hazard.

3. By reason of being unsafe for occupancy, or use on, in, upon, about or around the aforesaid property.

4. By reason of lack of sufficient or adequate maintenance of the property, or being vacant, or the accumulation of junk or waste material of any kind or description, any of which depreciates the appraised value of the property in the immediate vicinity to such an extent that it is harmful to the community in which such property is situated or such condition exists.

“Summary abatement” means abatement of the nuisance by the City, or a contractor employed by the City, by removal, repair, or other acts without notice to the owner, agent, or occupant of the property except for the notice required by this chapter. [Amended by City in August 2017; Ord. 07-37(A) § 2, 2007].

5.16.020 Summary Abatement.

a. Whenever the existence of a public nuisance, as defined in this chapter, comes to the attention of the Department, the Department may promptly cause to be inspected the property on which it is alleged that such public nuisance exists. Should the Department find that a public nuisance exists, and that the public health, safety or welfare may be in immediate danger, then summary abatement procedures shall be implemented and the Department may cause the nuisance to be removed or abated. ~~The Department may notify the Building Inspector if the public nuisance involves a building that appears structurally unsafe. The Building Inspector, upon being notified by the Department, shall cause the building on which it is alleged such public nuisance exists to be inspected and submit a written report of such inspection and the findings to the Department.~~ **If the Department has reason to believe the**

nuisance involves a building that is structurally unsafe, or the nuisance has caused the building to be structurally unsafe, the Department shall hire a building inspector or engineer, trained to evaluate such issues. The inspector or engineer shall submit a written report of such inspection and the findings to the Department prior to any abatement action being taken. All costs for said inspection shall be borne by the building owner.

b. When summary abatement is authorized, prior notice to the owner, agent or occupant of the property is not required, but will be attempted. Following summary abatement, the Department shall cause to be posted on the property liable for the abatement a notice describing the action taken to abate the nuisance. [Ord. 07-37(A) § 2, 2007].

5.16.030 Abatement in other cases – Notice, etc.

a. If, after inspecting the property on which the nuisance is reported, the Department declares the existence of a public nuisance, but the nature thereof is not such as to require the summary abatement of such nuisance, then regular abatement procedures shall be followed. Photographs and reports of the findings and inspections shall be made and filed with the Department.

b. The Department shall determine the person who, from the records in the Recorder's office, appears to be the titled owner of the property and immediately cause a written notice to be served on such person by personal service or by leaving a copy of the notice at the usual place of residence or business of such owner, or address of such owner shown in the Recorder's records, or by copy mailed to such owner at such place or address by United States certified mail return receipt. If service of such written notice is unable to be accomplished by any of the methods described above, the Department shall cause a copy of the notice to be published in a newspaper of general circulation in the City, once a week for two consecutive weeks, and shall further cause a copy of the notice to be left with the person, if any, in possession of such property on which it is alleged such public nuisance exists, or if there is no person in possession thereof, the Department shall cause a copy of the notice to be to be posted at such structure, location or premises. The Department shall also determine from the Recorder's office who the lienholder of the property, if any, as documented therein, is and cause a written notice to be served on such lienholder by United States mail return receipt.

c. The aforesaid notice to the owner, and lienholder, if any, of the property shall state clearly and concisely the findings of the Department with respect to the existence of a public nuisance. The notice shall further state that unless the owner thereof shall cause the abatement of the public nuisance, pursuant to the orders contained in the Department's notice, the public nuisance shall be abated by the City at the expense of the owner.

d. Any person who is the recorded owner of the premises, location or structure at the time an order pursuant to this chapter is issued and served upon him is responsible for complying with that order, and liable for any costs incurred by the City therewith, notwithstanding the conveyance of the person's interests in the property to another after such order was issued and served.

e. The fact that the property is boarded up or otherwise enclosed is not a defense to the determination that a public nuisance exists. [Ord. 07-37(A) § 2, 2007].

5.16.040 Abatement by owner.

a. Within 30 days after the posting and mailing of a notice to abate a nuisance, the owner, agent of the owner, or person in possession of the affected property shall remove and abate such nuisance or show that no nuisance in fact exists. Such showing shall be made by filing a written statement, under oath or affirmation, describing in detail the facts and circumstances that show that no nuisance exists. The statement shall be filed with the Department.

b. The Department, upon written application by the owner within the 30-day period after the notice has been served, may grant additional time for the owner to effect the abatement of the public nuisance; provided, that such extension is limited to a specific time period. [Ord. 07-37(A) § 2, 2007]

5.16.050 Appeal procedures – Hearing.

a. An owner or occupant served with a notice to abate a public nuisance in accordance with HCC 5.16.030 shall have at least 30 days from the date of service of such notice to abate the nuisance before the Department takes further abatement action.

~~a. b. The~~ **An** owner or occupant of the property who has been served with a ~~an abatement~~ notice pursuant to this chapter ~~that a public nuisance exists and that it must be abated within 30 days may,~~ within seven calendar days after receipt of **the City provides** such notice, make a written demand to the ~~Department~~ **City Clerk's Office** for a hearing on the question of whether a public nuisance in fact exists. **The Clerk's Office shall immediately forward the appeal request to the Office of Administrative Hearings.** ~~The~~ **A** hearing shall be held within 14 calendar days following receipt by the ~~Department~~ **Office of Administrative Hearings** of the written demand. **The hearing officer shall provide the person who made the written demand for a hearing at least two days' notice of the time and place of the hearing** ~~and at least two days' notice of the hearing shall be given to the person who made the written demand for the hearing.~~ The date of the hearing may be postponed for good cause. **The abatement deadline contained in the notice is stayed from the date a written appeal demand is made to the City Clerk until a written decision from the hearing officer is distributed.**

~~b. c.~~ The hearing shall be conducted by the Appeals Board **Office of Administrative Hearings** shall hear an appeal solely on the basis of the record. Such Appeals Board ~~The hearing officer~~ may amend or modify the notice or order, or extend the time for compliance with the Department's order by the owner by such date as the majority of the Appeals Board ~~hearing officer~~ may determine.

~~c. d.~~ The owner, agent of the owner, occupant and lienholder, if any, of the subject property shall be given the opportunity to present evidence to the Appeals Board **hearing officer** in the course of the hearing.

~~d. e.~~ In those instances where the nuisance has been abated by the City, the Appeals Board **hearing officer** shall have discretion to waive the cost of abating a nuisance, in whole or in part, if, in the course of the hearing ~~reviewing the decision~~, the Appeals Board **hearing officer** finds that any of the following did not conform to the provisions of this chapter:

1. The notice to remove the nuisance;
2. The work performed in abating the nuisance; or
3. The computation of charges. [Ord. 07-37(A)\$2, 2007].

5.16.060 Abatement by City.

a. If any public nuisance is not abated at the expiration of time stated in the notice or order, or within such additional time as the Department or Appeals Board **Office of Administrative Hearings** may grant, the Department shall have the authority to enter upon the property and abate the public nuisance found thereon. In abating such nuisance, the Department may go to whatever extent may be necessary to complete the abatement of the public nuisance and ~~if it is practicable to salvage any material derived in the abatement, the Department may sell the salvaged material at private or public sale at the best price obtainable and shall keep an accounting of the proceeds thereof~~ may call upon any of the City departments or divisions for whatever assistance shall be deemed necessary or may by private contract cause the abatement of the public nuisance.

b. The proceeds, if any, obtained from the sale of any material salvaged as a result of an abatement of a public nuisance by the Department shall be deposited to the general fund of the City and any deficit between the amount so received and the cost of the abatement, plus overhead charges, penalties, and interest, is a special assessment and lien against the property in question. Such deficit shall be collected as any other assessment by the City; however, any other alternative collection method may be utilized by the City to recoup the deficit. Should the proceeds of the sale of such salvaged material exceed the cost of abatement, the surplus,

if any, shall be paid to the owner of the property from which the public nuisance was abated when a proper claim to the excess is established.

~~c. In abating a public nuisance, the Department may call upon any of the City departments or divisions for whatever assistance shall be deemed necessary or may by private contract cause the abatement of the public nuisance.~~

~~d.~~ **b.** The Department shall, after completing the removal and abatement, file a statement of costs with the Finance Director. [Ord. 07-37(A)§2, 2007].

5.16.070 Notice of assessment – Appeal of charges.

a. Upon receipt of the statement of costs from the Department, the Finance Director shall mail to the owner of the property upon which the public nuisance has been abated notice of the amounts set forth in the statement plus an additional amount for overhead charges and penalty, as provided in this chapter, and stating that the City proposes to assess against the property the amount set forth in the notice and that objections to the proposed assessment must be made in writing and received by the Finance Director within 20 days from the date of mailing such notice. Upon the expiration of the 20 day period, if no objections have been received by the Finance Director, the Finance Director shall cause a notice of the lien to be recorded against the property. **The Finance Director shall provide the statement of costs, including overhead charges and penalties as per HCC 5.16.100, to the owner of the property in a notice consistent with the notice procedures in HCC 5.16.030(b)-(c). The notice shall also state that if the statement of costs is not paid or appealed with 20 days of its mailing, a lien shall be recorded against the property. Upon expiration of the 20 day period, if no appeal has been filed and the costs remain unpaid, the Finance Director shall record a lien against the property for the outstanding balance.**

b. If objections of either the property owner or their representative are received by the Finance Director prior to the expiration of the 20 day period, the Finance Director shall refer the matter to the Department for administrative review. **An appeal of the statement of costs must be filed in writing with the City Clerk within 20 days from the date of mailing of such notice. Any appeal not filed within that time shall be barred as untimely.**

~~c. Upon conclusion of its administrative review, the Department shall make a written determination that the amount of the charges shall be canceled, reduced, or remain the same. A copy of this determination shall be furnished to the person making the objections together with a notice of such person's right to appeal to the Appeals Board.~~

d. If no appeal of a determination by the Department is filed within the time period allowed, a copy of the determination will be furnished to the Finance Director who shall then cause a notice of the lien to be recorded as provided in subsection (a) of this section.

~~e.c.~~ If a timely appeal is received by the Appeals Board **Clerk's Office, the Clerk shall immediately forward the appeal to the Office of Administrative Hearings,** a hearing shall be scheduled and held on the matter. If, after the hearing, the Appeals Board **hearing officer** determines that the proposed assessment does not comply with subsection (ge) of this section, the Appeals Board **hearing officer** shall so certify to the Finance Director **in a written decision** and the proposed assessment shall be canceled. If, after the hearing, it is determined that the proposed assessment or any part of it is proper and authorized, the Appeals Board **hearing officer** shall so certify to the Finance Director **in a written decision** who shall record a notice of the lien in the amount as determined appropriate by the Appeals Board **hearing officer**, as provided in subsection (a) of this section.

~~f.d.~~ The determination of the Appeals Board **hearing officer** is a final administrative decision. It is appealable to Superior Court ~~and is not appealable to the City Council.~~

~~g.e.~~ 1. The Department, in administrative review, **Finance Director** or the Appeals Board **hearing officer**, on appeal, may reduce or cancel a proposed assessment if it is determined that:

a. Any of the following did not conform to the provisions of this chapter:

- i. The notice to remove the nuisance; or
- ii. The work performed in abating the nuisance; or
- iii. The computation of charges; or

b. The owner of the property was eligible for a waiver of costs under HCC 5.16.090.

2. The Department, in administrative review, **Finance Director** or the Appeals Board **hearing officer**, on appeal, may reduce a proposed assessment by eliminating the civil penalty portion if it is determined that:

a. The current owner was not in possession of the property at the time the notice required in HCC 5.16.030 was posted; or

b. The owner did not receive the notice to remove the nuisance, did not have knowledge of the nuisance and could not, with the exercise of reasonable diligence, have had such knowledge.

~~h.f.~~ If, after a notice of lien has been recorded, there is a written request of an owner who alleges that the owner did not receive notice of the proposed assessment, the Finance Director shall refer the matter for review pursuant to subsection (bc) of this section.

274
275 ~~i.g.~~ The lien may be canceled or reduced by the Department, in administrative review, **Finance**
276 **Director** or the Appeals Board **hearing officer**, on appeal, if it is determined that the owner
277 did not receive notice of the proposed assessment, did not previously have knowledge of the
278 lien or of the nuisance abatement work constituting the basis of the lien, could not, in the
279 exercise of reasonable care or diligence, have had such knowledge, and in addition, that the
280 circumstances are such that a reduction or cancellation of the charges would have been
281 appropriate had the matter been reviewed pursuant to this section prior to assessment. Upon
282 receipt of a **written** certification from the Appeals Board **hearing officer**, pursuant to
283 subsection (e) of this section, the Finance Director shall cancel or reduce the lien if required
284 by the determination of the Department or the Appeals Board. [Ord. 07-37(A) § 2, 2007].

285 | **5.16.080 Personal liability of owner.**

286 The person or persons who own the property at the time at which the notice required under
287 HCC 5.16.030 is posted shall be personally liable, jointly and severally, for the amount of the
288 assessment including all interest, civil penalties, and other charges. [Ord. 07-37(A) § 2, 2007].

289 | **5.16.090 Cost of abatement – Low income, elderly persons.**

290 a. Notwithstanding the other provisions of this chapter, the cost of abating a nuisance shall be
291 waived for low income and elderly persons, if upon application it appears to the Department
292 that the conditions set forth in subsections (b) through (d) of this section are met.

293 b. To be eligible for waiver of nuisance abatement costs a person must be classified as “low
294 income,” as defined by the Department; or

295 c. Be more than 65 years of age and:

296 1. A person living alone, whose total income for the preceding calendar year did not
297 exceed one and one-half times the maximum amount a Social Security recipient at age
298 65 may have earned in that year without having any benefits withheld; or

299 2. The head of a household which household received a total income for the preceding
300 calendar year that did not exceed two and one-quarter times the maximum amount a
301 Social Security recipient at age 65 may have earned in that year without having any
302 benefits withheld.

303 d. Additionally, all persons wishing to qualify for waiver of nuisance abatement costs must:

304 1. Furnish proof of the age and income requirements as set forth above in the manner
305 and form designated by the Department;

2. Must own, or be in the process of purchasing, the property from which the nuisance is abated; and

3. Be living on the property from which the nuisance is abated.

e. The removal of the nuisance in question must have been required by the Department and the person requesting the waiver of costs must have been officially notified by the Department to remove the nuisance.

f. Applications for waiver of nuisance abatement costs shall be filed with the Department on forms supplied by the City within 10 days after receipt of a notice to remove a nuisance or a work order notice unless the Department extends the time for good cause shown. All information required to be given on such form shall be supplied and verified by the applicant.

g. The maximum amount that may be waived under this section for any one parcel of real property or any one person shall be \$500.00 per calendar year.

h. No overhead charge or civil penalty shall be imposed for any real property for which a waiver, pursuant to this section, shall have been approved. [Ord. 07-37(A) § 2, 2007].

5.16.100 Overhead charge, civil penalties.

a. Whenever a nuisance is abated by the City, the owner of the property in question shall pay the actual costs of the abatement plus an overhead charge of 15 percent of the actual costs for administration. The Department shall keep an accurate account of all expenses of abatement and calculate the applicable overhead charge.

b. Whenever a nuisance is abated by the City, the owner of the property in question shall pay a civil penalty in addition to the actual costs and overhead charge. The civil penalty for abating a nuisance is \$300.00 for the first nuisance abated. For each subsequent nuisance that is abated by the City within two consecutive calendar years concerning property owned by the same person, the civil penalty shall be 50 percent of the cost of abatement or \$500.00, whichever is more, but not exceeding \$1,000 per day that the nuisance has continued. The civil penalty shall be imposed without regard to whether the nuisances abated by the City involve the same real property or are of the same character. [Ord. 13-17(S) § 6, 2013].

1For statutory provisions authorizing municipalities to condemn and abate public nuisances, see AS 29.35.210. Chapter 5.16 HCC entitled Public Nuisances repealed and reenacted as Public Nuisance Abatement. Ord. 07-37(A).

Section 2. This ordinance shall take effect upon its adoption by the Homer City Council.

Section 3: This Ordinance is of a permanent and general character, and shall be included in the City Code.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this ____ day of _____, 2025.

CITY OF HOMER

RACHEL LORD, MAYOR

ATTEST:

RENEE KRAUSE, MMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

First Reading:

Public Hearing:

Second Reading:

Effective Date:



MEMORANDUM

Ordinance 25-20, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.16 Residential Office District, 21.24 General Commercial 1 District, and 21.26 General Commercial 2 District, Adding Studio as a Permitted Use in Each District. Planning Commission.

Item Type: Backup Memorandum
Prepared For: Mayor Lord and Homer City Council
Date: February 24, 2025
From: Ryan Foster, City Planner
Through: Melissa Jacobsen, City Manager

At the November 6, 2024 Planning Commission meeting, in response to Breezy Berryman's request, Planning Commissioner Heath Smith stated he supported the initiation of the code amendment process to consider additional zoning districts that would allow for the Studio use. Per HCC 21.95.010, an amendment to this title is initiated by a member of the Planning Commission, in this case, Planning Commissioner Heath Smith.

A public hearing was held on February 5, 2025 to amend Homer City Code by adding Studio as a permitted use in the General Commercial 1, General Commercial 2, and Residential Office zoning districts. The motion to recommend approval of the code amendment by the Homer Planning Commission passed by a vote of 4-1. Attached are Staff Report 25-02 and the February 5, 2025 Planning Commission Unapproved Meeting Minutes with detailed information on the application and public hearing.

RECOMMENDATION:

City Council adopt Ordinance 25-20

Attachments:

Planning Commission Staff Report 25-02 with attachments
February 5, 2025 Planning Commission Meeting Minutes



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report PL 25-02

TO: Homer Planning Commission
FROM: Ryan Foster, City Planner
DATE: February 5, 2025
SUBJECT: Ordinance 25-XX Amending City Code to add Studio to GC1, GC2, and RO Zoning Districts

Introduction

Attached is an email from Breezy Berryman requesting the Planning Commission to initiate a zoning code amendment to reconsider the zones allowed for a dance studio to districts such as Residential Office, General Commercial 1 and 2 and possibly even Urban Residential, citing the difficulty in finding properties in the zoning districts that currently allow dance studios (Town Center, Central Business District, Gateway Business District, East End Mixed Use), noting there is no opportunity to even put in for a conditional use permit in other districts.

Per HCC 21.95.010 Initiating code amendment

An amendment to this title may be initiated by any of the following:

- a. A member of the City Council;
- b. A member of the Planning Commission;
- c. The City Manager;
- d. The City Planner; or
- e. A petition bearing the signatures, and the printed names and addresses, of not less than 50 qualified City voters. [Ord. [10-58](#), 2011].

At the November 6, 2024 Planning Commission meeting, in response to Breezy Berryman's request, Planning Commissioner Heath Smith stated he supports the initiation of the code amendment process to consider additional zoning districts that would allow for a Dance Studio. Per HCC 21.95.010, an amendment to this title is initiated by a member of the Planning Commission, Planning Commissioner Heath Smith.

Per HCC 21.95.040 Planning Department review of code amendment

The Planning Department shall evaluate each amendment to this title that is initiated in accordance with HCC 21.95.010 and qualified under HCC 21.95.030, and may recommend approval of the amendment only if it finds that the amendment:

- a. Is consistent with the Comprehensive Plan and will further specific goals and objectives of the plan.
- b. Will be reasonable to implement and enforce.
- c. Will promote the present and future public health, safety and welfare.
- d. Is consistent with the intent and wording of the other provisions of this title.

Studio Definition

“Studio” means a room, rooms or building where an artist or photographer does work, a place where dancing lessons, music lessons, or similar artistic lessons are given, or where radio or television programs are produced or where recordings are made.

General Commercial 1

The General Commercial 1 (GC1) District is primarily intended to provide sites for businesses that require direct motor vehicle access and may require larger land area, and to provide business locations in proximity to arterials and transportation centers. It is also intended to minimize congestion and adverse effects on adjacent residential districts and on the appearance of the community.

Proposed Text:

Section 1. Homer City Code Chapter 21.24, General Commercial 1 District is amended as follows:

21.24.020 Permitted Uses and Structures.

The following uses are permitted outright in the General Commercial 1 District, except when such use requires a conditional use permit by reason of size, traffic volumes, or other reason set forth in this chapter:

oo. Studio.

Analysis: Studio is a good land use fit for a commercial zoning district and should not have a negative impact, especially as compared to other uses permitted in the district such as lumberyards, manufacturing, fabrication, and assembly, retail businesses, hotels, banks, or warehouses and storage. A studio is a reasonable type of business to be expected in a

commercial zoned district, a studio use would be unlikely to impact residential districts with noise or traffic congestion. Zoning districts should include permitted uses that fit well with the purpose and character of the district, this will provide an opportunity for businesses to be located in the proper district in Homer.

General Commercial 2

The purpose of the General Commercial 2 District is primarily to provide a sound area for heavy commercial and industrial uses within the community designed to permit manufacturing, processing, assembly, packaging, or treatment of products and other uses described in this chapter. Residential uses and certain retail enterprises are purposely limited.

Proposed Text:

Section 2. Homer City Code Chapter 21.26, General Commercial 2 District is amended as follows:

21.24.020 Permitted Uses and Structures.

The following uses are permitted outright in the General Commercial 2 District, except when such use requires a conditional use permit by reason of size, traffic volumes, or other reason set forth in this chapter:

aa. Studio.

Analysis: Studio is a good land use fit for a commercial zoning district and should not have a negative impact, especially as compared to other use permitted in the district such as, manufacturing, fabrication, hotels and motels, open air businesses, or cold storage facilities. A studio is a reasonable type of business to be expected in a commercial zoned district, even one which includes heavy commercial and industrial uses. It is common for studios such as recording and television studios, due to the potential for sound and or noise to impact neighbors or residences, to be an allowed use in commercial districts. Zoning districts should include permitted uses that fit well with the purpose and character of the district, this will provide an opportunity for businesses to be located in the proper district in Homer.

Residential Office

The Residential Office District is primarily intended for a mixture of low-density to medium-density residential uses and certain specified businesses and offices, which may include professional services, administrative services and personal services, but generally not including direct retail or wholesale transactions except for sales that are incidental to the provision of authorized services. A primary purpose of the district is to preserve and enhance the residential quality of the area while allowing certain services that typically have low

traffic generation, similar scale and similar density. The district provides a transition zone between commercial and residential neighborhoods.

Proposed Text:

Section 3. Homer City Code Chapter 21.16, Residential Office District is amended as follows:

21.16.020 Permitted Uses and Structures.

The following uses are permitted outright in the Residential Office District:

x. Studio.

Analysis: Studio is a good land use fit for a mixed use district and should not have a negative impact, especially as compared to other use permitted in the district such as, professional offices and general business offices, personal services, mortuaries, or museums, libraries and similar institutions. A studio is not a direct retail activity and would have low traffic generation, and would fit in with a similar size and density as other RO uses. A studio is a reasonable type of business to be expected in a mixed use district. Zoning districts should include permitted uses that fit well with the purpose and character of the district, this will provide an opportunity for businesses to be located in the proper district in Homer.

Code Amendment Review Criteria

a. Is consistent with the Comprehensive Plan and will further specific goals and objectives of the plan.

Analysis: There are multiple goals and objectives from the Economic Vitality Chapter of the 2018 Comprehensive Plan that support this text amendment to permit Studio as a use in the GC1, GC2, and RO zoning districts in Homer:

GOAL 2: Encourage the retention and creation of more year-round and higher wage employment.

Objective A: Increase year-round employment that will enable local people to work, live, and raise their families in Homer. While almost all city actions will ultimately affect the course of economic change and job growth, city actions to promote year-round jobs include those listed below:

Implementation Strategies:

- *Consider zoning regulations that support new business opportunities while minimizing negative impacts.*

This code amendment considers zoning regulations that support new business opportunities (permitting Studio in additional zoning districts) while minimizing negative impacts (only permitting in additional zoning districts that are reasonable and meets the review criteria in HCC 21.95.040.)

GOAL 3: Identify and promote industries that show a capacity for growth.

Objective C: Promote recreation, the arts, and non-governmental organizations as a complement to tourism and as an export industry. Recreation and the arts are key components of the Homer economy and support the tourism industry and Homer's quality of life. Actions to promote the arts include those listed below. Some of these objectives are best carried out by the City, while others are best undertaken by local arts groups and tourism marketing organizations with City cooperation and encouragement. Implementation Strategies:

- *Consider and review zoning for opportunities that support the arts industry*

This code amendment considers and reviews zoning for opportunities that support the arts industry in Homer. As already noted "Studio" means a room, rooms or building where an artist or photographer does work, a place where dancing lessons, music lessons, or similar artistic lessons are given, or where radio or television programs are produced or where recordings are made and is a use that clearly supports the arts industry.

The Land Use Chapter of the 2018 Comprehensive Plan supports this text amendment to allow Studio as a use in the GC1, GC2, and RO zoning districts in Homer:

GOAL 3: Encourage high quality buildings and site design that complements Homer's beautiful natural setting.

Objective A: Create a clear, coordinated regulatory framework that guides development. Clear, predictable, consistent rules and regulations are key to achieving standard, quality design. These rules and regulations have to fit the context of the marketplace and be accepted by the development community. Overregulation is a disincentive, while under-regulation will achieve less than desired results. Specific policies addressing this topic include:

Implementation Strategies:

- *Review City adopted plans for consistency*
- *Review rules and regulation options with consideration of operational constraints and community acceptance*

This code amendment is a review of the Studio land use in the Homer Zoning Code to ensure the rules and regulations are consistent, specifically, which zoning districts are appropriate to permit Studio as a use, and makes sure they fit the context of the marketplace (demand for parcels that permit Studio use) and that it is accepted by the development community. Overregulation has been a disincentive for Studio use in Homer by limiting the zoning districts where it is a permitted use, and it reasonable to allow this use in additional zoning districts to achieve Goal 3, Objective A.

Finding: The proposed amendment is consistent with the Comprehensive Plan.

b. Will be reasonable to implement and enforce.

Analysis: The proposed amendment is rather simple and straightforward and is not difficult to implement and enforce, since it is adding Studio as a use to three additional zoning districts to the four it is already permitted, for a total of seven zoning districts in Homer that will permit the use. Implementation and enforcement would be the same as the four existing districts that permit the use.

Finding: The proposed amendment will be reasonable to implement and enforce.

c. Will promote the present and future public health, safety and welfare.

Analysis: The present and future public health, safety, and welfare would remain unchanged, with no anticipated negative impact of a Studio use in GC1, GC2, or RO, with this proposed amendment.

Finding: The proposed amendment will promote the present and future public health, safety and welfare.

d. Is consistent with the intent and wording of the other provisions of this title.

Analysis: The intent and wording of studio is unchanged in the amendment, including the definition in Homer City Code. Studio is proposed as a permitted use in three additional zoning districts, GC1, GC2, and RO and is consistent with the intent and wording for the existing districts it is permitted, TC, CBD, GBD, and EEMU. All other provisions regarding the use would be consistent with existing permitted uses of Studio in Homer City Code, and is not a new interpretation of this use.

Finding: The proposed amendment is consistent with the intent and wording of the other provisions of this title.

Recommendation: *Staff recommends the Planning Commission recommend approval of the proposed text amendment to the Homer City Council allowing Studio as a permitted use in the GC1, GC2, and RO districts.*

Attachments:

Email from Breezy Berryman date October 14, 2024
Zoning District Map for Studio Use

From: [Breezy Berryman](#)
To: [Ryan Foster](#)
Subject: Fwd: letter to city planner
Date: Monday, October 14, 2024 2:30:52 PM

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

To the City of Homer Planning Commission,

My name is Breezy Berryman and I grew up dancing in Homer with my mom Jill Berryman who started the Homer Nutcracker Ballet in 1989. I then pursued dance in college and graduated from Tisch School of the Arts-New York University with my BFA in Dance. I danced choreographed and dance professionally in the city for 10 years and then pursued my MFA in dance at the University of Utah and joined a modern dance co. Ririe-Woodbury. I decided to move back home and share my knowledge and expertise in dance with our community. Since moving back i have co directed the Homer Nutcracker for 12 years as well as the Swan Lake Ballet and Alice and Wonderland. I have also been the recipient of two Rasmuson Foundation grants.

My dream and goal is to collaborate with trained dancer Alison Arima and start a rigorous dance training program, The Motivity Dance School and Company. We hope to build or purchase a home base so the school can grow. It would also be nice to have more than one choice to choose for dance instruction.

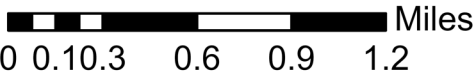
I have come up against some challenges when searching for properties to purchase or build a studio on. The main being that there are limited zoning districts that are allowed to have a dance studio on them. Those locations are limited to town center (hardly anything for sale), east end mixed use (pretty far out for parents to drop their kids after school), the gateway district (which is very small and there is hardly anything for sale or it is very expensive) and central business district.

I am requesting the planning commission to initiate a zoning code amendment to reconsider the zones allowed for a dance studio to districts such as Residential Office, General Commercial 1 and 2 and possibly even Urban Residential as there is one or two potential properties that are right near town that I am interested in near Paul Banks Elementary. I really hope that this is a consideration, since there is no opportunity to even put in for conditional use permit, and I have found very few properties that would be zoned for a dance studio.

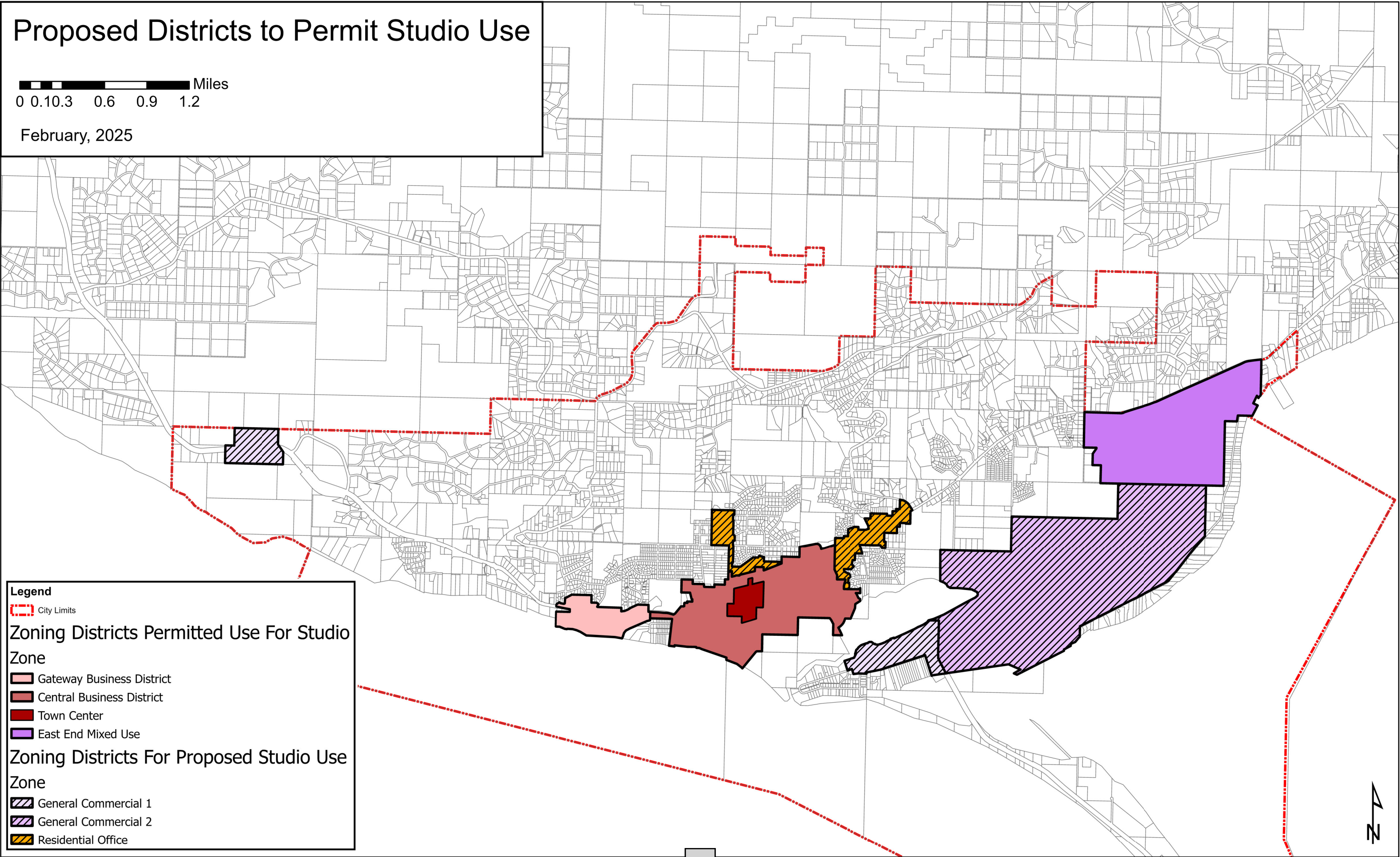
Thank you for your consideration as we are really hoping to create a wonderful and solid foundation in dance for our community.

Breezy Berryman and Alison Arima

Proposed Districts to Permit Studio Use



February, 2025



Legend

City Limits

Zoning Districts Permitted Use For Studio Zone

- Gateway Business District
- Central Business District
- Town Center
- East End Mixed Use

Zoning Districts For Proposed Studio Use Zone

- General Commercial 1
- General Commercial 2
- Residential Office



1/9/2025

Dear Mayor and City Council,

On January 2, 2025, City Planner Ryan Foster sent the Planning Commission Staff Report PL 25-02 stating that Breezy Berryman requested the Planning Commission to initiate a zoning code amendment to allow for dance studios in various zoning districts. Staff Report PL 25-02 cites HCC 21.95.010 which states: “An amendment to [Title 21] may be initiated by any of the following: a. A member of the City Council; b. A member of the Planning Commission; c. The City Manager; d. The City Planner; or e. A petition bearing the signatures, and the printed names and addresses, of not less than 50 qualified City voters.” Mr. Foster then states: “At the November 6, 2024 Planning Commission meeting, in response to Breezy Berryman’s request, Planning Commissioner Heath Smith stated he supports the initiation of the code amendment **process** to consider additional zoning districts that would allow for a Dance Studio.” However, at the January 2, 2025 Planning Commission meeting, Commissioner Heath Smith voted against the motion made by Commissioner Barnwell to recommend approval of the proposal by City Planner Ryan Foster to allow studios as a permitted use in the GCI, GC2, and RO zoning districts; this text was nonetheless approved by the Commission and forwarded to the City Council in the form of Ordinance 25-XX. Breezy Berryman did not submit a petition signed by 50 qualified voters and Commissioner Heath Smith clearly did not approve of or initiate the zoning code amendment that was forwarded to the City Council. Accordingly, proposed Ordinance 25-XX does not meet the requirements of HCC 21.95.010. In Staff Report PL 25-02, Mr. Foster failed to mention critical additional requirements requisite to initiating a zoning code amendment, including the following:

21.95.040 Planning Department review of code amendment.

The Planning Department shall evaluate each amendment to this title that is initiated in accordance with HCC 21.95.010 and qualified under HCC 21.95.030, and may recommend approval of the amendment only if it finds that the amendment:

- a. Is consistent with the Comprehensive Plan and will further specific goals and objectives of the plan.
- b. Will be reasonable to implement and enforce.
- c. Will promote the present and future public health, safety and welfare.
- d. Is consistent with the intent and wording of the other provisions of this title.

21.95.060 Review by Planning Commission.

- a. The Planning Commission shall review each proposal to amend this title or to amend the official zoning map before it is adopted by the City Council.
- b. Within 30 days after determining that an amendment proposal is complete and complies with the requirements of this chapter, the Planning Department shall present the amendment to the Planning Commission with the Planning Department's comments and recommendations, accompanied by proposed findings consistent with those comments and recommendations.
- c. The Planning Department shall schedule one or more public hearings before the Planning Commission on an amendment

proposal, and provide public notice of each hearing in accordance with Chapter 21.94 HCC.

d. After receiving public testimony on an amendment proposal and completing its review, the Planning Commission shall submit to the City Council its written recommendations regarding the amendment proposal along with the Planning Department's report on the proposal, all written comments on the proposal, and an excerpt from its minutes showing its consideration of the proposal and all public testimony on the proposal.

Even if Ordinance 25-XX had been properly initiated, the Planning Commission did not have the authority to forward it to the City Council prior to the Planning Department's evaluation as to whether it is consistent with the Comprehensive Plan and will further specific goals and objectives of the plan, will be reasonable to implement and enforce, will promote the present and future public health, safety and welfare, and is consistent with the intent and wording of the other provisions of Title 21. Furthermore, the Planning Department failed to provide the Commission with proposed findings consistent with its comments and recommendations regarding HCC 21.95.040 (a)-(d). Accordingly, the Commission had no opportunity to amend those proposed findings and/or forward them to the Council as required by HCC 21.95.060(d).

The January 2, 2025 public hearing before the Planning Commission was premature because, in addition to violating HCC 21.95.010, HCC 21.95.040 and HCC 21.95.060 had not been complied with. Members of the general public were denied their right to comment on the Planning Department's (non-existent) proposed findings pertaining to the proposed amendment's consistency with the Homer Comprehensive Plan etc. Staff Report PL 25-02 does not contain a single reference to the Homer

Comprehensive Plan but it does state as follows: “The purpose of the General Commercial 2 District is primarily to provide a sound area for heavy commercial and industrial uses within the community designed to permit manufacturing, processing, assembly, packaging, or treatment of products and other uses described in this chapter. Residential uses and certain retail enterprises are purposely limited” and concludes: “A studio is a reasonable type of business to be expected in a commercially zoned district.” One has to wonder how permitting dance studios in an industrial zoning district designed for heavy commercial and industrial uses fulfills any stated goal or objective of the Comprehensive Plan as required by HCC 21.95.040(a) or promotes the present and future public health, safety and welfare as required by HCC 21.95.040(c). The City Council should not consider any zoning amendment that violates the zoning code amendment procedures set forth in Chapter 21.95.

Sincerely,

Frank Griswold

1/12/25

Dear Mayor and City Council,

In Staff Report PL 24-040 to the Planning Commission dated November 6, 2024, City Planner Ryan Foster cited HCC 21.95.010:

An amendment to this title may be initiated by any of the following:

- a. A member of the City Council;
- b. A member of the Planning Commission;
- c. The City Manager;
- d. The City Planner; or
- e. A petition bearing the signatures, and the printed names and addresses, of not less than 50 qualified City voters. [Ord. 10-58, 2011].

Mr. Foster then stated: “Breezy Berryman’s request is for a Planning Commissioner to initiate the code amendment process to consider additional zoning districts that would allow for a dance studio. If initiated, Planning Staff will execute the process for researching and drafting a code amendment and hold a public hearing for the Planning Commission recommendations and a public hearing with City Council for their final decision on a code amendment. Staff recommends a Planning Commissioner initiate the requested code amendment process.” (Mr. Foster also pointed out that “The purpose of the General Commercial 2

District is primarily to provide a sound area for heavy commercial and industrial uses within the community designed to permit manufacturing, processing, assembly, packaging, or treatment of products and other uses described in this chapter. ***Residential uses and certain retail enterprises are purposely limited.*** Dance studio use is the anthesis of heavy commercial/industrial use). On November 6, 2024 in a direct response to Mr. Foster's misguided recommendation, Commissioner Heath Smith "requested that the Planning Commission initiate a code amendment process to consider additional zoning districts that would allow for ***dance*** studios." Commissioner Heath Smith did not initiate an ordinance that would allow any studio uses other than dance studio use and he did not identify any specific zoning district into which dance studio use would be expanded. Although Mr. Smith is credited with initiating proposed Ordinance 25-XX, on January 2, 2025 he voted against the motion "recommending approval of the new text to the Homer City Council allowing studio use as a permitted use in the General Commercial 1, General Commercial 2, and Residential Office districts." With this vote, Mr. Smith arguably withdrew his sponsorship of Ordinance 25-XX.

No provision of HCC 21.95.010 provides that a private citizen can request that a Planning Commissioner initiate a zoning code amendment on her behalf. No provision of HCC 21.95.010 provides that a Planning Commissioner or anyone else can initiate a "*code amendment process*" (which could have unforeseen and undesired consequences) instead of an actual code amendment. Pursuant to HCC 21.95.010(e), a person requesting a zoning code amendment is required to submit a petition, signed by at least 50 qualified City voters, expressly stating the desired code amendment. Drafting the text of a code amendment is the responsibility of the petitioner, not the City Planner (unless he initiates the amendment pursuant to HCC 21.95.010(d)). Once a valid citizen petition is submitted, the

Planning Commission would not have the authority to hijack the proposed amendment and amend it into something significantly other than that described in the text of the signed petition. As a hypothetical example to emphasize this point, if Ms. Berryman had submitted a petition to allow dance studio use in specific additional zoning districts, the Commission would not have had the authority to amend her proposal to consider the elimination of dance studio use in all zoning districts. Likewise, the Planning Commission did not have the authority to amend Commissioner Heath Smith's proposal (to allow just dance studios in unidentified additional zoning districts) to allow all studio uses in four specific zoning districts not mentioned by Mr. Smith.

In her email to the City Planner dated October 14, 2024, Ms. Berryman expressed her desire to open The Motivity Dance School and Company but claimed that she had "come up against some challenges when searching for properties to purchase or build a studio on." Commissioner Heath Smith claimed that "the Commission is not seeking to specifically help Berryman but to address a broader community issue that Berryman brought to their attention. We're doing this for the general health and welfare of the community, and (what has) been brought to our attention (is) that there's a need that needs to be met, and that what is currently in our code is might be overly restrictive as far as meeting the needs of the community. So as much as I like Breezy, this isn't necessarily in response to her needs, as much as recognizing the needs of the community and moving in a direction that will open that up for the betterment of our economy and of its residents." Studio use is currently allowed in the Town Center District, the Central Business District, the Gateway District, and the East End Road Mixed Use District. Mr. Smith did not explain how the general health and welfare would be endangered by continuing to limit studio use to these four districts. The existing zoning code has a presumption of validity and there is no

pressing public need to now expand areas available for dancing studios or any other type of studio. Commissioner Barnwell stated “I feel for the applicant’s time frame.” This statement evidences that accommodating Ms. Berryman’s private business interests was the Commission’s true objective.

Proposed Ordinance 25-XX sets a horrible precedent for future zoning code amendments. No private citizen is going to go to the trouble of circulating a petition to initiate a zoning change when they can simply get a friend on the Commission to represent their private interests while falsely claiming that the general health and welfare of the community will be served. “Betterment of the economy” constitutes a fiscal policy and fiscal zoning per se is not a legitimate zoning objective, especially when not done in accordance with a comprehensive plan. (See my correspondence dated 1/9/25). Increasing the tax base and the employment of a community is not automatically a legitimate zoning goal. See *Concerned Citizens for McHenry, Inc. v. City of McHenry*, 76 Ill. App 3d 798 32 (an increase in the tax base of the community as the primary justification for a rezone is “totally violative of all the basic principles of zoning”); *Oakwood at Madison, Inc. v Township of Madison*, 117 N.J.Super. 11, 283 A.2d 353, 357 (finding that “fiscal zoning per se is irrelevant to the statutory purposes of zoning”).

Sincerely,

Frank Griswold

CALL TO ORDER

Session 25-02, a Regular Meeting of the Planning Commission was called to order by Chair Scott Smith at 6:30 p.m. on February 5th, 2025 at the Cowles Council Chambers in City Hall, located at 491 E. Pioneer Avenue, Homer, Alaska, and via Zoom Webinar.

PRESENT: COMMISSIONER BARNWELL, VENUTI, S. SMITH, SCHNEIDER, & STARK

ABSENT: COMMISSIONER CONLEY & H. SMITH (BOTH EXCUSED)

STAFF: CITY PLANNER FOSTER & DEPUTY CITY CLERK PETTIT

AGENDA APPROVAL

Chair S. Smith read the supplemental items into the record and requested a motion and second to adopt the agenda as amended.

SCHNEIDER/BARNWELL MOVED TO ADOPT THE AGENDA AS AMENDED.

There was no discussion.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT.

Motion carried.

PUBLIC COMMENTS UPON MATTERAS AREADY ON THE AGENDA

RECONSIDERATION

CONSENT AGENDA

- A. Unapproved Regular Meeting Minutes of January 2, 2025

Chair S. Smith requested a motion and second to adopt the consent agenda.

SCHNEIDER/BARNWELL MOVED TO ADOPT THE CONSENT AGENDA AS PRESENTED.

There was no discussion.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT.

Motion carried.

PRESENTATIONS / VISITORS

REPORTS

- A. Staff Report 25-001, City Planner's Report

City Planner Foster reviewed his staff report included in the packet, covering the following:

- Comprehensive Plan Update
- Update regarding a Landslide Hazard Susceptibility Mapping worksession
- Next Regular Meeting on Wednesday, February 19, 2025
- Next Commissioner report to Council on February 10, 2025 (Commissioner Stark)

PUBLIC HEARINGS

- A. Ordinance 25-xx, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.16 Residential Office District, 21.24 General Commercial 1 District, and 21.26 General Commercial 2 District, Adding Studios as a Permitted Use in Each District, Staff Report 25-02

Public Comment Received

Additional Public Comment Received

Chair S. Smith introduced the item by reading of the title and deferred to City Planner Foster, who provided a summary review of his report included in the packet.

Chair S. Smith opened the public hearing period.

Breezy Berryman, city resident, spoke in favor of the zoning text amending, claiming that it's nearly impossible for her to find any buildings for sale/lease in any of the zoning districts where studios are permitted.

Chair S. Smith closed the public hearing period and opened the floor for comments/questions from the Commission.

SCHNEIDER/STARK MOVED TO RECOMMEND APPROVAL OF THE PROPOSED TEXT AMENDMENT TO THE HOMER CITY COUNCIL ALLOWING STUDIO AS A PERMITTED USE IN THE GENERAL COMMERCIAL 1, GENERAL COMMERCIAL 2, AND RESIDENTIAL OFFICE DISTRICTS.

There was no additional discussion.

Chair S. Smith requested the Clerk to perform a roll-call vote.

VOTE: YES: S. SMITH, SCHNEIDER, STARK, BARNWELL.

VOTE: NO: VENUTI.

Motion carried.

- B. Ordinance 25-xx, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.10.030 Amending the Homer City Zoning Map to Rezone a Portion of the Rural Residential (RR) Zoning District to East End Mixed Use (EEMU) Zoning District, Staff Report 25-006

Chair S. Smith introduced the item by reading of the title and deferred to City Planner Foster, who provided a summary review of his report included in the packet.

Chair S. Smith opened the floor for the Applicant.

Safron Kusnetsov noted that he and his family work in the commercial fishing industry, which has taken a steep dive in the last two years. He elaborated that they've owned the property under review for about 7 years. Mr. Kusnetsov stated that they're hoping to store their equipment on the property and potentially build a processing floor sometime in the future.

Chair S. Smith then opened the public hearing period.

Kiirsten Styvar, city resident, noted that she and her husband own one of the lots directly across from the proposed area. She stated that she wants to and loves to support local seafood operations, but shared concerns she had regarding noise levels and equipment storage.

Chair S. Smith closed the public hearing period and opened the floor for comments/questions from the Commission.

Multiple commissioners raised concerns as to whether or not this rezone, if approved, would be classified as "spot zoning."

Commissioner Venuti asked the Applicant why he needed six cabins on-site for processing fish. Mr. Kusnetsov stated that the cabins aren't needed, and that the original plan with the land was to build rentals.

SCHNEIDER/BARNWELL MOVED TO ADOPT STAFF REPORT PL 25-006 AND RECOMMEND APPROVAL TO THE HOMER CITY COUNCIL OF THE ZONING MAP AMENDMENT TO REZONE A PORTION OF THE RURAL RESIDENTIAL ZONING DISTRICT TO EAST END MIXED USE ZONING DISTRICT.

Commissioner Stark noted that much of the property in that area along the western side of Kachemak Drive is predominately industrial and commercial businesses. He added that the Applicant seems diligent about keeping the property tidy, and that he doesn't foresee this having a significant impact on the surrounding properties.

Chair S. Smith requested the Clerk to perform a roll-call vote.

VOTE: YES: S. SMITH, SCHNEIDER, STARK, BARNWELL.

VOTE: NO: VENUTI.

Motion carried.

PLAT CONSIDERATION

PENDING BUSINESS

NEW BUSINESS

INFORMATIONAL MATERIALS

COMMENTS OF THE AUDIENCE

COMMENTS OF THE STAFF

Deputy City Clerk Pettit thanked everyone for a good meeting.

COMMENTS OF THE MAYOR/COUNCILMEMBER (If Present)

COMMENTS OF THE COMMISSION

Commissioner Venuti thanked everyone for their service tonight. He added that he isn't a big fan of changing zones, especially when people invest in certain zones.

Commissioner Stark thanked everyone for a good meeting.

Commissioner Schneider thanked everyone for their service.

Commissioner Barnwell thanked everyone for a good meeting.

Chair S. Smith thanked the City Staff for their work.

ADJOURN

There being no further business to come before the Commission, Chair S. Smith adjourned the meeting at 7:42 p.m. The next Regular Meeting is scheduled for **Wednesday, February 19th, 2025 at 6:30 p.m.** All meetings are scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska and via Zoom Webinar. Meetings will adjourn promptly at 9:30 p.m. An extension is allowed by a vote of the Commission.

Zach Pettit, Deputy City Clerk I

Approved:_____

**CITY OF HOMER
HOMER, ALASKA**

Planning Commission

ORDINANCE 25-20

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
AMENDING HOMER CITY CODE 21.16 RESIDENTIAL OFFICE
DISTRICT, 21.24 GENERAL COMMERCIAL 1 DISTRICT, AND 21.26
GENERAL COMMERCIAL 2 DISTRICT, ADDING STUDIOS AS A
PERMITTED USE IN EACH DISTRICT.

WHEREAS, On November 6, 2024, Per HCC 21.95.010, an amendment to this title was
initiated by a member of the Planning Commission, Planning Commissioner Heath Smith; and

WHEREAS, A Public Hearing was held by the Planning Commission on January 2, 2025;
and

WHEREAS, It was brought to the attention of the City Planner that the review criteria
per HCC 21.95.040 was missing from staff report 25-02; and

WHEREAS, A Public Hearing was held by the Planning Commission on February 5, 2025
with the review criteria per HCC 21.95.040; and

WHEREAS, The Planning Commission, by a vote of 4-1, recommended approval of the
code amendment to City Council to permit Studio as a permitted use in the General
Commercial 1, General Commercial 2, and Residential Office zoning districts; and

WHEREAS, It is in the City's best interest to permit the studio use in the General
Commercial 1, General Commercial 2, and Residential Office zoning districts.

NOW THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code Chapter 21.24, General Commercial 1 District is amended
as follows:

21.24.020 Permitted Uses and Structures.

The following uses are permitted outright in the General Commercial 1 District, except when
such use requires a conditional use permit by reason of size, traffic volumes, or other reason
set forth in this chapter:

oo. Studio.

Section 2. Homer City Code Chapter 21.26, General Commercial 2 District is amended as follows:

21.24.020 Permitted Uses and Structures.

The following uses are permitted outright in the General Commercial 2 District, except when such use requires a conditional use permit by reason of size, traffic volumes, or other reason set forth in this chapter:

aa. Studio.

Section 3. Homer City Code Chapter 21.16, Residential Office District is amended as follows:

21.16.020 Permitted Uses and Structures.

The following uses are permitted outright in the Residential Office District:

x. Studio.

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

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this ____ day of _____, 2025.

CITY OF HOMER

RACHEL LORD, MAYOR

ATTEST:

RENEE KRAUSE, MMC, CITY CLERK

Introduction:

Public Hearing:

Second Reading:

Effective Date:

- 85 YES:
- 86 NO:
- 87 ABSTAIN:
- 88 ABSENT:



MEMORANDUM

Ordinance 25-21, An Ordinance of the City Council of Homer, Alaska, Amending the FY25 Capital Budget Appropriating \$300,000 from the Water Capital Asset Repair Maintenance Allowance (CARMA) Fund for the Replacement of the Water Main on Ohlson Lane and Bunnell Avenue.

Item Type: Backup Memorandum
Prepared For: Mayor Lord and City Council
Date: February 14, 2025
From: Daniel Kort, Public Works Director
Through: Melissa Jacobsen, City Manager

Summary:

Appropriation of construction funds to amend the funding sources for the water main replacement portion of the Ohlson Lane and Bunnell Avenue Roadway and Water Improvement Project. This is not an increase in the anticipated project cost, but rather a correction in the funding sources used.

Background:

This project began with a design and study by Nelson Engineering in 2023 which recommended that Public Works Department reconstruct the subgrade for Ohlson Lane and West Bunnell Avenue. According to the 100% cost estimate, the total cost will be approximately \$2,559,149.

The project additionally replaces the water main on the affected roads as well as construct storm sewer in conjunction with the new curb to alleviate local stormwater issues. As stated in previous legislation, the water main is being replaced because it is an approximately 60-year old cast iron pipe that is near the end of its service life and is prone to failure. Approximately 10-years ago a cost estimate was developed for the replacement of this water main prior to the conception of the roadway reconstruction project, but the project was shelved for a later date. The roadway reconstruction offers a unique opportunity to replace the aging infrastructure as part of one effort, thereby avoiding digging up the newly constructed road to make future repairs or replace the pipe. The storm sewer portion of the project will replace some aging drainage piping and improve storm drainage issues in this neighborhood as well as to accommodate the projects new street design.

Public Works Department submitted questionnaires to the Alaska Department of Environmental Conservation (ADEC) in 2023 to apply for loans to cover both the water main replacement and storm drain portions of the construction project from the Alaska Drinking Water Fund and Alaska Clean Water Fund respectively. The ADEC added both the water main replacement and storm drain to their project priority list and both projects scored high and were granted 100% principal forgiveness subsidy in the following amounts:

Ohlson & Bunnell Water Main Replacement: \$491,400

Ohlson & Bunnell Storm Drain Construction: \$324,000

The principle forgiveness between the two loans totals to \$815,400 in loan subsidy which will cover a portion of the construction costs for the subject project. Ordinance 24-61 was passed on January 28, 2025 which obligated \$2,000,000 from HART Roads to supplement the two ADEC loans in order to obligate money towards the construction effort for a total of \$2,851,000, which is greater than the estimated project cost of \$2,559,149.

The updated construction cost estimate by Nelson Engineering was provided to the City around the same time as the passage of Ordinance 24-61. The cost estimate shows the water portion of the construction project is estimated to cost \$790,450. At this point, we looked into why there was such a large discrepancy between the loan application's cost estimate and the new Engineer's Estimate. This is when it was identified that the approximately 10-year old engineer's estimate was used at the time of the ADEC application because there was no better data available at the time.

For the water main replacement portion of the project, the original plan was to use an appropriation (Ordinance 23-23 (A-3)) of \$90,000 from the Water CARMA to cover design related costs, and the ADEC Loan of \$491,400 (with principle forgiveness) would cover the construction costs. The design by Nelson Engineering cost \$55,867, Alaska DOT permits cost \$2,600, and ADEC review cost \$1,088 leaving a balance of \$30,445 from the original \$90,000 Water CARMA appropriation.

Therefore, the appropriation of \$2,000,000 via Ordinance 24-61 from HART Roads actually overstated the HART Roads portion of the project cost. This proposed ordinance for supplemental appropriation is intended to fund the balance of the water portion of the construction project from Water CARMA as it originally should have been.

Estimated Construction Cost - \$790,405

Less the Anticipated remaining balance from Ordinance 23-23 (A-3) - \$30,445

Less the ADEC Loan (with principle forgiveness) - \$491,400

For a total balance of - \$268,605

The overall anticipated cost of the project has not increased, but rather the HART Roads portion of the funding via Ordinance 24-61 was mistakenly overstated. It is anticipated that this Ordinance will free up \$268,605 of the \$2,000,000 HART Roads funding obligated via Ordinance 24-61 towards the Project to be returned to HART Roads at the completion of this project.

Recommendation:

Public Works recommends that \$300,000 be appropriated from the Water CARMA Fund to cover the shortfall of \$268,605. The proposed appropriation is greater than the shortfall to provide a modest contingency of approximately 11% in effort to prevent future supplemental appropriations in the event that the bid for the water portion of the project exceeds \$790,450.

**CITY OF HOMER
HOMER, ALASKA**

City Manager/
Public Works Director

ORDINANCE 25-21

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
AMENDING THE FY25 CAPITAL BUDGET APPROPRIATING \$300,000
FROM THE WATER CAPITAL ASSET REPAIR MAINTENANCE
ALLOWANCE (CARMA) FUND FOR THE REPLACEMENT OF THE
WATER MAIN ON OHLSON LANE AND WEST BUNNELL AVENUE.

WHEREAS, The City is rebuilding the roadways Ohlson Lane and West Bunnell Avenue;
and

WHEREAS, The water main on both roads is 60 years old and replacing it at the same
time as the roadway would be more cost efficient than replacing them separately; and

WHEREAS, The original plan was to pay for design of the water main with \$90,000 out
of the Water CARMA appropriated in Ordinance 23-23 (A-3) and for construction with a \$491,400
principal forgiveness subsidy associated with a loan offered through the Alaska Department
Environmental Conservation (ADEC) State Revolving Fund; and

WHEREAS, The \$491,400 figure, that Public Works gave to the Alaska Department of
Environmental Conservation (ADEC) when filing the questionnaire for the loan, based off of an
old cost estimate, is no longer valid; and

WHEREAS, Design work and permitting cost \$59,555 and the latest construction cost
estimate for the water portion of the project is \$790,450; and

WHEREAS, The \$268,605 between total budget and total expenses cannot be covered
by the HART Roads appropriation from Ordinance 24-61 because that would not be in keeping
with the intent of the HART Roads Fund; and

WHEREAS, In light of recent bids coming over Engineer's estimates, Public Works
recommends a 11% contingency.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The Homer City Council hereby amends the FY25 Capital Budget by
appropriating \$300,000 as follows:

	<u>Fund</u>	<u>Description</u>	<u>Amount</u>
43			
44	256-0378	Water Main Replacement	\$300,000
45		Ohlson Lane / West Bunnell Ave	
46			

47 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this ____ day of _____, 2025.

48
49 CITY OF HOMER

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51
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53 _____
RACHEL LORD, MAYOR

54 ATTEST:

55
56 _____
57 RENEE KRAUSE, MMC, CITY CLERK

58
59
60 YES:

61 NO:

62 ABSTAIN:

63 ABSENT:

64
65 Introduction:

66 Public Hearing:

67 Second Reading:

68 Effective Date:

CITY OF HOMER FINANCIAL SUPPLEMENT

PROJECT NAME	Water Main Replacement - Ohlson Lane and West Bunnell Avenue	DATE	02/19/2025
DEPARTMENT	Public Works	SPONSOR	City Manager/PW Director
REQUESTED AMOUNT	\$ 300,000		

DESCRIPTION	<p>The City is rebuilding the roadways Ohlson Lane and West Bunnell Avenue. The water main on both roads is 60 years old and replacing it at the same time as the roadway would be more cost efficient than replacing them separately. The original plan was to pay for design of the water main with \$90,000 out of the Water CARMA appropriated in Ordinance 23-23 (A-3) and for construction with a \$491,400 principal forgiveness subsidy associated with a loan offered through the Alaska Department Environmental Conservation (ADEC) State Revolving Fund. The \$491,400 figure, that Public Works gave to the Alaska Department of Environmental Conservation (ADEC) when filing the questionnaire for the loan, based off of an old cost estimate, is no longer valid. Design work and permitting cost \$59,555 and the latest construction cost estimate for the water portion of the project is \$790,450. The \$268,605 between total budget and total expenses cannot be covered by the HART Roads appropriation from Ordinance 24-61 because that would not be in keeping with the intent of the HART Roads Fund. In light of recent bids coming over Engineer's estimates, Public Works recommends a 11% contingency.</p>
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FUNDING SOURCE(S)	OPERATING	GF CARMA	GF FLEET CARMA	PORT RESERVES	WATER CARMA
	0%	0%	0%	0%	100%
	HAWSP	HART-ROADS	HART-TRAILS	PORT FLEET RESERVES	SEWER CARMA
	0%	0%	0%	0%	0%

FUNDING SOURCE 1: WATER CARMA (256-0378)		FUNDING SOURCE 2:		FUNDING SOURCE 3:	
Current Balance	\$ 2,222,705	Current Balance	_____	Current Balance	_____
Encumbered	\$ 1,156,706	Encumbered	_____	Encumbered	_____
Requested Amount	\$ 300,000	Requested Amount	_____	Requested Amount	_____
Other Items on Current Agenda	\$ 17,000	Other Items on Current Agenda	_____	Other Items on Current Agenda	_____
Remaining Balance	\$ 748,999	Remaining Balance	_____	Remaining Balance	_____
FUNDING SOURCE 4:		FUNDING SOURCE 5:		FUNDING SOURCE 6:	
Current Balance	_____	Current Balance	_____	Current Balance	_____
Encumbered	_____	Encumbered	_____	Encumbered	_____
Requested Amount	_____	Requested Amount	_____	Requested Amount	_____
Remaining Balance	_____	Remaining Balance	_____	Remaining Balance	_____



MEMORANDUM

Ordinance 25-22, An Ordinance of the City Council of Homer, Alaska Amending the FY25 Capital Budget by Authorizing an Expenditure of \$10,000 from the Sister City 40th Anniversary Fund to Create the Sister City Program of Homer Field of Interest Fund with the Homer Foundation. Venuti

Item Type: Backup Memorandum
Prepared For: Mayor Lord and City Council
Date: February 12, 2025
From: Lori Pond, Sister City Coordinator
Through: Melissa Jacobsen, City Manager
cc: Caroline Venuti, Councilmember

Background:

The City of Homer has long maintained a commitment to fostering international relationships and cultural exchanges through the Sister City Program. To ensure the long-term sustainability and accessibility of funds for this program, we propose establishing a Field of Interest Fund with the Homer Foundation.

Proposal:

The establishment of an Field of Interest Fund with the Homer Foundation will provide a secure, transparent, and efficient means of managing the Sister City Program's financial resources. This fund will serve as a depository for city contributions as well as private donations from community members and organizations who wish to support the program. Funds will be accessible by grant requests through the Homer Foundation.

Benefits of a Field of Interest Fund:

- **Investment Growth:** The fund will accrue interest, increasing the available resources for the Sister City Program over time.
- **Public Accessibility:** Both the city and the community will have the ability to contribute to the fund, ensuring broad-based financial support.
- **Transparency and Accountability:** The Homer Foundation provides regular reports on fund activity, which will be made publicly available to ensure financial oversight and transparency.
- **Sustainable Financial Management:** The Homer Foundation has a proven track record of managing Field of Interest funds responsibly, ensuring that funds are disbursed appropriately and in alignment with the program's needs.

- **Flexibility in Fund Usage:** The fund can be accessed as needed to support travel, cultural exchanges, events, and other expenses associated with the Sister City Program.
- **Increased efficiency:** By partnering with the Homer Foundation as a fiscal agent, administrative tasks are streamlined, reducing the workload on city staff in the finance, clerical, and administration departments

Account Specifications:

- Field of Interest, non-endowed account
- Initial deposit minimum: \$10,000
- No minimum balance
- Earns interest
- Fee is 1% on average daily balance, billed quarterly
- Funds can be requested by submitting a grant application to the Homer Foundation, with withdrawals requiring city approval. Alternatively, funds can be requested directly from the city.
- Donations to the Sister City Program Fund can easily be made through the Homer Foundation.

Implementation:

- The City will coordinate with the Homer Foundation to establish the Field of Interest Fund.
- Initial contributions will be made from existing city-allocated funds for the Sister City Program.
- Community outreach efforts will be made to encourage public donations.
- Regular reports from the Homer Foundation will be reviewed and presented to the City Council and the public.

RECOMMENDATION:

City Council approve Ordinance 25-22

**CITY OF HOMER
HOMER, ALASKA**

Venuti

ORDINANCE 25-22

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
AMENDING THE FY25 CAPITAL BUDGET BY AUTHORIZING THE
EXPENDITURE OF \$10,000 FROM THE SISTER CITY 40TH
ANNIVERSARY FUND TO CREATE THE SISTER CITY PROGRAM OF
HOMER, FIELD OF INTEREST FUND WITH THE HOMER
FOUNDATION.

WHEREAS, The City of Homer values its longstanding relationships with its Sister Cities
and recognizes the importance of fostering cultural, educational, and economic exchange
programs; and

WHEREAS, The City previously allocated funds in the amount of \$20,000 for the 40th
Anniversary celebration of the Sister City Program; and

WHEREAS, It has been determined that the \$10,000 of the remaining funds would be
better utilized by supporting ongoing Sister City initiatives through the creation of the Sister
City Program of Homer Fund; and

WHEREAS, Establishing a Field of Interest Fund with the Homer Foundation will provide
financial support for projects and initiatives that enhance the objectives of the Sister City
Program; and

WHEREAS, This ordinance authorizes the City to make a \$10,000 payment to the Homer
Foundation for the purpose of establishing a Field of Interest Sister City Program of Homer
Fund; and

WHEREAS, Depositing these funds into the Field of Interest Fund with the Homer
Foundation will ensure their long-term impact and sustainability for the benefit of the Sister
City Program.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The Homer City Council hereby amends the FY25 Capital Budget by
appropriating \$10,000 as follows:

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
156-0399	Sister City 40th Anniversary Fund	\$10,000

Section 2. This ordinance is a budget amendment only, is not of a permanent nature and is a non-code ordinance.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA this ____ day of _____, 2025.

CITY OF HOMER

RACHEL LORD, MAYOR

ATTEST:

RENEE KRAUSE, MMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

First Reading:

Public Hearing:

Second Reading:

Effective Date:



MEMORANDUM

Ordinance 25-23, Amending the FY25 Capital Budget by Accepting and Appropriating a Grant from the Homer Foundation Youth Advisory Committee in the Amount of \$3,500 for Community Recreation Activities. City Manager/Recreation Manager

Item Type: Backup Memorandum
Prepared For: Mayor Lord and Homer City Council
Thru: Melissa Jacobsen, City Manager
Date: January 30, 2025
From: Mike Illg, Recreation Manager

Background

The Homer Foundation Youth Advisory Committee (YAC) has recommended and proposed the concept of providing funding for vouchers for City of Homer Community Recreation programs, activities and special events for youth. This was a result of the YAC's effort to ensure affordability and accessibility for youth programs as a perceived community need.

The City of Homer Community Recreation Program currently does not charge fees for youth for ongoing drop in recreational programs that take place at the local schools such as basketball, volleyball and soccer. However, there are required participation fees for youth for contracted instructor led classes such as Intro to Spanish, dance classes or silversmithing that cover the instructor and Community Recreation fees regardless of its location. Community Recreation also charges youth for drop in programs and instructional classes that take place at the city owned HERC facility such as ballet, pickleball and karate.

This new funding source would be used to cover the instructor fees, community recreation fees, youth punch cards and/or yearlong memberships for drop in programs. The amount of funds per youth would be determined on a case by case basis depending on family needs, request and funds available along with consultation with Community Recreation instructors/volunteers, school staff and other community partners. This also aligns with a future goal of establishing a scholarship fund to assist with the creation of formal operational plan for a possible future community recreation facility.

Recommendation:

Accept the \$3,500 grant from Homer Foundation YAC for youth vouchers.

Attachments:

Draft Community Recreation Voucher Application
Draft Youth Voucher Program Guidelines



City of Homer Community Rec Youth Voucher Application Form

All fields must be completed before turning in your application. Please read all the instructions on the back of this application prior to filling out the form.

Youth, up to 18 years of age and/or through high school, unless the program is intended for disabled youth, in which case the program may serve youth no older than 20 years of age. The maximum funding level per child is \$100 per fiscal year (July 1- June 30) for Community Recreation related activities (ie: class fees, punch card).

Incomplete forms will be returned.

Name of Child:	Date of birth:	Age:	Gender:
Parent/ Guardian name:	Email:	Phone #:	
Mailing address:			
Name of Program/Activity/Need			Total Cost:
Program Beginning Date		Program Ending Date	
Instructor to receive Funding:			
Instructor Contact Person:		Instructor Phone#:	
Instructor Mailing Address		Instructor Email:	
Have you applied for funding from this program before? If so, when and how much did you receive?			

By my signature below, I affirm that the information provided herein is complete, true and accurate to the best of my knowledge and belief.

Parent/Guardian Signature _____ Date _____

Office Use Only

Date application was received:	Amount Eligible for:
Instructor Approval Yes No	Amount Funded:
Date Parent/Guardian Contacted	Date Check request submitted:

The **Youth Voucher Program** is designed to provide financial assistance (maximum \$100 per child, per fiscal year) to youth who may not otherwise be able to participate in youth activities. All forms must be turned into Community Recreation during the registration period of the program or activity. Forms turned in after the program is over, or more than 1 week prior to registration, will not be processed and will be returned. The Youth Voucher program is for City of Homer Community Recreation programs, classes, special events, memberships and contracted instructor fees. Funds are limited and this program may cease if all funds are utilized.

Special Note: If for any reason your child does not use the scholarship for the requested activity, please notify Community Recreation as soon as possible. If the voucher has not been used within 90 days, the voucher amount will be returned to the donation/voucher fund. You may reapply for another voucher.

Eligibility: Youth, up to 18 years of age and/or through high school, unless the program is intended for disabled youth, in which case the program may serve youth no older than 20 years of age. The maximum funding level per child is \$100 per fiscal year (July 1-June 30).

Selection: The awarding of vouchers is based on the honor system with the intent to assist youth/families with accessing programs that would otherwise not be affordable. This will be a “first come, first serve” basis.

Registration: Completing a voucher form DOES NOT register a child for the program. Please complete the registration form separately.

Process: Complete the Youth Voucher/Scholarship application form as instructed on the reverse side. Only 1 child and 1 activity per form.

Notification: You will be notified when the application is approved.

Questions: If you have questions about the voucher application or process, call 907-235-6090. Applications can be dropped off with a staff member (please make arrangements to meet) or can be emailed directly to communityrecreation@ci.homer.ak.us.

**CITY OF HOMER
HOMER, ALASKA**

City Manager/
Recreation Manager

ORDINANCE 25-23

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
AMENDING THE FY25 CAPITAL BUDGET BY ACCEPTING AND
APPROPRIATING A GRANT FROM THE HOMER FOUNDATION
YOUTH ADVISORY COMMITTEE IN THE AMOUNT OF \$3,500 FOR
COMMUNITY RECREATION ACTIVITIES.

WHEREAS, The Homer Foundation Youth Advisory Committee (YAC) has awarded a
charitable grant of \$3,500 to the Homer Community Recreation Division, to be used for
vouchers for Parks and Recreation activities for youth participants; and

WHEREAS, The Homer Community Recreation Division currently offers some programs
for youth at no cost for drop in programs at the public schools, but does require fees for youth
programs for all contracted instructor classes and activities at the city owned Homer
Education and Recreation Center (HERC) facility; and

WHEREAS, The Grant may be used for any and all Homer Community Recreation
classes, programs and special events that would require a fee for youth including: drop in fee,
punch cards, membership fee, tickets for special events and contracted instructor fees; and

WHEREAS, The Grant supports the Homer Community Recreation Division's mission,
"To promote community involvement, quality of life opportunities and life-long learning
through special events, education and recreational opportunities for people of all ages".

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The FY25 Capital Budget is hereby amended as follows:

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
xxx-xxxx	Homer Foundation	\$3,500
	Youth Advisory Committee	

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

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

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA this ____ day of _____, 2025.

CITY OF HOMER

RACHEL LORD, MAYOR

ATTEST:

RENEE KRAUSE, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

First Reading:

Public Hearing:

Second Reading:

Effective Date:

**CITY OF HOMER
HOMER, ALASKA**

City Manager/
Chief Technology Officer

RESOLUTION 25-015

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA
AWARDING A CONTRACT TO STRUCTURED COMMUNICATIONS
SYSTEMS, INC OF ANCHORAGE, ALASKA IN THE AMOUNT OF
\$24,000 FOR THE DEVELOPMENT OF A CITY OF HOMER
CYBERSECURITY PLAN AND AUTHORIZING THE CITY MANAGER TO
NEGOTIATE AND EXECUTE THE APPROPRIATE DOCUMENTS.

WHEREAS, In 2024, the City of Homer conducted a cybersecurity risk assessment using
the National Institute of Standards and Technology (NIST) Cybersecurity Framework, which
found, among other things, that the City should develop a cybersecurity plan to appropriately
manage risks to its digital infrastructure and data; and

WHEREAS, The Alaska State Division of Homeland Security and Emergency
Management has awarded the City of Homer a grant to develop a cybersecurity plan through
the Federal Fiscal Year (FFY) 2023 State and Local Cybersecurity Grant Program (SLCGP); and

WHEREAS, The Alaska Municipal League (AML) has arranged procurement with
Structured Communications Systems, Inc. through a competitive bidding process to provide
cybersecurity consulting services to its members; and

WHEREAS, In 2024, Structured Communications Systems, Inc. conducted the
cybersecurity risk assessment for the City of Homer, giving them a specialized level of expertise
and familiarity with the sensitive details of the City's cybersecurity risk management profile.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska hereby
awards a contract to Structured Communications Systems, Inc of Anchorage, Alaska in the
amount of \$24,000 for the development of a City of Homer cybersecurity plan and authorizing
the City Manager to negotiate and execute the appropriate documents.

PASSED AND ADOPTED by the Homer City Council this 24th day of February 2025.

CITY OF HOMER

RACHEL LORD, MAYOR

ATTEST:

RENEE KRAUSE, MMC, CITY CLERK

Fiscal Note: Ordinance 24-58 accepted and appropriated \$25,000 from the Alaska State Division of Homeland Security and Emergency Management FFY 2023 State and Local Cybersecurity Grant Program (SLCGP) for the development of a cybersecurity plan; \$25,000 remains.

**CITY OF HOMER
HOMER, ALASKA**

City Manager/
Chief Technology Officer

ORDINANCE 24-58

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
AMENDING THE FY25 CAPITAL BUDGET BY ACCEPTING AND
APPROPRIATING A FFY 2023 STATE AND LOCAL CYBERSECURITY
GRANT PROGRAM (SLCGP) AWARD IN THE AMOUNT OF
\$328,943.00 FROM THE ALASKA DIVISION OF HOMELAND
SECURITY AND EMERGENCY MANAGEMENT FOR MUNICIPAL
CYBERSECURITY INFRASTRUCTURE IMPROVEMENTS.

WHEREAS, The City of Homer recognizes the importance of maintaining robust
cybersecurity measures to protect municipal operations and services; and

WHEREAS, The Alaska Division of Homeland Security and Emergency Management
(DHS&EM) offers grants through the State and Local Cybersecurity Grant Program (SLCGP) to
assist local governments with managing and reducing systemic cyber risk; and

WHEREAS, Through a comprehensive cybersecurity risk assessment, the City of Homer
identified the need to implement cybersecurity infrastructure improvements to enhance
security and resilience of municipal information technology systems; and

WHEREAS, The City of Homer applied for and has been awarded a FFY 2023 SLCGP grant
in the amount of \$328,943.00 for the purpose of creating a cybersecurity plan and
implementing other cybersecurity infrastructure projects to maximize the City's ability to
protect valuable resources and assets within our information systems.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The Homer City Council hereby amends the FY25 Capital Budget by accepting
and appropriating a FFY 2023 State Homeland Security & Emergency Management award of
\$328,943 from the State and Local Cybersecurity Grant Program as follows:

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
151-7036	Cybersecurity Plan	\$25,000
151-7036	Cybersecurity Infrastructure Upgrades	\$303,943

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

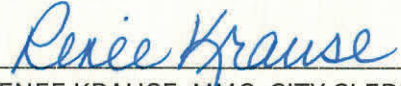
Section 3. This is a budget amendment ordinance, is temporary in nature and shall not be codified.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 25th day of November, 2024.

CITY OF HOMER


RACHEL LORD, MAYOR

ATTEST:


RENEE KRAUSE, MMC, CITY CLERK

YES: 

NO: 

ABSTAIN: 

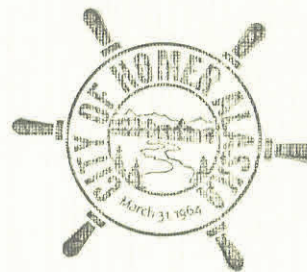
ABSENT: 

First Reading: 

Public Hearing: 

Second Reading: 

Effective Date: 





MEMORANDUM

Ordinance 24-58 to Accept and Appropriate an FFY 2023 State and Local Cybersecurity Grant Program Grant in the Amount of \$328,943 to Complete a Cybersecurity Projects

Item Type: Backup Memorandum
Prepared For: Mayor and City Council
Date: November 12, 2024
From: Bill Jirsa, Chief Technology Officer
Through: Melissa Jacobsen, City Manager



I am pleased to report that the City of Homer has been awarded a FFY2023 State and Local Cybersecurity Grant Program (SLCGP) grant from the Alaska Division of Homeland Security and Emergency Management in the amount of \$328,943. This grant program supports state, local, and territorial governments in managing and reducing systemic cyber risk.

The SLCGP funds awarded to the City of Homer will support two activities: \$25,000 for the development of a formal cybersecurity plan and \$303,943 for infrastructure projects aimed at enhancing the City's cybersecurity resilience. Both initiatives address priorities identified in a comprehensive cybersecurity risk assessment conducted in 2024.

That assessment, based on the National Institute of Standards and Technology (NIST) Cybersecurity Framework—a widely adopted standard for managing cybersecurity risk—highlighted critical areas where action is needed. While some improvements, like adopting new policies and procedures, can be implemented at minimal cost, others require substantial investment in equipment, software, and configuration to address the growing scope and complexity of digital threats. This grant provides an extraordinary opportunity to address cybersecurity gaps that may otherwise be financially out of reach for the City.

The Alaska Division of Homeland Security and Emergency Management has matched federal funds for this grant, so it requires no match from the City. City staff will take responsibility for the operation and maintenance of new infrastructure. While these projects will expand maintenance and replacement obligations for the City over the long run, the investment is balanced by a considerable reduction in risk to critical systems and public data. Proactively addressing these vulnerabilities not only helps to mitigate future cybersecurity threats but also reduces the potential costs and disruptions associated with cyber incidents.

Recommendation: Accept and appropriate the FFY 2023 State Homeland Security and Emergency Management SLCGP Grant in the amount of \$328,943.

State of Alaska Division of Homeland Security and Emergency Management Under US Department of Homeland Security Federal Emergency Management Agency Grant Programs Directorate						Page 1 of 8	
						FEDERAL AWARD DATE	
						September 19, 2024	
						FEDERAL GRANT PROGRAM	
						2024 State Homeland Security Program	
OBLIGATING AWARD DOCUMENT						FEDERAL GRANT NUMBER	
						EMW-2024-SS-05168	
RECIPIENT NAME AND ADDRESS		BUDGET/PERFORMANCE PERIOD		AMENDMENT		CFDA: 97.067	
City of Homer 491 East Pioneer Ave. Homer, AK 99603		FROM: October 1, 2024		AMENDMENT #:		AWARD AMOUNT	
		TO: September 30, 2026		EFFECTIVE DATE:			
				STATE PROGRAM NUMBER		24SHSP-GY24	
UEI NUMBER		QPAPRFMET7Q1		FUNDING ALLOCATION			
EIN		92-0030963		PLANNING		EXERCISE	
METHOD OF PAYMENT		Electronic		TRAINING		EQUIPMENT \$330,628.00	
PURPOSE OF AWARD							
The attached Project Budget Details is the funding allocation. Grant program guidelines and federal, state, and local contracting and procurement compliance requirements apply.							
GRANT REQUIREMENTS AND PROGRAM TERMS AND CONDITIONS							
The acceptance of a grant from the United States government creates a legal duty on the part of the recipient to use the funds or property made available in accordance with the conditions of the grant [GAO Accounting Principles and Standards for Federal Agencies, Chapter 2, Section 16.8(c)]. See attached for continued Grant Requirements and Program Terms and Conditions.							
SPECIAL CONDITIONS (Grant funds cannot be expended until these conditions have been met. See Obligating Award for details.)							
See Attached							
AGENCY INFORMATION							
ADDRESS Division of Homeland Security and Emergency Management PO Box 5750 JBER, AK 99505-5750		WEBSITE		http://ready.alaska.gov			
		EMAIL		mva.grants@alaska.gov			
		PHONE		(907) 428-7000			
		FAX		(907) 428-7009			
STATE PROJECT MANAGER		PHONE		FAX		EMAIL	
Jennifer Bond		(907) 428-7000		(907) 428-7009		mva.grants@alaska.gov	
AGENCY APPROVAL				RECIPIENT ACCEPTANCE			
NAME AND TITLE OF APPROVING AGENCY OFFICIAL				NAME AND TITLE OF AUTHORIZED RECIPIENT OFFICIAL			
Tiffany D. Peltier, Administrative Operations Mgr.				City Manager			
SIGNATURE OF APPROVING AGENCY OFFICIAL				SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL			
		DATE				DATE	
		11/19/24					
FOR STATE USE ONLY							
Vendor Number:		CIH84724		Date Returned			
Fund	Unit	AR Unit	Object	Activity	Function	Program	PPC
1004	2001	099180010	7001	2012	24SHSPHOMR	25HSP2024	GYSHSP

Program Requirements

(A) Monies may not be obligated outside of the time period as stated on the grant document. An obligation occurs when funds are encumbered, as with a purchase order and/or commitment of salaries and benefits. All obligated and encumbered funds must be liquidated within 45 days of the end of the performance period (unless otherwise specified in the Program Terms and Conditions) when the *Final Performance Progress Reports* are due.

(B) The signature of the signatory officials on this award certifies that all financial expenditures, including all supporting documentation submitted for reimbursement, have been incurred by the jurisdiction, and are eligible and allowable expenditures consistent with the grant guidelines for this project. The jurisdiction shall follow the financial management requirements imposed on them by the Division of Homeland Security and Emergency Management (DHS&EM).

(C) The signature of the signatory officials on this award attests to the jurisdiction's understanding, acceptance, and compliance with Acknowledgment of Federal Funding; Lobbying; Debarment, Suspension, EHP, BABAA, and other responsibility matters; Drug-free Workplace; Conflict of Interest, and Non-Supplanting certifications. Federal funds will not be used to supplant state or local funds. Federal funds may be used to supplement existing funds to augment program activities and not replace those funds that have been appropriated in the budget for the same purpose. Potential supplanting may be the subject of application and pre-award, post-award monitoring, and audit. Any cost allocable to a particular Federal award or cost objectives under the principles provided in 2 CFR Part 200, subpart E, may not be charged to other Federal awards to overcome fund deficiencies.

(D) The jurisdiction shall ensure the accounting system used allows for separation of fund sources. These grant funds cannot be commingled with funds from other federal, state or local agencies, and each award is accounted for separately.

(E) The jurisdiction shall comply with the requirements under 2 CFR 25.110, to maintain and keep jurisdiction information current within the System of Award Management (SAM). Also, the jurisdiction has the requirement to be non-delinquent to the Federal government as required in OMB Circular A-129. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments.

(F) The jurisdiction shall comply with Federal Laws and Regulations: *Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, Age Discrimination Act of 1975, Americans with Disabilities Act of 1990*. Per *Executive Order 13166*, the jurisdiction will take reasonable steps to ensure Limited English Proficient (LEP) persons have meaningful access to its programs and activities. The jurisdiction is required to comply with any applicable provisions of the Buy American Act (41 U.S.C. Sections 8301 – 8305). *Executive Order 13347 Individuals with Disabilities in Emergency Preparedness* requires government to support safety and security for individuals with disabilities in situations involving disasters, including earthquakes, tornadoes, fires, floods, hurricanes, and acts of terrorism. *Executive Order 13224* prohibits transactions with and support to organizations associated with terrorism. Energy Policy and Conservation Act, National Environmental Policy Act (NEPA) of 1969 and the Coastal Wetlands Planning, Protection, and Restoration Act of 1990 (as applicable.) The USA PATRIOT Act of 2001, Trafficking Victims Protection Act of 2000, Hotel and Motel Fire Safety Act of 1990, and the Fly America Act of 1974. Subrecipients who collect Personally Identifiable Information (PII) are required to have a publicly available privacy policy that describes what PII they collect, how they use the PII, whether they share PII with third parties, and how individuals may have their PII corrected where appropriate. All recipients must comply with statutory requirement for whistleblower protections (if applicable) at 10 U.S.C 2409, 41 U.S.C 4712, and 10 U.S.C 2324, 41 U.S.S 4304 and 4310. All recipients must comply with the equal treatment policies and requirements contained in 6 C.F.R Part 19 and other applicable statutes, regulations, and guidance governing the participants of faith-based organizations in individual DHS programs.

(G) The jurisdiction certifies that it has an *Affirmative Action Plan/Equal Employment Opportunity Plan*. An *EEOP* is not required for subrecipients under \$25,000.00 or fewer than 50 employees.

(H) The jurisdiction certifies that its employees are eligible to work in the U.S. as verified by Form I-9, Immigration & Naturalization Service Employment Eligibility.

(I) It is the responsibility of the jurisdiction as the subrecipient of these federal funds to fully understand and comply with the requirements of:

1. Administrative requirements
2 CFR Part 200 *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*
<https://ecfr.io/Title-2/Part-200>
2. Cost Principles
2 CFR Part 200 Subpart E Cost Principles
[Title 2 Part 200 Subpart E - Code of Federal Regulations \(ecfr.io\)](https://ecfr.io/Title-2/Part-200/Subpart-E)
3. Audit Requirements
2CFR Part 200 Subpart F Audit Requirements
[Title 2 Part 200 Subpart F - Code of Federal Regulations \(ecfr.io\)](https://ecfr.io/Title-2/Part-200/Subpart-F)
 - a. Federal: The applicant agrees that, as a condition of receiving any federal financial assistance, a Single audit of those federal funds will be performed, if required by law, and further agrees it will comply with all applicable audit requirements.

- b. State: If the applicant is an entity that received state financial assistance the applicant shall submit to the State Coordinating Agency, within one year after the end of the audit period, an annual audit report covering the audit period as required by 2 AAC 45.010.
- c. Subrecipients identified as "non-compliant" by the Alaska Dept. of Administration, Division of Finance, Single Audit Coordinator shall be subject to the following grant payment restrictions:
 - 1) The Division of Homeland Security & Emergency Management (DHS&EM) will not process grant payments of any nature directly to the subrecipient.
 - 2) Subrecipients will be required to fully comply with the Single Audit requirements as specified by the Alaska Dept. of Administration, Division of Finance, Single Audit Coordinator.
 - 3) Subrecipients will provide compliance evidence to DHS&EM from the State Audit Coordinator before any payment will be processed.
 - 4) DHS&EM may process on-behalf-of (OBO) payments to vendors for costs directly associated to the scope of work on approved awards.
 - 5) Performance periods will not be extended due to a subrecipient's failure to comply with Single Audit requirement.
 - 6) Payments made in error to subrecipients that are "non-compliant" must be repaid to the State of Alaska within 90 days of receipt of notice from DHS&EM.
4. Procurement and Contracts. Contracts must be of a reasonable cost, generally be competitively bid, and must comply with Federal, State, and local procurement standards. Detailed requirements for eligible procurement methods and contract types can be found in 2 CFR Part 200 Subpart D. The applicant agrees to review and follow procurement and contract requirements necessary for compliance with the grant program. Further, the applicant understands that failure to comply with these requirements may result of loss of funding for the entire project.
 - a. Debarred/Suspended Vendors. As required by Executive Orders 12549 and 12689, Debarment and Suspension, and implemented at 2 CFR Part 180, the applicant certifies that it and its principals:
 - 1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency
 - 2) Have not within a three-year period preceding this award been convicted of a or had a civilian judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or perform a public a public (Federal ,State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - 3) Are not presently indicted for otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (2) of this certification; and
 - 4) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause of default. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.
 - 5) Domestic Preferences for Procurement. As appropriate and to the greatest extent consistent with law, state and non-state entities should, to the greatest extent practicable under its FEMA award, provide a preference for the purchase of goods, products or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The requirements of this section must be included in all subawards including all contracts and purchase orders for work or products under this award. 2 C.F.R. § 200.322 also provides specific definitions for "Produced in the United States" and "manufactured products" that states should review.
5. Conflict of Interest
2 CFR Part 200.112 – the jurisdiction must disclose in writing to DHS&EM any potential conflict of interest per the applicable Federal awarding agency policy in the award's performance period.
6. False Claims Act, Program Fraud Civil Remedies, and Mandatory Disclosures
 - A. 31 U.S.C. §3729, no recipient of federal payments shall submit a false claim for payment.
 - B. 38 U.S.C. §3801-3812, details the administrative remedies for false claims and statements made.
 - C. 2 CFR Part 200.113 – the jurisdiction must disclose, in a timely manner and in writing to DHS&EM, all violations of Federal criminal law involving fraud, bribery, or gratuity potentially affecting the award.
7. Technology Requirements
28 FR Part 23, Criminal Intelligence System Operating Policies
8. Research and Development (R&D) Requirements
Grants awarded to DHS&EM are not R&D
9. Duplication of Benefits
2 CFR Part 200, Subpart E, Cost Principles
10. Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended, 42 U.S.C. §5121-5206, and Related Authorities, where applicable.

11. Reducing Text Messaging while Driving.
All recipients are encouraged to adopt and enforce policies that ban text messaging while driving as described in E.O. 13513, including conducting initiatives described in Section 3(a) of the Order when on official government business or when performing any work for or on behalf of the federal government.
12. Reporting of Matters Related to Recipient Integrity and Performance
If the total value recipient's currently active grants, cooperative agreements, and procurement contracts from all federal assistance offices exceeds \$10,000,000 for any period of time during the period of performance of this federal financial assistance award, you must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at 2 C.F.R Part 200, Appendix XII.
13. Reporting Subawards and Executive Compensation
All recipients are required to comply with the requirements set forth in the government-wide Award Term on Reporting Subawards and Executive Compensation located at 2 C.F.R Part 170, Appendix A.
14. SAFECOM
All recipients receiving federal financial assistance awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.
15. All recipients must comply with Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.
16. John S. McCain National Defense Authorization Act of Fiscal Year 2019. Recipients, subrecipients, and their contractors and subcontractors are subject to the prohibitions described in section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, Pub. L. No. 115-232 (2018) and 2 C.F.R. §§200.216, 200.327, 200.471, and Appendix II to 2 C.F.R. Part 200. The statute – as it applies to DHS recipients, subrecipients, and their contractors and subcontractors– prohibits obligating or expending federal award funds on certain telecommunications and video surveillance products and contracting with certain entities for national security reasons.
17. Recipients, subrecipients, and their contractors and subcontractors are subject to the Build America, Buy America Act (BABAA), which was enacted as part of the Infrastructure Investment and Jobs Act §§ 70901-70927, Pub. L. No. 117-58 (2021); and EO 14005, Ensuring the Future is Made in All of America by All of America's Workers. See OMB Memorandum M-22-11, Initial Implementation Guidance on Application of Buy America Preference in Federal Financial Assistance Programs for Infrastructure.

SHSP Program Terms and Conditions

The total allocation of the 2024 State Homeland Security Program awarded to the Division of Homeland Security and Emergency Management (DHS&EM) is \$4,362,750.00, under *Federal Grant EMW-2024-SS-05168, CFDA# 97.067*. The City of Homer has been awarded \$330,628.00 which shall be used to support activities essential to the ability of states, territories, and urban areas to prevent, protect against, mitigate, respond to, and recover from terrorist attacks and other all-hazards events. The instructions, guidance, limitations, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated here by reference in the award terms and conditions. All recipients must comply with any such requirements set forth in the program NOFO and State program guidance. The performance period of this grant award is October 1, 2024 through September 30, 2026. Project conditions must be completed by this date. The City of Homer cannot sub-grant all or any part of this award to any other entity or organization. All awards require confirmation within the first reporting quarter that activities toward projects will be made, or DHS&EM may execute de-obligation of the funds.

(A) Changes to Award: All change requests must be submitted in writing, or electronically to the DHS&EM Project Manager, accompanied by a justification narrative and budget/spending plan, for review and approval. Changes must be consistent with the scope of the project and grant guidelines. Requests for changes will be considered only if the reporting requirements are current, and if terms and conditions have been met at the time of the request. Changes in the programmatic activities, or purpose of the project, changes in key persons specified on the grant award, contractual services for activities central to the purposes of the award, requests for additional funding, change in project site, or release of special conditions may result in an amendment to this award. No transfers of funds between budget categories will be authorized, only de-obligation of funds, except on a case-by-case basis.

(B) Reporting Requirements: The City of Homer shall submit timely quarterly *Performance Progress Reports* and *Financial Progress Reports* to the Project Manager at DHS&EM. Instructions and blank forms are located electronically at <https://www.ready.alaska.gov/Grants>, and may be reproduced. Jurisdictions must check the web site quarterly for the most current forms. Use of outdated forms will not be accepted. Quarterly reports are due:

Number of Scheduled Report Due	Jurisdiction Performance Period	Performance Progress and Financial Progress Report Due Dates
1	10/1/2024 - 12/31/2024	01/20/2025
2	1/1/2025 - 3/31/2025	04/20/2025
3	4/1/2025 - 6/30/2025	07/20/2025
4	7/1/2025 - 9/30/2025	10/20/2025
5	10/1/2025 - 12/31/2025	01/20/2026
6	1/1/2026 - 3/31/2026	04/20/2026
7	4/1/2026 - 6/30/2026	07/20/2026
8	7/1/2026 - 9/30/2026	10/20/2026
9	Final Report	11/15/2026

Invoices with progress reports will be submitted to DHS&EM by the due date as specified in the above schedule. Should the grant period be extended for any reason, a modified report schedule will accompany the award amendment.

The *Performance Progress Report* (PPR) contains an AK-PPR-A cover page form and an AK-PPR-B Program Indicators form. Both forms must be completed and submitted by the report due date. Requests for grant extensions, budget adjustments, project realignments, and significant problems or delays are reported on the AK-PPR-A. An AK-PPR-A must be submitted even if no additional information is required. The AK-PPR-B shall describe the progress and percent completed of projects and detail any related expenditures submitted on the *Financial Progress Report*. The *Financial Progress Reports* shall describe the status of the funds, show encumbrances, and receipts of program income, cash or in-kind contributions to the project, whether or not a local match is required. A final PPR is a summary report, showing project completion, evaluating project activities and measuring performance against project goals for the entire performance period, and is required in addition to the last quarterly PPR. An *After-Action Report/Improvement Plan* (AAR/IP) is required within 30 days of the conduct of an exercise.

(C) Signatory Requirements: The primary Signatory Official, Project Manager and Financial Officer as listed on the *Signatory Authority Form* must sign the original obligating award document and any amendments. Delegates may sign quarterly and final reports, however, the signatures of the Project Manager, Signatory Official and the Financial Officer must be three different signatures.

(D) Reimbursements: Submit on the *Financial Progress Report* form. Reimbursement shall be based upon authorized and allowable expenditures consistent with project narrative and budget detail and grant guidelines, and submission of timely quarterly *Performance Progress* and *Financial Progress Reports*. Payments may be withheld pending correction of deficiencies or for use of outdated forms. Reimbursement of expenditures may be requested at any time within the performance period. Expenditures must be supported with source documentation (e.g., copies of invoices, receipts, timesheets with name/wage/hours, cost allocation, warrants, etc.), method of solicitation must be documented with a *Procurement Method Report*, and documentation of payment must be included. Reimbursable expenses include:

- **Personnel Costs:** Payroll reports signed and certified by the Chief Financial Officer that capture the employee's name, position, coded allocation to the project, and amount paid are acceptable. Staff may not self-certify their own time and wages. The City of Homer shall retain all supporting payroll records, including time and attendance records signed by the employee and supervisor and copies of warrants as per the recordkeeping requirements in Section O. Limited to 50 percent for employees assigned to program management functions, not operational duties. The limit does not apply to contractors.

- **Contracts:** All sole-source procurements, single vendor responses to a competitive bid, and service contracts of any value require DHS&EM pre-approval prior to implementation. Final signed copies of all contracts are required for submission to DHS&EM with the request for reimbursement. Please review the Procurement Method Report for specific requirements.
- **Program Income and Local Match:** Program income may be used to supplement project costs, reduce project costs, or may be refunded to the federal government, and must be used for allowable program costs and be expended prior to requests for reimbursement. Local matching funds must clearly support the source, the amount, and the timing of all matching contributions.
- **Equipment:** Allowable equipment categories are listed on the web-based Authorized Equipment List (AEL) on the Responder Knowledge Base (RKB). Documentation is required per instructions attached to DHS&EM quarterly reports.
- **Travel:** Travel must be listed in the approved budget.
- **Training:** Requires DHS&EM pre-approval prior to registering or participating in training opportunities.
- **Exercise:** Requires submission of an AAR/IP within 30 days after the conduct of the exercise.
- **Food and Beverages:** All food and/or beverage expenses require pre-approval by DHS&EM and are only allowable costs if related to a grant-funded sheltering exercise, such as a Mass Care Shelter Exercise where food is prepared as part of the exercise objectives in evaluating food preparation capabilities.

(E) Non-reimbursable Expenses:

- Reimbursable training and related travel costs, not pre-approved by DHS&EM
- Construction and renovation
- Indirect costs
- Management and Administration (M&A) costs to manage sub-contracts
- Supplanting
- Maintenance and/or wear and tear costs of general use vehicles (e.g., construction vehicles), medical supplies, and emergency response apparatus (e.g., fire trucks, ambulances) Maintenance and/or wear and tear costs of general use vehicles and emergency response apparatus during exercises.
- Equipment purchased for an exercise cannot be used for permanent installation and/or beyond the scope of the conclusion of the exercise.
- Hiring of sworn public safety officers to fill traditional public safety duties or to supplant traditional public safety positions and responsibilities
- Weapons, weapons accessories, ammunition
- Entertainment and sporting events
- Personal items such as laundry, personal hygiene items, magazines, in-room movies, personal travel
- Travel insurance, visa, and passport charges
- Lodging costs in excess of federal per diem, as appropriate
- Lodging fees associated with violation of the lodging facility's policies, such as smoking in a non-smoking room
- Lunch when travel is wholly within a single day
- Stand-alone working meals
- Bar charges, alcoholic beverages
- Tips
- Finance, late fees, or interest charges
- Lobbying, political contributions, legislative liaison activities
- Organized fundraising, including salaries of persons while engaged in these activities
- Land acquisition
- Organizational Costs
- Expenditures not supported with appropriate documentation when submitted for reimbursement. Only properly documented expenditures will be processed for payment. Unsupported expenditures will be returned to the jurisdiction for resubmission.

(F) Property and Equipment Management: The City of Homer shall maintain an effective property management system; safeguards to prevent loss, damage or theft; maintenance procedures to keep equipment in good condition; and disposition procedures. A *Property Inventory Report* must be submitted to DHS&EM annually each **June 20**, and continued submission is required annually until final disposition of the equipment. No equipment purchased with these grant funds may be assigned to other entities or organizations without written approval from DHS&EM, prior to the jurisdiction's encumbrance or expenditure for that equipment. Management of property and equipment shall be in accordance with state laws and procedures as outlined, and 2 CFR Subpart D (200.210-200.316). For items over \$5,000.00, a Single Equipment Reporting Form must be submitted at the time of reimbursement at the time of reimbursement request

(G) Build America, Buy America Act (BABAA): The City of Homer must comply with the Build America, Buy America Act (BABAA), which was enacted as part of the Infrastructure Investment and Jobs Act §§ 70901-70927, Pub. L. No. 117-58 (2021); and EO 14005, Ensuring the Future is Made in All of America by All of America's Workers. See OMB Memorandum M-22-11, Initial Implementation Guidance on Application of Buy America Preference in Federal Financial Assistance Programs for Infrastructure.

None of the funds provided under this program may be used for a project for infrastructure unless the iron and steel, manufactured products, and construction materials used in that infrastructure are produced in the United States.

The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project.

(H) Procurement: A *Procurement Method Report* documenting method of solicitation is required for reimbursement for every procurement (with the exception of local advertising, legal notices and travel arrangements). Contractors that develop or draft specifications, requirements, *Statements of Work* (SOW), and/or *Requests for Proposals* (RFP) for a proposed procurement shall be excluded from bidding or submitting a proposal to compete for the award of such procurement. Local bidder's preference is not allowed for federally funded procurements. Procurement transactions shall be conducted to provide maximum open and free competition. Pre-approvals may be required at multiple steps in the procurement process. Please see the Procurement Method Report for additional details.

(I) Contracts: Any contract entered into during this grant period shall comply with local, state and federal government contracting regulations. To the extent that subrecipients of a grant use contractors, subrecipients shall use small, minority, women-owned or disadvantaged business concerns and contractors to the extent practicable. Contracts for professional and consulting services must include local, state and federal government required

contract language, a project budget, and require pre-approval by DHS&EM prior to implementation. Contract deliverables must meet the intent of the grant application and grant requirements. Justification is required for compensation for individual consultant services, which must be reasonable and consistent with the amount paid for similar services in the market place. Detailed invoices and time and effort reports are required for consultants. A *Procurement Method Report* documenting method of solicitation is required for reimbursement for every procurement.

(J) Use of DHS Seal, Logo, and Flags: All subrecipients must obtain DHS&EM approval before using the DHS seal(s), logos, crests, or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags of likenesses of Coast Guard officials.

(K) Publications and Copyright: All recipients must affix the applicable copyright notices of 17 U.S.C. § 401 or 402 and an acknowledgment of Government sponsorship (including award number) to any work first produced under Federal financial assistance awards unless the work includes any information that is otherwise controlled by the Government (e.g., classified information or other information subject to national security or export control laws or regulations). Publications created with funding under this grant should prominently contain the following statement: ***This document was prepared under a grant from the Federal Emergency Management Agency (FEMA)'s Grant Programs Directorate, U.S. Department of Homeland Security and the Alaska Division of Homeland Security and Emergency Management. Points of view or opinions expressed in this document are those of the authors and do not necessarily represent the official position or policies of FEMA's Grant Programs Directorate, the U.S. Department of Homeland Security, or the State of Alaska.***

(L) Acknowledgement of Federal Funding: All subrecipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with Federal funds.

(M) Federal Debt Status: All subrecipients are required to be non-delinquent in their repayment of any Federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. See OMB Circular A-129 and form SF-424, item number 17, for additional information and guidance.

(N) False Claims Act and Program Fraud Civil Remedies: All subrecipients must comply with the requirements of 31 U.S.C. § 3729, which set forth that no subrecipient of federal payments shall submit a false claim for payment. See also 38 U.S.C. § 3801-3812, which details the administrative remedies for false claims and statements made.

(O) Recordkeeping Requirements: Grant financial and administrative records shall be maintained for a period of three (3) years following the date of the closure of the grant award or audit if required. Time, effort, personnel, and payroll records must be maintained for all individuals reimbursed under the award. Property and equipment records shall be maintained for a period of three (3) years following the final disposition, replacement, or transfer of the property and equipment.

(P) Performance Measures: Quarterly Progress Reports shall demonstrate performance and progress relative to:

1. Acceptable performance on applicable critical tasks in Exercises using approved scenarios
2. Progress in achieving project timelines and milestones identified in the Quarterly Activities Plan
3. Percent measurable progress toward completion of the project
4. How funds have been expended during the reporting period, and explain expenditures related to the project

(Q) Subrecipient Monitoring Policy: Periodic monitoring is required to ensure that program goals, objectives, timelines, budgets and other related program criteria are being met. DHS&EM reserves the right to periodically monitor, review and conduct analysis of the City of Homer's financial, programmatic and administrative policies and procedures such as, accounting for receipts and expenditures, cash management, maintaining adequate financial records, means of allocating and tracking costs, contracting and procurement policies and records, payroll records and means of allocating staff costs, property/equipment management system(s), progress of project activities, etc. This may include desk and field audits. Technical assistance is available from DHS&EM staff. The Monitoring Policy is available in the Grants Management Handbook.

(R) Penalty for Non-Compliance: For the reasons listed below, special conditions may be imposed, reimbursements may be partially or wholly withheld, the award may be wholly or partly suspended or terminated, or future awards, reimbursements and award modifications may be withheld. DHS&EM may institute the following, but is not limited to, withholding authority to proceed to the next phase of a project, requiring additional or more detailed financial reports, additional project monitoring, and/or establish additional prior approvals. DHS&EM shall notify the City of Homer of its decision in writing stating the nature and the reason for imposing the conditions/restrictions, the corrective action required and timeline to remove them, and the method of requesting reconsideration of the imposed conditions/restrictions. The City of Homer must respond within five (5) days of receipt of notification:

1. Unwillingness or inability to attain project goals
2. Unwillingness or inability to adhere to Special Conditions or Grant Assurances.
3. Failure or inability to adhere to grant guidelines and federal compliance requirements
4. Improper procedures regarding contracts and procurements
5. Inability to submit reliable and/or timely reports
6. Management systems which do not meet federal required management standards

(S) Termination for Cause: If performance is not occurring as agreed, the award may be reduced or terminated without compensation for reduction or termination costs. DHS&EM will provide five (5) days notice to the City of Homer stating the reasons for the action, steps taken to correct the problems, and the commencement date of the reduction or termination. DHS&EM will reimburse the City of Homer only for acceptable work or deliverables, necessary and allowable costs incurred through the date of reduction or termination. Final payment may be withheld at the discretion of DHS&EM until completion of a final DHS&EM review. Any equipment purchased under a terminated grant may revert to DHS&EM at the option of DHS&EM.

(T) Termination for Convenience: Any project may be terminated upon convenience, in whole or in part, for the convenience of the Government. The U.S. Department of Commerce and the DHS&EM, by written notice, may terminate this grant, in whole or in part, when it is in the Government's interest. Allowable costs obligated and/or incurred through the date of termination shall be reimbursed. Any equipment purchased under a terminated grant may revert to DHS&EM at the option of DHS&EM.

(U) Project Implementation: Due to the competitiveness of the 2024 State Homeland Security Program, approved projects must be ready-to-go. Project implementation shall begin within the first reporting quarter.

1. If a project cannot be operational within the first reporting quarter of the approved award date, the subrecipient should notify DHS&EM of the implementation delay and expected starting date. At the discretion of DHS&EM, the grant award is subject to cancellation, and funds may be de-obligated and reallocated to other projects if project implementation is unjustifiably delayed.

(V) The City of Homer shall comply with the requirements and restrictions of the Federal Fiscal Year (FFY) 2024 State Homeland Security Program (HSGP) Program Guidance, State Overview and Guidelines, State Preparedness Report, and the State Homeland Security Strategy. By signing this obligating award document, the City of Homer certifies it has read, understood, and accepted these documents as binding.

(W) No funds will be reimbursed until City of Homer fiscal and programmatic representatives attend a 2024 Grant Kick-Off Meeting to be held electronically in November 2024.

(X) The City of Homer must complete a Quarterly Activities Plan by January 20, 2025. Information on this requirement will be emailed and provided at the 2024 Grant Kick-Off meeting.

(Y) The City of Homer must attend the state's Multi-Year Integrated Preparedness Planning Workshop (IPPW), to be held in conjunction with the 2025 Preparedness Conference, and develop a local jurisdiction Multi-Year Integrated Preparedness Plan (IPP) to be submitted to DHS&EM by March 1, 2025.

(Z) The City of Homer must complete DHS&EM NIMS Implementation Questionnaire to demonstrate continued utilization and work towards the NIMS Implementation Objectives.

(AA) The City of Homer must complete the Nationwide Cybersecurity Review (NCSR) by December 31, 2024. More information on this online self-assessment will be provided at the 2024 Kick-Off Meeting and can be found in the 2024 HSGP NOFO: [Fiscal Year 2024 Homeland Security Grant Program Notice of Funding Opportunity \(alaska.gov\)](#).

Special Conditions

(A) The City of Homer shall not undertake any project having the potential to impact Environmental or Historic Preservation (EHP) resources without the prior approval of FEMA, including but not limited to communications towers, physical security enhancements, new construction, and modifications to buildings, structures, and objects that are 50 years old or greater. The City of Homer must comply with all conditions placed on the project as the result of the EHP review. Any change to the approved project scope of work will require re-evaluation for compliance with these EHP requirements. If ground-disturbing activities occur during project implementation, the City of Homer must ensure monitoring of ground disturbance, and if any potential archeological resources are discovered, the City of Homer will immediately cease construction in that area and notify FEMA and the appropriate State Historic Preservation Office. Any construction activities that have been initiated without the necessary EHP review and approval will result in a non-compliance finding and will not be eligible for FEMA funding. The City of Homer must submit an Environmental Historic Preservation (EHP) Statement of Work Request for the following project(s):

1. Police Dept Dispatch System
2. Virtual Law Enforcement Training System

We certify we have read, understood, and accept the Grant Terms and Conditions, the Grant Requirements, and Assurances and Agreements, and Special Conditions in accordance with this Award.

Project Manager's Signature

Chief Financial Officer's Signature

Signatory Official's Signature



Project Budget Details
2024 State Homeland Security Program
Homer, City of
Reported Revision 0

PBD #	Expense Category	Solution Area	Discipline		Budgeted Cost	PBD Amount Spent	PBD Balance
1	Equipment	Interop.Commun	Law Enforcement	State:	\$0.00	\$0.00	\$0.00
<input checked="" type="checkbox"/> EHP	<input type="checkbox"/> Canceled	<input type="checkbox"/> BABAA		Federal:	\$240,128.00	\$0.00	\$240,128.00
Item: Police Dept Dispatch System							
Description: Purchase of a dispatch system for the police department.							
Investment: Equipment and Capital Projects							
2	Equipment	Intervention	Law Enforcement	State:	\$0.00	\$0.00	\$0.00
<input checked="" type="checkbox"/> EHP	<input type="checkbox"/> Canceled	<input type="checkbox"/> BABAA		Federal:	\$90,500.00	\$0.00	\$90,500.00
Item: Virtual Law Enforcement Training System							
Description: Purchase of a virtual training system for law enforcement.							
Investment: Equipment and Capital Projects							
				Adjusted Grant Total	Total PBD Allocations	Total Expenses	Summary Balance
State:				\$0.00	\$0.00	\$0.00	\$0.00
Federal:				\$330,628.00	\$330,628.00	\$0.00	\$330,628.00
Grand Total:				\$330,628.00	\$330,628.00	\$0.00	\$330,628.00



MEMORANDUM

Resolution 25-016, A Resolution of the City Council of Homer, Alaska, Petitioning the Alaska State Alcoholic Beverage Control Board to Issue Ten Additional Restaurant or Eating Place Licenses within the City of Homer as Authorized by Alaska Statute 04.11405. Davis/Venuti.

Item Type: Backup Memorandum
Prepared For: Mayor Lord and Homer City Council
Date: February 12, 2025
From: Julie Engebretsen, Community Development Director
Through: Melissa Jacobsen, City Manager

Background:

Councilmembers Venuti and Davis have been approached by local restaurants wishing to acquire liquor licenses that will allow the sale of beer and wine. Currently all of the licenses in Homer are in use. One mechanism to allow more licensed establishments is for a municipality to petition the Alaska State Alcohol Beverage Control Board (ABC). The purpose of Resolution 25-016 is to initiate that petition process. This memo and resolution specifically address beer and wine licenses for restaurants and eating establishments; this petition does not affect package stores, bars that serve hard alcohol, any type of brewery or seasonal licenses.

Until January of last year, when Alaska's new alcohol regulations went into effect, the number of restaurant beer and wine ("REPL") licenses a city was allowed to have was strictly limited by population. In many cities including in Homer, this created a situation where a person who wished to open a full service restaurant could not do so unless they were able to buy an existing beer and wine license in the secondary market, at prices often highly inflated due to the artificial shortage created by the population limits. With the new regulations that went into effect last year, legislators chose to address this barrier to new businesses by allowing cities that have run short of licenses to petition the state for additional licenses. Several cities in Alaska, including Soldotna and Haines have already done so. The City seeks an additional 10 licenses based on the volume of visitors from outside the region that visit Homer. According to cell phone data, more than 400,000 people visited Homer in 2024 from a distance 50 miles or more outside of Homer. These are visitors who do not live within the service area but are visitors to Homer. The tourism and visitor industry are strong drivers in Homer's noteworthy restaurant scene and drive demand for the sale of beer and wine in local eateries.

Staff contacted ABC regarding the petition, and it was recommended that the City conduct extra public outreach as part of the petition process. Therefore, this resolution is scheduled to be introduced

at the February 24th Council meeting, followed by a public hearing and adoption at the March 10, 2025 meeting.

RECOMMENDATION:

Introduce Resolution 25-016, conduct a public hearing at the following meeting, and adopt

**CITY OF HOMER
HOMER, ALASKA**

Venuti/Davis

RESOLUTION 25-016

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA
PETITIONING THE ALASKA STATE ALCOHOLIC BEVERAGE
CONTROL BOARD TO ISSUE TEN ADDITIONAL RESTAURANT OR
EATING PLACE LICENSES WITHIN THE CITY OF HOMER AS
AUTHORIZED BY ALASKA STATUTE 04.11.405

WHEREAS, Alaska Statute 04.11.405 provides certain municipalities with the
authorization to submit a resolution to the Alcohol Beverage Control Board, petitioning the
Board for the issuance of additional Restaurant or Eating Place licenses; and

WHEREAS, Local restaurant and eating place establishments have expressed the desire
to acquire licenses to enable the sale of beer and wine and no additional licenses are available
to the community of Homer from the State of Alaska; and

WHEREAS, The City of Homer is petitioning the Alaska State Alcoholic Beverage Control
Board to issue 10 additional Restaurant or Eating Place licenses within the City of Homer; and

WHEREAS, The City of Homer is a first class municipality and based on AS 04.11.405(a)
is eligible to petition for additional Restaurant or Eating Place licenses under AS 04. 09.210;
and

WHEREAS, The City of Homer submits this resolution from the Homer City Council
(governing body) demonstrating the City meets the required criteria under Alaska Statute 04.
11.405: AS 04.11.405(b)1(A) and

WHEREAS, The City meets the criteria of AS 04.11.405 (b)1(B) as City maintains a local
law enforcement department and community jail, and the police department is responsible
for maintaining public safety and order within the city, consisting of enforcing state statutes
and city ordinances as well as providing aid and assistance to residents, visitors and the
business community; and

WHEREAS, The City meets the criteria of AS 04.11.405(b)1(C) as the City exercises
planning and land use authority with an established Community Development Department
that provides economic development and planning services to implement, administer and
enforce the economic development and planning and zoning related policies of the city; and

WHEREAS, The City currently exceeds the maximum limit under AS 04.11.400(a) for
restaurant or eating place licenses issued under AS 04.09.210; and

WHEREAS, AS 04.11.405(c)(2)(A) Homer serves as regional hub for the southern Kenai Peninsula and attracts a large number of residents, visitors, and tourists by offering an array of services, commercial and health care related activities, and cultural attractions that make it a vibrant destination for both residents and visitors; and

WHEREAS, The City serves as a center for commercial activity within and outside the boundaries of the city and provides goods and services to a population that exceeds the city's permanent resident population of 5,500; and

WHEREAS, The great area of Anchor Point, Diamond Ridge, East End Road, Kachemak City, Kachemak Selo, Rozdolna, Vosnesenka, Seldovia, Nanwalek Port Graham and surrounding areas all participate and contribute to the Homer economy as a hub for commercial and health care related activities and when included with the City of Homer have a resident population of 12,811 according to the 2024 State of Alaska population estimates; and

WHEREAS, AS 04.11.405 (c)(2)(B) In 2024 between January and October there were 231,057 trips and 480,063 visitor days with an average length of stay of 2.1 days from visitors who traveled more than 50 miles to reach Homer; and

WHEREAS, AS 04.11.405 (b)(1)(D) Currently, there are 15 Restaurant and Eating Place licenses in the City of Homer which exceeds the amount allowed under AS 04.11.400(a)(2)(A) and according to the regulations (AS 04.11.405 (b)(1)(D)), the city's current number of restaurant and eating place licenses exceeds the limit, and by receiving additional licenses, the city can align with the mandated population- to- license ratio, ensuring there are enough licenses available to meet the needs of the local population and visitors; and

WHEREAS, There are currently 35 Restaurant and Eating Place licenses within the unincorporated areas of the Kenai Peninsula Borough; and

WHEREAS, AS 04.11.405 (c)(5) the additional ten Restaurant or Eating Place licenses would align with population ratios and visitors, and allow for effective regulation and enforcement of alcohol related policies, all of which benefit the city and its residents.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Homer, Alaska, that:

Section 1. The City of Homer petitions the State of Alaska Alcoholic Beverage Control Board for ten additional Restaurant and Eating Place licenses.

Section 2. This resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED by the Homer City Council this 10th day of March, 2025.

CITY OF HOMER

RACHEL LORD, MAYOR

ATTEST:

RENEE KRAUSE, MMC, CITY CLERK

Fiscal Note:



MEMORANDUM

Resolution 25-017, A Resolution of the City Council of Homer, Alaska Approving an Amendment to the City's Sublease with New Pacific Airlines, Inc. DBA Ravn Alaska and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager.

Item Type: Back-Up Memorandum
Prepared For: Mayor Lord and Homer City Council
Date: February 12, 2025
From: Bryan Hawkins, Port Director / Airport Terminal Manager
Through: Melissa Jacobsen, City Manager

The City's current land lease with the State of Alaska for the area that includes the Homer Airport Terminal and associated parking took effect on March 30, 2023 and extends until March 30, 2028. New Pacific Airlines, Inc DBA Ravn Alaska ("Ravn") is one of the City's subtenants operating out of the Homer Airport under a sublease that will expire on March 30, 2028.

The CEO of Ravn recently requested that the sublease be amended to include an early termination clause. City Council indicated that they would support an early termination clause with a requirement for 90 days written notice. The attached draft amendment to the sublease has been prepared by the City Attorney.

If approved by Council, this draft amendment will be submitted to the State for preliminary review prior to signature, and then copies signed by both parties to the sublease will be submitted to the state for official approval.

RECOMMENDATION:

Approve Resolution 25-017

Attachments:

Resolution 23-063 Approving a 5-year sublease

Federal DOT Order 2023-11-7 Reissuing Certificate to Reflect Change in Corporate Name and Deregistration of Trade Names

 Draft Amendment to Sublease

**CITY OF HOMER
HOMER, ALASKA**

City Manager

RESOLUTION 23-063

A RESOLUTION OF THE HOMER CITY COUNCIL APPROVING A FIVE YEAR SUBLEASE AT THE HOMER AIRPORT TERMINAL FOR NORTHERN PACIFIC AIRWAYS, INC. DBA RAVN ALASKA, AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE THE APPROPRIATE DOCUMENTS.

WHEREAS, Northern Pacific Airways, Inc., dba Ravn Alaska (Ravn) has requested a new sublease with the City to continue their existing operations, which includes 2530 square feet of combined front counter, office, baggage claim loading bay and cargo space located at the Homer Airport Terminal; and

WHEREAS, The current sublease between Ravn and the City at the Homer Airport Terminal expired on March 30, 2023 and is now on a month to month basis; and

WHEREAS, The prime lease held between the City and the State of Alaska Department of Transportation and Public Facilities (DOT&PF) terminated March 20, 2023 and the City recently has renewed this lease; and

WHEREAS, DOT&PF only permits the City to enter into sublease arrangements at the Homer Airport Terminal with a maximum term length of five years however the City can only offer a sublease that ends with the prime leases termination date of March 30, 2028; and

WHEREAS, HCC 18.08.140 City property may be subleased if expressly permitted in the lease agreement and approved in writing by Council.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska hereby approves a five year sublease effective July 1, 2023 through March 30, 2028 space at the Homer Airport Terminal for the annual lease rent of \$119,384.52 and authorizes the City Manager to negotiate and execute the appropriate documents.

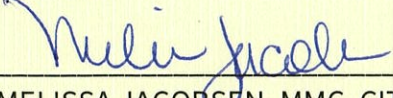
PASSED AND ADOPTED by the Homer City Council this 26th day of June, 2023.

CITY OF HOMER



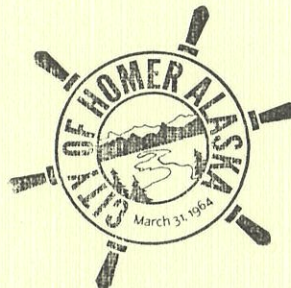
KEN CASTNER, MAYOR

45 ATTEST:

46 
47 _____
48 MELISSA JACOBSEN, MMC, CITY CLERK

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50 Fiscal information: \$119,384.52 lease revenue





**UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.**

Issued by the Department of Transportation
on the 3rd day of November 2023

Application of

**NORTHERN PACIFIC AIRWAYS, INC.
d/b/a RAVN ALASKA**

Docket DOT-OST-2021-0146

for the reissuance of its certificate of public
convenience and necessity under 49 U.S.C.
§ 41102 and deregistration of trade names

**ORDER REISSUING CERTIFICATE
TO REFLECT CHANGE IN CORPORATE NAME
AND
DEREGISTRATION OF TRADE NAMES**

SUMMARY

By this Order, the U.S. Department of Transportation (the “Department”) (1) acknowledges the registration of the corporate name “New Pacific Airlines, Inc.” by Northern Pacific Airways, Inc. (“NPA”), (2) reissues to the air carrier its Certificate of Public Convenience and Necessity to reflect this change, and (3) deregisters the trade names “Corvus Airlines”, “Northern Pacific Airways”, “Northern Pacific Airlines”, and “Northern Pacific” for use in NPA’s operations.

BACKGROUND

On October 9, 2023, NPA, a corporation organized under the laws of the State of Washington, filed an application, pursuant to 14 CFR Part 215 (“Part 215”), requesting reissuance of its Certificate of Public Convenience and Necessity to reflect a change of its corporate name to “New Pacific Airlines, Inc.”¹ and for the Department to deregister the trade name “Corvus Airlines”. In its application, NPA states that its corporate name change will have no effect on its management, operations, financial condition, and citizenship.

On October 18, 2023, NPA requested that the Department also deregister the trade names “Northern Pacific Airways”, “Northern Pacific Airlines”, and “Northern Pacific”. NPA intends to retain its previously registered trade name “Ravn Alaska” and “New Pacific Airlines” for use in its operations.

¹ NPA’s certificate authority was reissued most recently by Order 2021-11-3, issued November 15, 2021, to reflect its new corporate name “Northern Pacific Airways, Inc.” and deregistration of the trade name “Ravn Connect”.

Part 215 of the Department's regulations provides that any air carrier wishing to change the name in which its operating authority has been issued must register that name with the Department. The rule further states that the Department may register such name after the air carrier gives notification to similarly named air carriers of the proposed use of the name. Part 215 also recognizes that the Department may intervene in the registration of an alternate name should there be evidence of a significant potential for, or of actual, public confusion.

NPA states that the change of its corporate name from Northern Pacific Airways, Inc. to New Pacific Airlines, Inc. raises no name similarity issues or other issues that require resolution under Part 215, which our review confirms.

Therefore, since NPA has complied with the requirements of Part 215, the Department, pursuant to 14 CFR §215.6, acknowledges the registration of the corporate name "New Pacific Airlines, Inc." and reissues the certificate authority held by NPA to reflect the change in its corporate name. Additionally, the Department deregisters the trade names "Corvus Airlines", "Northern Pacific Airways", "Northern Pacific Airlines", and "Northern Pacific", effective immediately.

ACCORDINGLY, Pursuant to authority assigned by the Department in its regulations, 14 CFR 385.12:

1. We acknowledge, pursuant to 14 CFR §215.6, the registration of the corporate name "New Pacific Airlines, Inc." and reissue in the name New Pacific Airlines, Inc., d/b/a Ravn Alaska, the Certificate of Public Convenience and Necessity issued to Northern Pacific Airways, Inc. d/b/a Ravn Alaska by Order 2021-11-3, subject to the terms, conditions, and limitations attached.

2. We will serve a copy of this order on the persons listed in Attachment A.

Persons entitled to petition the Department for review of this order under the Department's Regulations, 14 CFR 385.30, may file their petitions within 10 days of this service date of this order.

This action taken by this order is effective immediately and the filing of a petition for review shall not alter its effectiveness.

By:

TODD M. HOMAN
Director
Office of Aviation Analysis

An electronic version of this document is available on the World Wide Web at

<http://www.regulations.gov>



***Certificate of Public Convenience and Necessity for Interstate Air
Transportation***

**NEW PACIFIC AIRLINES, INC.
d/b/a RAVN ALASKA**

(as reissued)

is authorized, subject to the provisions of Subtitle VII of Title 49 of the United States Code, the orders, rules, and regulations issued thereunder, and the attached Terms, Conditions, and Limitations, to engage in interstate air transportation of persons, property, and mail.

This Certificate is not transferable without the approval of the Department of Transportation.

By Direction of the Secretary

***Issued by Order 2023-11-7
On November 3, 2023
Effective on November 3, 2023***

***Todd M. Homan
Director
Office of Aviation Analysis***



Terms, Conditions, and Limitations

**NEW PACIFIC AIRLINES, INC.
d/b/a RAVN ALASKA**

is authorized to engage in interstate scheduled air transportation of persons, property, and mail between any point in any State, territory, or possession of the United States or the District of Columbia, and any other point in any of those entities.

This authority is subject to the following provisions:

- (1) The holder shall at all times conduct its operations in accordance with the regulations prescribed by the Department of Transportation for the services authorized by this certificate, and with such other reasonable terms, conditions, and limitations as the Department of Transportation may prescribe in the public interest.*
- (2) The holder's authority under this certificate is effective only to the extent that such operations are also authorized by the FAA, and comply with all U.S. Government requirements concerning security, including, but not limited to 49 CFR Part 1544. ***
- (3) The holder shall at all times remain a "Citizen of the United States" as required by 49 U.S.C. 40102(a)(15).*
- (4) The holder shall maintain in effect liability insurance coverage as required under 14 CFR Part 205. Failure to maintain such insurance coverage will render this authority ineffective, and this or other failure to comply with the provisions of Subtitle VII of Title 49 of the United States Code or the Department's regulations shall be sufficient grounds to revoke this authority.*
- (5) The holder is authorized to conduct charter flights in interstate and/or foreign air transportation in accordance with the provisions of 14 CFR 212.*
- (6) The holder may reduce or terminate service at any point or between any two points, subject to compliance with the provisions of 49 U.S.C. § 41734 and all orders and regulations issued by the Department of Transportation under that section.*

** This certificate is being reissued to reflect the change in the holder's corporate name from Northern Pacific Airways, Inc., to New Pacific Airlines, Inc.*

*** To assure compliance with all applicable U.S. Government requirements concerning security, the holder shall, before commencing any new service (including charter flights) to or from a foreign airport, contact its Principal Security Inspector (PSI) to advise the PSI of its plans and to find out whether the Transportation Security Administration has determined that security is adequate to allow such airport(s) to be served.*

(7) *Should the holder propose any substantial changes in its ownership, management, or operations (as that term is defined in 14 CFR 204.2(l)), it must first comply with the requirements of 14 CFR 204.5.*

(8) *In the event that the holder does not commence actual flying operations under this certificate within one year of the date of the Department's determination of its fitness, its authority shall be revoked for dormancy. Further, in the event that the holder commences but subsequently ceases all scheduled passenger operations, the authority granted here shall be suspended under the terms of 14 CFR 204.7 and the holder may neither recommence nor advertise such operations unless its fitness to do so has been redetermined by the Department. Moreover, if the holder does not resume such operations within one year of its cessation, its authority shall be revoked for dormancy.*

**SERVICE LIST FOR
NORTHERN PACIFIC AIRWAYS, INC.
d/b/a RAVN ALASKA**

robert.cohn@hoganlovells.com
pat.rizzi@hoganlovells.com
patrick.w.sullivan@faa.gov
taneesha.marshall@faa.gov
david.b.lusk@faa.gov
kim.v.edwards@faa.gov
OAI.DOT.orders.USCarriers@dot.gov
Brent.alex@aa.com
john.b.williams@aa.com
chris.walker@delta.com
steven.seiden@delta.com
robert.land@jetblue.com
reese.davidson@jetblue.com
leslie.abbott@wnco.com
dallas.thomas@wnco.com
jyoung@yklaw.com
dkirstein@yklaw.com
dan.weiss@united.com
steve.morrissey@united.com
amna.arshad@freshfields.com
dheffernan@cozen.com
perkmann@cooley.com

FIRST AMENDMENT TO SUBLEASE AGREEMENT

This First Amendment to the Sublease Agreement (“Amendment”) is made and entered into effect as of the _____ day of _____, 2025 by and between (1) the City of Homer, an Alaska municipal corporation (“Sublessor”) whose address is 491 East Pioneer Avenue, Homer, Alaska 99603, and (2) New Pacific Airlines, Inc. dba Ravn Alaska (“Sublessee”), a Washington Corporation, whose address is 4700 Old Intl Road, Anchorage, AK 99502.

WHEREAS Sublessor and Sublessee entered into an Air Carrier/Ticket Counter Sublease effective March 30, 2023 (the “Sublease”) regarding the lease of certain property at the Homer Airport to Sublessee.

WHEREAS the parties have agreed to modify the lease to allow for a ninety (90) day termination by either party.

WHEREAS paragraph 34(d) allows the Sublease to be amended by a writing signed by both parties.

NOW, THEREFORE, for good, valuable, and sufficient consideration received and to be received, the parties agree as follows:

1. **Definitions.** Capitalized terms not defined herein have the meanings ascribed to them in the Sublease.

2. **Sublessee’s Right of Termination.** Either party may terminate the Sublease by giving ninety (90) days’ written notice of termination to the other, effective on the expiration of such ninety (90) day period. On such effective date, Sublessee shall deliver possession of the demised premises to Sublessor in the condition in which it received the Premises and in accordance with Paragraph 24 of the Sublease.

3. **Additional Terms.** This Amendment may be executed in counterparts, each of which shall be deemed to be an original, but all of which, taken together, shall constitute one and the same agreement. This Amendment may be delivered electronically and such delivery shall be effective as delivery of an original. Except as amended hereby, the Sublease shall remain in full force and effect. This Amendment is the entire agreement between the parties with respect to the matters set forth herein. There are no additional oral or written representations or agreements concerning the matters set forth herein. This Amendment shall be governed by the laws of the State of Alaska.

[Signature Page Follows]

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

SUBLESSOR:

City of Homer

By: _____
Melissa Jacobsen, City Manager

STATE OF ALASKA)
) SS.
THIRD JUDICIAL DISTRICT)

The foregoing instrument was acknowledged before me on _____, 20__ by Melissa Jacobsen, 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: _____

SUBLESSEE:

New Pacific Airlines, Inc. dba Ravn, Alaska

By: _____

Printed Name: _____

Title: _____

STATE OF)
) SS.
)

The foregoing instrument was acknowledged before me on _____, 20__ by _____ the _____ of New Pacific Airlines, Inc. dba Ravn, Alaska, on behalf of the same.

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

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

DRAFT

**CITY OF HOMER
HOMER, ALASKA**

City Manager

RESOLUTION 25-017

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA
APPROVING AN AMENDMENT TO THE CITY'S SUBLEASE WITH
NEW PACIFIC AIRLINES, INC. DBA RAVN ALASKA AND
AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE
THE APPROPRIATE DOCUMENTS.

WHEREAS, Resolution 23-063 approved a five-year sublease at the Homer Airport
Terminal to Northern Pacific Airways, Inc. DBA Ravn Alaska; and

WHEREAS, On November 3, 2023 Northern Pacific Airways officially changed names to
New Pacific Airlines; and

WHEREAS, New Pacific Airlines has requested an amendment to their sublease with the
City to allow for early termination of the sublease agreement; and

WHEREAS, City Council has indicated that it is amenable to terms that allow for
cancellation with 90-day written notice; and

WHEREAS, Any amendment to the sublease will be subject to the approval of the State
of Alaska Department of Transportation and Public Facilities; and

WHEREAS, Under HCC 18.08.140 City property may be subleased if expressly permitted
in the lease agreement and approved in writing by City Council.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska hereby
approves an amendment to the City's sublease with New Pacific Airlines, Inc. DBA Ravn Alaska
allowing for cancellation of the sublease with 90-day written notice and authorizes the City
Manager to negotiate and execute the appropriate documents.

PASSED AND ADOPTED by the Homer City Council this 24th day of February, 2025.

CITY OF HOMER

RACHEL LORD, MAYOR

44 ATTEST:

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RENEE KRAUSE, MMC, CITY CLERK

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50 Fiscal Note: None

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MEMORANDUM

Resolution 25-018, A Resolution of the City Council of Homer, Alaska Amending Task Order 22-02 Owners Representative Services Contract with HDR Engineering for the New Large Vessel Harbor Project. City Manager/Port Director

Item Type: Back-Up Memorandum
Prepared For: Mayor Lord and Homer City Council
Date: February p13, 2025
From: Bryan Hawkins, Port Director
Through: Melissa Jacobsen, City Manager

As we progress through the Homer Harbor Expansion project, we have reviewed the original scope of work and identified tasks that no longer need to be addressed. Specifically, Tasks 4, 5, and 8, initially considered necessary for securing authorization and federal funding for the General Investigation study, are no longer required at this stage.

Attached is an amendment to Task Order 22-02. This amendment removes Tasks 4, 5, and 8, and reallocates the funds to support the addition of Task 10. Task 10 will direct these resources toward furthering the preliminary stakeholder and community engagement efforts, as well as supporting the third and final public meeting, scheduled for March 15, 2025. Additional funding in Task 10 will continue social media and communication plans.

This amendment will be a No Cost Change Order.

Please let me know if you have any questions or require further clarification.

RECOMMENDATION: Adopt Resolution 25-018

ATTACHMENTS:

Ordinance 22-79

Task Order Amendment 22-02 Amendment No. 2

**CITY OF HOMER
HOMER, ALASKA**

City Manager/
Port Director

ORDINANCE 22-79

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
AMENDING THE FY23 CAPITAL BUDGET BY APPROPRIATING
\$408,073 FROM THE PORT RESERVES FOR AN OWNER'S
REPRESENTATIVE FOR THE NEW LARGE VESSEL HARBOR
PROJECT AND ISSUING A TASK ORDER TO HDR TO PROVIDE
OWNER'S REPRESENTATIVE SERVICES.

WHEREAS, Port Expansion has been the city of Homer's #1 ranked project for three
years; and

WHEREAS, all signs indicate that the Corps of Engineers will receive authorization to
begin a General Investigation of Homer's Port Expansion in 2023; and

WHEREAS, City staff have been in communications with HDR about assisting with the
additional workload that will be required from the City to ensure that the City of Homer gets
the best results possible from a Corps Port Expansion General Investigation study; and

WHEREAS, both within Alaska and nationally, HDR has the depth of experience needed
to meet our goals; and

WHEREAS, HDR has a presented a step-by-step plan for supporting the City that gives
the City options for continuing or stopping the contract if we believe that the services are not
needed; and

WHEREAS, the Port & Harbor Advisory Commission reviewed the proposed owner
representative agreement at their August 24, 2022 meeting and made a motion supporting the
award of a contract to HDR for Owner Representative Support Services managing the New
Large Vessel Harbor Project Phase 1 and allocating the appropriate funds from the Port
Reserves and to nominate or hire a City Liaison to coordinate the project.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The Homer City Council hereby amends the FY23 Capital Budget by appropriating \$408,073 to engage HDR for Phase 1 of Owner Representative Support Services for the New Large Vessel Harbor Project as follows:

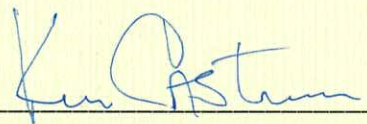
<u>Fund</u>	<u>Description</u>	<u>Amount</u>
456-0380	New Large Vessel Harbor Project Owner's Representative	\$408,073

Section 2. The City Council of Homer Alaska authorizes the City Manager to engage phase one of the HDR proposal at such time as the City enters into contract with the Corps of Engineers for a General Investigation Study of the New Large Vessel Harbor Project.

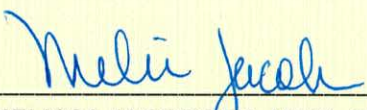
Section 3. This Ordinance is a budget Ordinance only, is not permanent in nature, and shall not be codified.

ENACTED BY THE HOMER CITY COUNCIL this 28th day of November, 2022.

CITY OF HOMER


KEN CASTNER, MAYOR

ATTEST:


MELISSA JACOBSEN, MMC, CITY CLERK

YES: 6

NO: 0

ABSTAIN: 0

ABSENT: 0

First Reading: 11.14.22

Public Hearing: 11.28.22

Second Reading: 11.28.22

Effective Date: 11.29.22





January 17, 2025

Bryan Hawkins
Port Director and Harbormaster
City of Homer
4311 Freight Dock Road
Homer, AK 99603

Subject: Proposal for Homer Large Vessel Harbor Expansion Project Owner's Representative – Additional Strategic Communications and Third Public Meeting

Shortly following execution of the Task Order #22-02 Homer Large Vessel Harbor Expansion Project Owner's Representative between the City of Homer (City) and HDR, the City was notified by the U.S. Army Corps of Engineers (USACE) that the General Investigation (also referred to as the Feasibility Study) for the harbor expansion project had been funded through a Congressional Directed Spending Request. This action gave the authority to the USACE to enter into a project agreement with the City and begin the Integrated Feasibility Report and Environmental Assessment (IFR/EA). As such, some tasks within the original Task Order #22-02 are no longer required as originally outlined.

Amendment No. 1 addressed increased strategic communications effort that was required by the City at the start of the feasibility study by reallocating Task 6 for strategic communications purposes.

As the feasibility study has advanced (to include the funding delay period), Task 6 has expended its allocated budget. This change order is requesting reallocating funds intended for Task 4 – Regional Hub Influence Study, Task 5 – Assistant Secretary of the Army Letter Support, and Task 8 – USACE Coordination to be used to create a new Task 10 – Additional Preliminary Stakeholder & Community Engagement Support and Third Public Meeting. Task 10 is intended to take the stakeholder engagement through "Phase 1" being the identification of the Tentatively Selected Plan (TSP) by the USACE.

January 17, 2025

A detailed Scope of Work for Task Order #22-02 Amendment No. 2 is provided as an attachment.

Schedule

This change order does not change schedule of Task Order #22-02

Fee

This change order would be a no cost change order.

Sincerely,



Ronny L McPherson
Vice President
HDR Water Business Group Manager



Anna Kohl, CEP
Vice President
Alaska Area Operations Manager

Attachments:

Detailed Scope of Work for Task Order #22-02 – Amendment No. 2 date January 17, 2025



**Detailed Scope of Work for Task Order #22-02
Amendment No. 2
January 17, 2025**

Task 4 – Regional Hub Influence Study

REMOVE Task 4 in its entirety.

Task 5 – Assistant Secretary of the Army Letter of Support

REMOVE Task 5 in its entirety.

Task 8 – USACE Coordination

REMOVE Task 8 in its entirety.

Task 10 – Additional Preliminary Stakeholder & Community Engagement Support and Third Public Meeting

ADD Task 10 with the following

HDR will provide additional stakeholder and community outreach including the following items

- Support City staff in delivery of City of Homer RESOLUTION 23-037 including
 - Third (and final) community/public “scoping meeting” to be led by HDR.
 - Council education and outreach materials
 - Support on detailed monthly written updates specific to the resolution
- Increased support of City Staff in delivery of strategies and tactics outlined in the social media and communications plans.
 - Social media content development as requested
 - At request of Port and Harbor Commission, increased outreach and education about the importance of the Port & Harbor to the Homer community; specifics to be agreed in advance by the City.
 - Development and maintenance of a robust comment management system (SOAR) and significant management and support of comment tracking and response.
- Communications support of sensitive issues (example: funding, cost and/or timeline changes for the study).

- Increased Communications Plan level of effort based on Port and Harbor review comments/requests from the August, September and October Port and Harbor Commission meetings.

HDR will provide additional strategic communications services on an as needed basis upon written request from the City up to the allotted budget and up to the development of the Tentatively Selected Plan by the USACE (completion of Phase 1).

**CITY OF HOMER
HOMER, ALASKA**

City Manager/
Port Director

RESOLUTION 25-018

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA
AMENDING TASK ORDER 22-02 OWNERS REPRESENTATIVE
SERVICES CONTRACT WITH HDR ENGINEERING FOR THE NEW
LARGE VESSEL HARBOR PROJECT.

WHEREAS, Ordinance 22-79 issued Task Order 22-02 to HDR Engineering to provide
Owner's Representative services to the City during Phase I of the General Investigation for the
Homer Large Vessel Harbor Expansion Project; and

WHEREAS, Certain tasks within the original Task Order 22-02 are no longer required as
originally outlined; and

WHEREAS, HDR Engineering proposed amending the Task Order to remove Task 4,
Regional Hub Influence Study, Task 5, Assistant Secretary of the Army Letter of Support, and
Task 8, United States Army Corp Engineers coordination; and

WHEREAS, With the removal of these tasks that no longer serve purpose to the General
Investigation, HDR Engineering will be applying new Task 10, which includes continued
strategic communications support, along with a third and final public meeting; and

WHEREAS, This is a no cost amendment, no additional funds are being requested and
it will not change the schedule of Task Order 22-02.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, hereby
approves amended Task Order 22-02 with HDR Engineering to remove Tasks 4, 5, and 8 that
are no longer required for the General Investigation for the Large Vessel Harbor Project and
implement Task 10 to continue strategic communications to support the third and final public
meeting.

PASSED AND ADOPTED by the Homer City Council this 24th day of February, 2025.

CITY OF HOMER

RACHEL LORD, MAYOR

43 ATTEST:

44

45 _____

46 RENEE KRAUSE, MMC, CITY CLERK

47

48 Fiscal Note: none



MEMORANDUM

Resolution 25-019, A Resolution of the City Council of Homer, Alaska, Awarding a Contract for Fish Grinding Facility Operations to The Alaskan Fish Factory and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Port Director.

Item Type: Back-Up Memorandum
Prepared For: Mayor Lord and Homer City Council
Date: February 12, 2025
From: Bryan Hawkins, Port Director
Through: Melissa Jacobsen, City Manager

I'm writing to request approval to continue the contract with The Alaskan Fish Factory (AFF) for the operation of the fish grinder building and outfall system, which has been in place since it was built in 2000. The contract has been advertised through the Request for Proposals (RFP) process several times, but we've only ever gotten one response. Based on the City's procurement policy (section 2.7j, item 2), I believe this contract qualifies for single-source procurement.

During the last three RFP's, AFF was the only company to submit a proposal as shown in the attached memorandums. The AFF benefits from not having to maintain its own fish grinder or secure their own Alaska Department of Environmental Conservation (ADEC) outfall permit, and in exchange, they grind all fish carcasses from local cleaning stations and small processors as well as their own fish processing waste. They also help us with the data we need to stay in compliance with ADEC regulations, which we compile into monthly and annual reports. This arrangement is mutually beneficial and helps keep everyone's operations running smoothly.

The cost for this contract is typically under \$20,000 annually, AFF has always been careful to keep their labor costs in check, knowing that any budget issues on our end will affect everyone.

Given the long-standing relationship and how this contract benefits both the city and the AFF, I believe a single-source procurement is justified. I'd appreciate your approval to continue the current contract.

RECOMMENDATION: Adopt Resolution 25-019

ATTACHMENTS:

Memorandum 21-217
Memorandum 18-022
Memorandum 14-033



City of Homer

www.cityofhomer-ak.gov

Port and Harbor

4311 Freight Dock Road
Homer, AK 99603

port@cityofhomer-ak.gov

(p) 907-235-3160

(f) 907-235-3152

Memorandum 21-217

TO: HOMER CITY COUNCIL

THRU: ROB DUMOUCHEL, CITY MANAGER

FROM: BRYAN HAWKINS, PORT DIRECTOR/HARBORMASTER

DATE: DECEMBER 6, 2021

SUBJECT: AWARDING CONTRACT FOR THE FISH GRINDER OPERATION RFP TO THE ALASKAN FISH FACTORY

The Port and Harbor has issued and advertised an RFP for the seasonal operation of the Fish Grinding Facility. The successful proposer would be contracted to operate and maintain the Fish Waste Grinding Facility during sport/commercial fishing seasons, May 1 to October 20, for a consecutive three years, 2022 to 2024.

The request for proposal closed on Thursday, December 2, 2021 at 4:30 pm. One bid was received from Alaskan Fish Factory.

Staff reviewed the single proposal and are in favor of awarding the contract to Alaskan Fish Factory, 800 Fish Dock Road, Homer, Alaska 99603 for the operation and maintenance of the Fish Grinding Facility for CY 2022 to 2024. The Alaskan Fish Factory has been responsible for successful operation of the City's fish grinding facility in the previous years and staff recommend a continued partnership.

Recommendation

Staff recommends City Council award the contract for the operation and maintenance of the Fish Grinding Facility for CY 2022 to end of year, 2024 per the Memorandum of Agreement between the City of Homer and Alaskan Fish Factory for calendar years 2022 to 2024.

Fiscal Note: Port and Harbor – Fish Grinder: Equipment Maintenance 400-0606-5208

Attached: Request for Proposal Requirements for an Operation & Maintenance Contract of the Port & Harbor Fish Grinding Facility
Winning Bid from Alaskan Fish Factory



City of Homer

www.cityofhomer-ak.gov

Port and Harbor

4311 Freight Dock Road
Homer, AK 99603

port@cityofhomer-ak.gov

(p) 907-235-3160

(f) 907-235-3152

Memorandum 18-022

TO: MAYOR BRYAN ZAK & HOMER CITY COUNCIL
CC: KATIE KOESTER, CITY MANAGER
FROM: BRYAN HAWKINS, PORT DIRECTOR/HARBORMASTER
DATE: FEBRUARY 9, 2018
SUBJECT: AWARDING CONTRACT TO THE ALASKAN FISH FACTORY FOR THE FISH GRINDER
OPERATION RFP

The Port and Harbor advertised for proposals for the seasonal operation of the Fish Grinding Facility. The successful proposer would be contracted to operate and maintain the Fish Waste Grinding Facility during sport/commercial fishing seasons, May 1 to October 20, for a consecutive three years, 2018 to 2020

The request for proposal closed on Thursday, February 8, 2018 at 4:30 pm. One bid was received from Alaskan Fish Factory.

Staff reviewed the single proposal and are in favor of awarding the contract to Alaskan Fish Factory, 800 Fish Dock Road, Homer, Alaska 99603 for the operation and maintenance of the Fish Grinding Facility for CY 2018 to 2020.

Recommendation

Staff recommends City Council award the contract for the operation and maintenance of the Fish Grinding Facility for CY 2018 to end of year, 2020 per the Memorandum of Agreement between the City of Homer and Alaskan Fish Factory for calendar years 2018 to 2020.

Fiscal Note: Port and Harbor – Fish Grinder: Equipment Maintenance 400-0606-5208



City of Homer

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Port and Harbor

4350 Homer Spit Road
Homer, AK 99603

port@cityofhomer-ak.gov

(p) 907-235-3160

(f) 907-235-3152

Memorandum 14-033

TO: MAYOR BETH WYTHER & HOMER CITY COUNCIL

CC: WALT WREDE, CITY MANAGER

FROM: BRYAN HAWKINS, PORT DIRECTOR/HARBORMASTER

DATE: FEBRUARY 18, 2014

SUBJECT: RESULTS OF THE PORT & HARBOR FISH GRINDING FACILITY OPERATION & MAINTENANCE CONTRACT REQUEST FOR PROPOSAL

The Port and Harbor advertised for proposals for the seasonal operation of the Fish Grinding Facility. The successful proposer would be contracted to operate and maintain the Fish Waste Grinding Facility during sport/commercial fishing seasons, May 1 to October 20, for a consecutive three years, 2013 to 2016. We also invited alternative proposals from firms or individuals seeking to use fish carcasses that are collected at the Fish Grinding Facility, in more useful ways than what our current program is performing.

The request for proposal closed on Thursday, February 13, 2014 at 4:30 pm. One bid was received from The Fish Factory, LLC.

Staff reviewed the single proposal and is in favor of awarding the contract to The Fish Factory, LLC, Fish Dock Road, Homer, Alaska 99603 for the operation and maintenance of the Fish Grinding Facility for CY 2013 to 2016.

Recommendation

Staff recommends City Council award the contract for the operation and maintenance of the Fish Grinding Facility for CY 2013 to 2016 per the Memorandum of Agreement between the City of Homer and The Fish Factory for calendar years 2013 to 2016.

Fiscal Note: Port and Harbor – Fish Grinder: Equipment Maintenance 400-0606-5208

Attached: Request for Proposal Requirements for an Operation & Maintenance Contract of the Port & Harbor Fish Grinding Facility
Winning Bid from The Fish Factory

**CITY OF HOMER
HOMER, ALASKA**

City Manager/Port Director

RESOLUTION 25-019

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA
AWARDING A CONTRACT FOR FISH GRINDING FACILITY
OPERATIONS TO THE ALASKAN FISH FACTORY, AND
AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE
THE APPROPRIATE DOCUMENTS.

WHEREAS, The fish grinding facility operates from May 1 to October 31 and has been operated by an outside company through a contract negotiated through the Request for Proposal (RFP) process on a periodic basis; and

WHEREAS, In 2014, 2018, and 2021 the sole respondent to the City's RFP for operations of the grinding facility was The Alaskan Fish Factory; and

WHEREAS, Under HCC 3.16.060, single source procurement is defined as "procurement of supplies, materials, services, or construction when the contractor or consultant has a preexisting relationship with the City and provides a specialized level of expertise, proprietary technology, or a service that is difficult to replicate by other vendors."; and

WHEREAS, The company operating the fish grinding facility is responsible to provide labor to grind fish waste, routine maintenance to the fish grinder and other equipment, provide 20 non-insulated fish totes with lids, provide a forklift, verify deliveries, and collect samples required by the Alaska Department of Environmental Conservation permit for fish grinding operations; and

WHEREAS, The Port & Harbor and The Alaskan Fish Factory have proven to have a positive working relationship, and this service would be difficult to replicate by other vendors, supports utilizing a single source procurement; and

WHEREAS, City Staff and The Alaskan Fish Factory have expressed mutual interest in a 5-year term for the next contract for services to operate the Fish Grinding Facility; and

WHEREAS, The funds for this service are already appropriated in the Port Operating Budget.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska hereby awards the contract for Fish Grinding Facility Operations to The Alaskan Fish Factory as a sole source procurement.

BE IT FURTHER RESOLVED that City Council approves extending the contract term for five years, to expire December 31, 2030, and authorizes the City Manager to negotiate and execute the appropriate documents.

PASSED AND ADOPTED by the Homer City Council this 24th day of February, 2025.

CITY OF HOMER

RACHEL LORD, MAYOR

ATTEST:

RENEE KRAUSE, MMC, CITY CLERK

Fiscal Note: Port and Harbor Fish Grinder Equipment Maintenance 400-0606-5208



MEMORANDUM

Ordinance 25-12, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Chapter 1.04, General Provisions, to Create a Hearing Officer Procedure. City Manager.

Item Type: Backup Memorandum
Prepared For: Mayor Lord and Homer City Council
Date: February 19, 2025
From: Julie Engebretsen, Acting City Manager
Through: Melissa Jacobsen, City Manager

Ordinance 25-12 amends HCC 1.04 General Provisions to address Hearing Officer Appointment Procedures. At the last Council meeting, there was public comment and Council discussion about allowing the City Manager to appoint a hearing officer, rather than having all appeals heard by the State of Alaska Office of Administrative Hearings (OAH).

If Council wants to stick with just the OAH for appeals, and for clarity, the following amendments would be needed to the ordinance:

1. Amend the Ordinance Title, lines 8 and 9, to read:

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING HOMER CITY CODE CHAPTER 1.04, GENERAL PROVISIONS, TO ~~CREATE A HEARING OFFICER APPOINTMENT PROCEDURE.~~ **CLARIFY THE STATE OF ALASKA OFFICE OF ADMINISTRATIVE APPEALS SHALL HEAR APPEALS FOR ALL APPEALABLE ACTIONS.**

2. Amend the WHEREAS clause, Lines 11-13 to read:

WHEREAS, The City of Homer hereby ~~wishes to~~ reassigns responsibility for all **City** administrative appeals ~~from City staff~~ to the State of Alaska Office of Administrative Hearings, ~~but to retain authority to appoint hearing officers outside of the Office of Administrative Hearings if desired.~~

3. Strike lines 123 through 129

The thought behind allowing the City Manager to appoint a hearing officer is that at times the OAH is very busy and it can take a while for appeals to be scheduled. The ability to hire an independent hearing officer could speed up the decision timeline for the parties involved.

City Council and the public expressed concerns on the process to hire a hearing officer. To clarify, the City would issue a Request for Qualifications. Firms would provide proposals on qualified lawyers and fees. Council would then approve (by resolution) ~~on~~ contracts for a short list of these firms. In the

future when a hearing officer is needed, the City Manager would be able to use any of the firms that had been approved, to schedule appeal work. Not all companies would likely be available at any given time, which is why more than one firm would be important. There would likely be increased legal costs for the City – the OAH has a moderate cost rate with the City, and a private firm is likely to be more expensive.

If the City Council would like to keep the option allowing the City Manager to appoint a Hearing Officer when appropriate, the City Attorney has recommended to amend the ordinance Whereas clause as follows for clarity:

WHEREAS, The City of Homer hereby ~~wishes to~~ reassigns responsibility for all **City** administrative appeals ~~from City staff~~ to the State of Alaska Office of Administrative Hearings, but to retain authority to appoint hearing officers outside of the Office of Administrative Hearings if desired.

Recommendation:

City Council Review Ordinance 25-12 and discuss options to appoint a Hearing Officer and make appropriate amendments.



MEMORANDUM

Ordinance 25-12, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Chapter 1.04, General Provisions, to Create a Hearing Officer Appointment Procedure. City Manager.

Item Type: Backup Memorandum
Prepared For: Mayor Lord and Homer City Council
Date: January 30, 2025
From: Julie Engebretsen, Community Development Director
Through: Melissa Jacobsen, City Manager

Last spring, Council voiced concern over the lack of city codes. Staff and the attorney spent some time reviewing sections of code that address code compliance, and recommends amendments to title 1, Title 5, and Title 21. The amendments to title 5 are still being refined and will be brought forward at the next Council meeting.

HCC Title 1.04 provides for General Provisions. The proposed code provides new code language to specify how a hearing office is appointed for administrative appeals. The City has been using the State of Alaska Office of Administrative Hearings (OAH). While the services of the OAH do work well, at times they are very busy and not able to take on new matters expeditiously. The City finds it desirable for the City Manager to have the ability to hire a qualified hearing officer.

RECOMMENDATION:

Adopt Ordinance 25-12 amending HCC 1.04.

**CITY OF HOMER
HOMER, ALASKA**

City Manager

ORDINANCE 25-12

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
AMENDING HOMER CITY CODE CHAPTER 1.04, GENERAL
PROVISIONS, TO CREATE A HEARING OFFICER APPOINTMENT
PROCEDURE.

WHEREAS, The City of Homer hereby wishes to reassign responsibility for all
administrative appeals from City staff to the State of Alaska Office of Administrative Hearings,
but to retain authority to appoint hearing officers outside of the Office of Administrative
Hearings if desired.

NOW, THEREFORE, The City of Homer Ordains:

Section 1: The Homer City Council hereby amends Homer City Code Chapter 1.04,
General Provisions, as follows:

1.04.020 Definitions.

The following words and phrases, whenever used in this code or the ordinances of the City of
Homer, Alaska, shall be construed as defined in this section unless from the context a different
meaning is intended or unless a different meaning is specifically defined and more particularly
directed to the use of such words or phrases:

“City” means the City of Homer, Alaska, or the area within the territorial limits of the City of
Homer, and such territory outside of the City over which the City has jurisdiction or control by
virtue of any constitutional or statutory provision.

“City Attorney” means the City Attorney of Homer.

“City Clerk” means the City Clerk of Homer.

“City Council” or “Council” means the City Council of Homer.

“City Manager” means the City Manager of Homer.

“Computation of time” means whenever a notice is required to be given or an act to be done
within a certain length of time before any proceedings shall be had, the day on which such

{01552209} **Bold and underlined added.** Deleted language stricken through.]

35 notice is given or such act is done shall be counted in computing the time, but the day on which
36 such proceedings are to be had shall not be counted.

37 “Law” denotes applicable Federal law, the Constitution and statutes of the State of Alaska, this
38 code and the ordinances of the City and, when applicable, any and all rules and regulations
39 which may be promulgated thereunder.

40 “Mayor” means the Mayor of Homer.

41 ~~“Municipal Judge” or “Municipal Magistrate” means the Municipal Judge or Municipal~~
42 ~~Magistrate of Homer.~~

43 “Oath” includes an affirmation in all cases in which, by law, an affirmation may be substituted
44 for an oath, and in such cases, the words “swear” and “sworn” shall be equivalent to the words
45 “affirm” and “affirmed.”

46 “Or” may be read “and,” and “and” may be read “or” if the sense requires it.

47 “Owner,” applied to a building or land, includes any part owner, joint owner, tenant in
48 common, joint tenant or tenant of the entirety, or agent in charge for any of the foregoing, of
49 the whole or a part of such building or land.

50 “Person” includes a natural person, joint venture, joint stock company, partnership,
51 association, club, company, corporation, business, trust, organization, or the manager, lessee,
52 agent, servant, officer or employee of any of them.

53 “Personal property” includes every species of property except real property.

54 “Preceding” and “following” mean next before and next after, respectively.

55 “Real property” includes lands, tenements and hereditaments.

56 “Sidewalk” means that portion of a street between the curb line and the adjacent property line
57 intended for the use of pedestrians.

58 “State” means the State of Alaska.

59 “Tenant” and “occupant,” applied to a building or land, include any person who occupies the
60 whole or a part of such building or land, whether alone or with others.

61 “Year” means a calendar year. [Ord. 80-3 § 2, 1980. Code 1967 § 1-100.2].

1.04.030 Grammatical interpretation.

The following grammatical rules shall apply in the City Code and the ordinances of the City:

- a. Any gender includes the other genders;
- b. The singular number includes the plural and the plural includes the singular;
- c. Words used in the present tense include the past and the future tenses and vice versa, unless manifestly inapplicable;
- d. Words and phrases not specifically defined shall be construed according to the context and approved usage of the language;
- e. All words and phrases shall be construed and understood according to the common and approved usage of the language; but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in the law shall be construed and understood according to such peculiar and appropriate meaning. [Ord. 80-3 § 3, 1980. Code 1967 § 1-100.3].

1.04.040 Section catchlines.

The words printed at the beginning of the several sections of this code are intended as mere catchlines or catchwords to indicate the general content of the particular section, and shall not be deemed or taken to be the titles of such section nor as any part of the section, nor shall they be so deemed when any of the sections, including the catchlines, are amended or reenacted unless expressly so provided. [Ord. 80-3 § 3, 1980. Code 1967 § 1-100.4].

1.04.050 Effect of repeal of ordinances.

The repeal of any prior ordinance of the City by any subsequent ordinance shall not operate to revive the provisions of any ordinance which may be repealed by such prior ordinance, unless such revival shall be expressly provided for. Ordinances repealed remain in force for the trial and punishment of all past violations of them, and for the recovery of penalties and forfeitures already incurred, and for the preservation of all rights and remedies existing by them and so far as they apply to any office, trust, proceedings, right, contract or event already affected by them. [Ord. 80-3 § 3, 1980. Code 1967 § 1-100.5].

1.04.055 Amendments to code.

- a. All ordinances enacted by the City Council that add to, amend, or repeal provisions of the Homer City Code shall be deemed to be incorporated in such code as of the effective date of

each ordinance so that reference to this code shall be understood and intended to include such ordinances.

b. All ordinances enacted subsequent to adoption of this code that add to, amend, or repeal provisions of this code may be numbered in accordance with the numbering system of this code and printed in supplemental form for inclusion herein. In the case of repealed titles, chapters, articles, sections, subsections, or any part thereof, by subsequent ordinances, such repealed portions may be excluded from the code by omission from reprinted pages affected thereby. [Ord. 92-24 § 2, 1992; Ord. 82-2, 1982].

1.04.060 Severability of parts of code.

The sections, subsections, sentences, clauses, phrases and words of this code are severable, and if any part of this code is declared unconstitutional, invalid, or ineffective for any reason by a valid judgment or decree of any court of competent jurisdiction, such unconstitutionality, invalidity or ineffectiveness shall not affect any of the remaining parts of the sections, subsections, sentences, clauses, phrases and words of this code. [Ord. 89-12 § 1, 1989; Ord. 82-2 § 5, 1982; Ord. 80-3 § 3, 1980. Code 1967 § 1-100.6].

1.04.065 Altering code.

No person shall change or amend by additions or deletions any part or portion of this code or insert or delete pages, or portions thereof, or alter or tamper with such code in any manner whatsoever except by ordinance or resolution or other official act of the City Council, which will cause the law of the City to be misrepresented thereby. A person violating this section shall be subject to the penalty provisions of HCC 1.16.010. [Ord. 90-21 § 1, 1990].

1.04.070 Laws of the State of Alaska applicable – Violation of State law.

No person shall violate any law of the State of Alaska nor any rule or regulation adopted by any duly authorized agency of the State of Alaska. Violations of the foregoing shall be violations of this code except where jurisdiction of the offense is reserved to the State of Alaska. [Ord. 80-3 § 3, 1980. Code 1967 § 1-100.8].

1.04.080 Hearing Officer Appointment for Administrative Appeals.

a. Unless otherwise provided for in this Code, any appeal taken from any decision, action, or judgment of the City of Homer or its officials, if appealable, shall be appealed to the State of Alaska Office of Administrative Hearings. Alternatively, a hearing officer may be appointed by the City Manager to hear and decide any properly raised appeal.

b. A hearing officer appointed by the City Manager as allowed under subsection a., must have experience acting as an administrative law judge or administrative hearing officer, and must be licensed to practice law in the State of Alaska, and such license must be in good standing.

Section 2: This ordinance shall take effect upon its adoption by the Homer City Council.

Section 3: This ordinance is of a permanent and general character, and shall be included in the City Code.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this ____ day of _____,
2025.

CITY OF HOMER

RACHEL LORD, MAYOR

ATTEST:

RENEE KRAUSE, MMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

First Reading:

Public Hearing:

Second Reading:

Effective Date:



MEMORANDUM

Ordinance 25-11, An Ordinance of the City Council of Homer Alaska, Amending Homer City Code Chapter 21.90 Administration and Enforcement, to Direct Appeals to the Office of Administrative Hearings or a Hearing Officer Appointed by the City Manager. City Manager.

Item Type: Backup Memorandum
Prepared For: Mayor Lord and Homer City Council
Date: February 19, 2025
From: Julie Engebretsen, Acting City Manager
Through: Melissa Jacobsen, City Manager

Ordinance 25-11 amends HCC 21.90, Administration and Enforcement. At the last Council meeting, there was public comment and Council discussion about allowing the City Manager to appoint a hearing officer, rather than having all appeals heard by the State of Alaska Office of Administrative Hearings (OAH). The issue of whether or not the City Council wants to use a City Manager appointed hearing officer will be determined under Ordinance 25-12. Should Council determine to utilize solely the OAH to hear appeals, Ordinance 25-11(S) is provided.

The purpose of Ordinance 25-11(S) is to ensure consistency across all types of appeals of planning decisions by sending them all to the OAH for review. Under current code, only one type of appeal is heard by the Planning Commission: the appeal of an enforcement order. An enforcement order is generally a certified letter from the City Planner notifying a party of a zoning violation, and the delivery of the letter typically begins a formal appeal period as well as the levying of fines. This is the only circumstance in Title 21 that an action is appealable to the Planning Commission. Ordinance 25-11 would clarify that that appeals of enforcement orders would be heard by the OAH, like all other appeals of planning decisions and actions.

Recommendation: Refer Ordinance 25-11 or 25-11(S) to the Planning Commission per HCC 21.95.060.



MEMORANDUM

Ordinance 25-11, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Chapter 21.90, Administration and Enforcement, to Direct Appeals to the Office of Administrative Hearings or a Hearing Officer Appointed by the City Manager. City Manager.

Item Type: Backup Memorandum
Prepared For: Mayor Lord and Homer City Council
Date: January 30, 2025
From: Julie Engebretsen, Community Development Director
Through: Melissa Jacobsen, City Manager

Last spring, Council voiced concern over the lack of city codes. Staff and the attorney spent some time reviewing sections of code that address code compliance, and recommends amendments to Title 1, Title 5, and Title 21. The amendments to title 5 are still being refined and will be brought forward at the next Council meeting.

HCC Title 21.90 provides for Appeals under the Zoning Code. Ordinance 21-44(S) amended city code so that most administrative appeals were no longer heard by the City Council sitting as the Board of Adjustment, or the Planning Commission. However, there is a section of code that still provides for the Planning Commission to serve as the appeal body. Appeals of zoning code enforcement orders are currently still appealable to the Planning Commission. Staff recommends one enforcement process across all sections of Title 21, and find that the hearing officer process has worked well for all other types of appeals.

RECOMMENDATION:

Introduce Ordinance 25-11 and refer to the Planning Commission for review

2/11/25

Re: Ordinance 25-11 and Ordinance 25-12

Dear Mayor and Council.

The City Council should take steps to insure that all administrative appeals are fairly and impartially adjudicated as guaranteed by the US Constitution. For decades the deadline for filing all appeals was 30 days; Ordinance 25-11 now proposes to reduce the filing deadline from 30 days to just 10 days, presumably to prevent the filing of administrative appeals altogether or to deprive appellants sufficient time to properly develop their points on appeal or to hire legal counsel. Contrary to City Attorney Gatti's statements to the council on February 10, 2025, it is of no consolation to an appellant that he can appeal a biased adverse initial decision to the courts. The party who prevails in the initial appeal proceeding has a monumental advantage in subsequent appeals where deference is usually given to the initial (trial) court. Furthermore, appealing to the superior court and beyond is prohibitively expensive. Ordinance 25-11 and Ordinance 25-12 are not only designed to thwart the filing of appeals but to insure that, if an appeal is filed, the scales of justice tilt heavily in favor the city. The Office of Administrative Hearings (OAH) has a responsibility to timely provide a hearing officer/ALJ when one is requested by any Alaskan municipality. The city's publication of a RFP and ensuing vetting of potential hearing officers who might respond would likely be very time-consuming. The City Manager's vetting process would also be totally subjective because HCC no longer states what constitutes a "qualified" hearing officer; presumably that would be anyone inclined to decide the appeal in favor of the city. Please see my February 10, 2025 email regarding judge shopping.

HCC 21.93.020(a)(1) authorizes the appeal of the approval or denial of a zoning permit. Unlike the procedure for many other zoning permits, HCC does not require a public hearing for an application for a zoning permit. HCC 21.70.050(a), regarding zoning permits, requires as follows: "All permits issued under this chapter, including amendments and extensions, shall be displayed for public inspection in a prominent place, readily viewable from the nearest street, at the site for which the permit was obtained. The permit shall be on display prior to commencement of any

work at the site and remain on display until all work is completed.” However, this zoning code requirement is rarely complied with and never enforced. As a consequence, members of the general public are often unaware that a zoning permit has been issued until construction commences. Furthermore, there is no requirement that a zoning permit be displayed immediately after it is issued so a scofflaw zoning permit recipient can simply wait until the appeal deadline lapses before posting the permit. Public hearings should be required for zoning permit decisions and all other decisions subject to appeal under HCC 21.93.020(a). During the time a zoning permit decision is subject to being appealed, no construction should be allowed. HCC 21.70.010(b) states: "The zoning permit required by this section shall be obtained prior to the commencement of any activity for which the permit is required. Failure to do so is a violation." This zoning code provision is also never enforced. There is no provision in HCC 21.93.020 for appealing the commencement of construction without the issuance of a requisite zoning permit. This should now be addressed by the City Council.

HCC 21.93.020(a)(4) authorizes appeals of enforcement orders issued under HCC 21.90.060. HCC 21.90.060(c) states: "A written enforcement order issued under subsection (a) of this section that is served on a violator personally or by certified mail is immediately appealable to the Planning Commission. An appeal must be filed within 30 days of service of the written enforcement order. Failure to appeal to the Planning Commission within 30 days of service shall constitute a waiver of all rights of appeal from the order. The procedure for appeals is set forth in Chapter 21.93 HCC." HCC 21.90.060(d) states: "During such time that an enforcement order is under appeal, no further use or development contrary to the order may continue."

A 30-day filing deadline is appropriate for all administrative appeals, as is the requirement that no related development activities take place during that 30 days and/or until a timely-filed appeal is fully resolved. Otherwise, the appeal could be rendered mute before it is heard and/or decided.

Fiat justitia ruat caelum.

Frank Griswold

**CITY OF HOMER
HOMER, ALASKA**

City Manager

ORDINANCE 25-11

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
AMENDING HOMER CITY CODE CHAPTER 21.90, ADMINISTRATION
AND ENFORCEMENT, TO DIRECT APPEALS TO THE OFFICE OF
ADMINISTRATIVE HEARINGS OR A HEARING OFFICER APPOINTED
BY THE CITY MANAGER.

WHEREAS, the City of Homer hereby wishes to reassign responsibility for administrative
appeals of zoning enforcement orders from the Planning Commission to the State of Alaska
Office of Administrative Hearings or a hearing officer appointed by the City Manager.

NOW, THEREFORE, The City of Homer Ordains:

Section 1: The Homer City Council hereby amends Homer City Code Chapter 21.90,
Administration and Enforcement, as follows:

Chapter 21.90 Administration and Enforcement

21.90.010 Function of Department of Administration.

The administration and enforcement of the Homer Zoning Code is a function of the
Department of Administration under the supervision of the City Manager. [Ord. 08-29, 2008].

21.90.020 City Planner – Functions and powers.

a. The City Manager may appoint a City Planner and one or more assistants, however
denominated.

b. If appointed by the City Manager, the City Planner shall have all functions and may exercise
all powers necessary to administer and enforce the zoning code. Assistants to the City Planner
may exercise the administration and enforcement functions and powers of the City Planner
under the City Planner's supervision.

c. Administration and enforcement functions and powers of the City Planner include, but are
not limited to, the following:

1. Maintaining records of all zoning text and district changes related to this title.

2. Providing technical assistance upon request by the City Manager.

3. Providing and processing all applications under this title.

4. Interpreting and enforcing this title.

5. Maintaining records of all activity related to this title.

6. Other functions and powers assigned by this title. [Ord. 08-29, 2008].

21.90.030 Invalid land use permits – Correction of violations.

Any permit issued in violation of this title is voidable upon written notice from the City Planner or City Manager. The issuance of a permit under the Homer Zoning Code may be conditioned upon the correction of any or all other violations of the Homer Zoning Code, the regulations promulgated under the Homer Zoning Code, and the terms and conditions of any previously issued permits issued under the Homer Zoning Code on the property that is the subject of the permit. [Ord. 14-56(A) § 2, 2015; Ord. 08-29, 2008].

21.90.040 Inspections – Right of entry.

a. Subject to subsection (b) of this section, at any reasonable time, the City Manager, City Planner, or other City staff member designated in writing by either of them may, upon presentation of proper identification, enter upon and inspect any land, building or premises where he or she has probable cause to believe there exists a violation, or enter upon any land, building or premises to perform a duty of an official under this title.

b. Where the Constitution of the United States or of the State so requires, the official shall obtain an administrative search warrant authorizing an inspection and exhibit the warrant to the person in charge of the premises before conducting the inspection. The official may apply to the trial courts of the State to obtain a warrant, stating in the application the name and address of the premises to be inspected, the authority to conduct the inspection, the nature and extent of the inspection, the facts and circumstances justifying the inspection, and any other information necessary to obtain the warrant. Warrants issued under this section should be returned within 10 days. [Ord. 08-29, 2008].

21.90.050 Evidence of compliance.

Upon request by the City Planner, any person who has obtained a permit under the Homer Zoning Code shall provide evidence showing compliance with the terms of the permit. The obligation to provide evidence of compliance is a condition of every permit granted under the zoning code, whether expressly stated in the permit or not. [Ord. 08-29, 2008].

21.90.060 Enforcement orders.

~~{01551720} **Bold and underlined added. Deleted language stricken through.**~~

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69 | **21.90.060 Enforcement orders.**

70 a. In addition to any other remedy or other method of enforcement available under the Homer
71 Zoning Code or other provision of the Homer City Code or other law, the City Manager or the
72 City Planner may order:

73 1. The discontinuation of a use of land or a structure that is in violation of the Homer
74 Zoning Code, a regulation or a permit.

75 2. The abatement or removal of a structure or part of a structure that is in violation of the
76 Homer Zoning Code, a regulation or a permit.

77 3. The discontinuation of construction or other activity preparatory to a structure or use
78 of real property that is in violation of the Homer Zoning Code, a regulation or a permit.

79 4. The suspension or revocation of a permit under which a violation of the Homer Zoning
80 Code or regulations is occupied, maintained, constructed or established.

81 5. The restoration of any structure, vegetation, land, water body or other thing upon the
82 land that is destroyed, damaged, altered or removed in violation of the Homer Zoning
83 Code, regulations or a permit.

84 6. Any other action necessary to prevent, abate or discontinue a violation of the Homer
85 Zoning Code, a regulation or a permit.

86 b. An enforcement order issued under subsection (a) of this section may be directed to one or
87 more violators.

88 c. A written enforcement order issued under subsection (a) of this section that is served on a
89 violator personally or by certified mail is ~~immediately~~ **immediately** appealable to the Office of
90 Administrative Hearings or the Planning Commission **a hearing officer**. An appeal must be filed
91 within ~~1030~~ **1030** days of service of the written enforcement order. Failure to appeal to the Planning
92 Commission **an enforcement order** within ~~1030~~ **1030** days of service shall constitute a waiver of all
93 rights of appeal from the order. ~~The procedure for appeals is set forth in Chapter 21.93 HCC.~~
94 **Chapter 21.93 HCC is applicable for appeals filed pursuant to this section.**

95
96 d. During such time that an enforcement order is under appeal, no further use or development
97 contrary to the order may continue.

e. Upon correction of the condition or termination of the activity that caused the issuance of an enforcement order under subsection (a) of this section, the officer who issued the order may terminate the order or issue written confirmation of satisfactory compliance with the order.

f. An enforcement order need not be issued before a prosecution or legal action is commenced with respect to a violation of the Homer Zoning Code, a regulation or a permit. The pendency of any proceeding regarding an enforcement order issued under subsection (a) of this section does not stay any prosecution or other legal action with respect to the violation that is the subject of the enforcement order. [Ord. 08-29, 2008].

Section 2. This ordinance shall take effect upon its adoption by the Homer City Council.

Section 3: This ordinance is of a permanent and general character and shall be included in the City Code.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this ____ day of _____, 2025.

CITY OF HOMER

RACHEL LORD, MAYOR

ATTEST:

RENEE KRAUSE, MMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

First Reading:

Public Hearing:

Second Reading:

Effective Date:

CITY OF HOMER
HOMER, ALASKA

City Manager

ORDINANCE 25-11(S)

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
AMENDING HOMER CITY CODE CHAPTER 21.90, ADMINISTRATION
AND ENFORCEMENT, TO DIRECT APPEALS TO THE OFFICE OF
ADMINISTRATIVE HEARINGS ~~OR A HEARING OFFICER APPOINTED~~
~~BY THE CITY MANAGER.~~

WHEREAS, the City of Homer hereby ~~wishes to~~ reassigns responsibility for
administrative appeals of zoning enforcement orders from the Planning Commission to the
State of Alaska Office of Administrative Hearings ~~or a hearing officer appointed by the City~~
~~Manager.~~

NOW, THEREFORE, The City of Homer Ordains:

Section 1: The Homer City Council hereby amends Homer City Code Chapter 21.90,
Administration and Enforcement, as follows:

Chapter 21.90 Administration and Enforcement

21.90.010 Function of Department of Administration.

The administration and enforcement of the Homer Zoning Code is a function of the
Department of Administration under the supervision of the City Manager. [Ord. 08-29, 2008].

21.90.020 City Planner – Functions and powers.

a. The City Manager may appoint a City Planner and one or more assistants, however
denominated.

b. If appointed by the City Manager, the City Planner shall have all functions and may exercise
all powers necessary to administer and enforce the zoning code. Assistants to the City Planner
may exercise the administration and enforcement functions and powers of the City Planner
under the City Planner's supervision.

c. Administration and enforcement functions and powers of the City Planner include, but are
not limited to, the following:

1. Maintaining records of all zoning text and district changes related to this title.
2. Providing technical assistance upon request by the City Manager.

3. Providing and processing all applications under this title.
4. Interpreting and enforcing this title.
5. Maintaining records of all activity related to this title.
6. Other functions and powers assigned by this title. [Ord. 08-29, 2008].

21.90.030 Invalid land use permits – Correction of violations.

Any permit issued in violation of this title is voidable upon written notice from the City Planner or City Manager. The issuance of a permit under the Homer Zoning Code may be conditioned upon the correction of any or all other violations of the Homer Zoning Code, the regulations promulgated under the Homer Zoning Code, and the terms and conditions of any previously issued permits issued under the Homer Zoning Code on the property that is the subject of the permit. [Ord. 14-56(A) § 2, 2015; Ord. 08-29, 2008].

21.90.040 Inspections – Right of entry.

a. Subject to subsection (b) of this section, at any reasonable time, the City Manager, City Planner, or other City staff member designated in writing by either of them may, upon presentation of proper identification, enter upon and inspect any land, building or premises where he or she has probable cause to believe there exists a violation, or enter upon any land, building or premises to perform a duty of an official under this title.

b. Where the Constitution of the United States or of the State so requires, the official shall obtain an administrative search warrant authorizing an inspection and exhibit the warrant to the person in charge of the premises before conducting the inspection. The official may apply to the trial courts of the State to obtain a warrant, stating in the application the name and address of the premises to be inspected, the authority to conduct the inspection, the nature and extent of the inspection, the facts and circumstances justifying the inspection, and any other information necessary to obtain the warrant. Warrants issued under this section should be returned within 10 days. [Ord. 08-29, 2008].

21.90.050 Evidence of compliance.

Upon request by the City Planner, any person who has obtained a permit under the Homer Zoning Code shall provide evidence showing compliance with the terms of the permit. The obligation to provide evidence of compliance is a condition of every permit granted under the zoning code, whether expressly stated in the permit or not. [Ord. 08-29, 2008].

21.90.060 Enforcement orders.

21.90.060 Enforcement orders.

a. In addition to any other remedy or other method of enforcement available under the Homer Zoning Code or other provision of the Homer City Code or other law, the City Manager or the City Planner may order:

1. The discontinuation of a use of land or a structure that is in violation of the Homer Zoning Code, a regulation or a permit.

2. The abatement or removal of a structure or part of a structure that is in violation of the Homer Zoning Code, a regulation or a permit.

3. The discontinuation of construction or other activity preparatory to a structure or use of real property that is in violation of the Homer Zoning Code, a regulation or a permit.

4. The suspension or revocation of a permit under which a violation of the Homer Zoning Code or regulations is occupied, maintained, constructed or established.

5. The restoration of any structure, vegetation, land, water body or other thing upon the land that is destroyed, damaged, altered or removed in violation of the Homer Zoning Code, regulations or a permit.

6. Any other action necessary to prevent, abate or discontinue a violation of the Homer Zoning Code, a regulation or a permit.

b. An enforcement order issued under subsection (a) of this section may be directed to one or more violators.

c. A written enforcement order issued under subsection (a) of this section that is served on a violator personally or by certified mail is ~~immediately~~ appealable to the Office of Administrative Hearings ~~or the Planning Commission~~ **a hearing officer**. An appeal must be filed within ~~1030~~ days of service of the written enforcement order. Failure to appeal ~~to the Planning Commission~~ **an enforcement order** within ~~1030~~ days of service shall constitute a waiver of all rights of appeal from the order. ~~The procedure for appeals is set forth in Chapter 21.93 HCC.~~ **Chapter 21.93 HCC is applicable for appeals filed pursuant to this section.**

d. During such time that an enforcement order is under appeal, no further use or development contrary to the order may continue.

e. Upon correction of the condition or termination of the activity that caused the issuance of an enforcement order under subsection (a) of this section, the officer who issued the order may terminate the order or issue written confirmation of satisfactory compliance with the order.

f. An enforcement order need not be issued before a prosecution or legal action is commenced with respect to a violation of the Homer Zoning Code, a regulation or a permit. The pendency of any proceeding regarding an enforcement order issued under subsection (a) of this section does not stay any prosecution or other legal action with respect to the violation that is the subject of the enforcement order. [Ord. 08-29, 2008].

Section 2. This ordinance shall take effect upon its adoption by the Homer City Council.

Section 3: This ordinance is of a permanent and general character and shall be included in the City Code.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this ____ day of _____, 2025.

CITY OF HOMER

RACHEL LORD, MAYOR

ATTEST:

RENEE KRAUSE, MMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

First Reading:

Public Hearing:

Second Reading:

Effective Date:



MEMORANDUM

Ordinance 25-13, An Ordinance of the City Council of Homer, Alaska Adopting Revisions to the Port of Homer Terminal Tariff No. 1, Rule Five Section 5.05 regarding Liability Insurance Requirements for Recreational Vessels. City Manager/Port Director.

Item Type: Back-Up Memorandum
Prepared For: Mayor Lord and Homer City Council
Date: January 29, 2025
From: Bryan Hawkins, Port Director
Through: Melissa Jacobsen, City Manager

After conducting our annual review of the Port of Homer Tariff No. 1 and making revisions adopted via Ordinance 24-53, Councilmember Aderhold via Memorandum CC-24-227 requested Port staff to review the updated insurance requirements for recreational vessel owners in the Homer Harbor with the Port and Harbor Advisory Commission (PHAC) for clarity and fairness.

As discussed in Memorandum CC-25-026 at the January PHAC meeting, Commissioners approved a motion to strike the minimum liability insurance amount for recreational (noncommercial) vessels in the Homer Harbor.

This amendment will become effective March 31, 2025 to allow staff to prepare implementation.

RECOMMENDATION: Approve Ordinance 25-xx to amend the Port of Homer Terminal Tariff No. 1 Rule Five Section 5.05 to strike the minimum liability insurance amount for recreational (noncommercial) vessel owners.

ATTACHMENTS:

Memorandum CC-24-227

Memorandum CC-25-026

**CITY OF HOMER
HOMER, ALASKA**

City Manager/Port Director

ORDINANCE 25-13

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
ADOPTING REVISIONS TO THE PORT OF HOMER ALASKA
TERMINAL TARIFF NO.1 RULE FIVE, SECTION 5.05 REGARDING
LIABILITY INSURANCE REQUIREMENTS FOR RECREATIONAL
VESSELS.

WHEREAS, The Port and Harbor Terminal Tariff No. 1 annual revision was completed by Ordinance 24-53; and

WHEREAS, In Memorandum CC-24-227, Councilmember Aderhold requested that staff and the Port & Harbor Advisory Commission (PHAC) complete a review of the newly adopted Rule 5, section 5.05, for clarity and fairness regarding liability insurance requirements; and

WHEREAS, Port staff reviewed section 5.05 with the PHAC, and Commissioners approved a motion to strike the minimum liability insurance amount for recreational vessels.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. Port of Homer Alaska Terminal Tariff No. 1, is hereby amended to read as follows:

5.05 All vessel owners using the City of Homer's Terminal Facilities are required to carry liability insurance ~~with a minimum of \$300,000 coverage~~ and add the City as a certificate holder. Transient moorage users who do not provide proof of liability insurance will only be permitted to purchase moorage at the daily rate. Reserved moorage users who do not provide proof of liability insurance will not be permitted to renew their stall permit. Commercial boats-defined as vessels that are operated as part of a business, including but not limited to commercial fishing, charter fishing, vessel-for-hire, freight, tow, and construction are required to carry at a minimum \$1,000,000 of liability insurance, and to add the City of Homer as an additional insured with waiver of subrogation. ~~All reserved stall holders, annual and semi-annual transient moorage users are required to add the City of Homer as a certificate holder.~~ Human-powered vessels are exempt from these insurance requirements.

Section 2. This Ordinance is of a permanent and general character.

Section 3. This ordinance is effective March 31, 2025.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA this ____ day of February, 2025.

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ATTEST:

RENEE KRAUSE, MMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

First Reading:

Public Hearing:

Second Reading:

Effective Date:

CITY OF HOMER

RACHEL LORD, MAYOR



MEMORANDUM

Ordinance 25-14, Accepting and Appropriating the Hazard Mitigation Grant 4413-001 Amendment #2 from the Alaska Division of Homeland Security & Emergency Management, which Adds Funds in the Amount of \$120,300 to Procure and Construct a Fiber Optic Line as Part of the Raw Water Transmission Main Replacement Project and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Public Works Director.

Item Type: Backup Memorandum
Prepared For: Mayor Lord and City Council
Date: February 5, 2025
From: Leon Galbraith, P.E., City Engineer
Through: Melissa Jacobsen, City Manager

Issue: In the course of developing the new Raw Water Transmission Main Replacement project, we've come across an opportunity to improve communications and save construction costs by concurrently installing a new fiber optic line in the trench that will accommodate the new raw water transmission main. This requires additional design and construction work, for which we will be receiving additional grant funding from FEMA.

Background: The City Council adopted Ordinance 23-58, which accepted and appropriated Hazard Mitigation Grant Program 4413-001 1R in the amount of \$2,109,033 for the design and construction of a new raw water transmission line. The raw water transmission line conveys water from the pump house, near the reservoir, to the water treatment plant. This pipe is being replaced because the existing transmission line is old cast iron pipe, which has cracked numerous times. The City would have no water supply if this line were to be taken out in a serious earthquake.

During the implementation of the project, the City recognized the need to upgrade the dedicated communications line that allows operation of water supervisory controls and data acquisition (SCADA) systems, as the communications line is presently an old copper wire that has deteriorated, experiences frequent outages and poses a long-term vulnerability in the City of Homer drinking water supply system. Both the Raw Water Pump house and the Water Treatment Plant effectively operate as one functional unit, and the SCADA communications line is critical to the operation of the system.

Funds from Water CARMA were approved for the fiber optic communication line project in the amount of \$150,000 in the City's FY25 budget. However, in discussion with the State's Hazard Mitigation grant team, the City learned that the fiber optic line would be eligible for inclusion in the grant, as it mitigates the likelihood of communication outages which negatively impact the reliability and operation of the City's drinking water utility. Staff submitted a scope and budget change request to the Hazard Mitigation Grant program, which was accepted.

Recommendations: Accept and appropriate Amendment 2 to the Hazard Mitigation Grant 4413-001 1R that adds the fiber optic line to the project scope and adds an additional \$120,300 to the project budget for a new total of \$2,229,333.

**CITY OF HOMER
HOMER, ALASKA**

City Manager

ORDINANCE 25-14

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
ACCEPTING AND APPROPRIATING THE HAZARD MITIGATION
GRANT 4413-001 AMENDMENT #2 FROM THE ALASKA DIVISION OF
HOMELAND SECURITY & EMERGENCY MANAGEMENT WHICH ADDS
FUNDS IN THE AMOUNT OF \$120,300 TO PROCURE AND
CONSTRUCT A FIBER OPTIC LINE AS PART OF THE RAW WATER
TRANSMISSION MAIN REPLACEMENT PROJECT AND
AUTHORIZING THE CITY MANAGER TO EXECUTE THE
APPROPRIATE DOCUMENTS.

WHEREAS, The Alaska Division of Homeland Security and Emergency Management
(DHS&EM) Hazard Mitigation Grant Program (HMGP) assists States and local communities in
implementing long-term hazard mitigation measures following a major disaster; and

WHEREAS, The City of Homer applied to and was awarded HMGP funds to replace the
City's 47-year old, seismically vulnerable, cast iron raw water transmission mains with more
resilient High Density Polyethylene (HDPE) pipe designed to the specifications in Seismic
Guidelines for Water Pipelines (ALA, 2005); and

WHEREAS, Homer City Council accepted and appropriated the HGMP grant award 4413-
001 1R via Ordinance 23-58 on November 27, 2023; and

WHEREAS, During the implementation of the project, the City recognized the need to
upgrade the dedicated communications line that allows operation of water supervisory
controls and data acquisition (SCADA) systems, as the communications line is presently a
twisted pair copper wire at approximately 50-years old that has deteriorated, experiences
frequent outages and poses a long-term vulnerability in the City of Homer drinking water
supply system; and

WHEREAS, The City requested a Scope of Work and Budget Modification from DHS&EM
to address this vulnerability by procuring and constructing 3,800 feet of buried fiber optic line
to provide secure, reliable and resilient SCADA communications; and

WHEREAS, SCADA reliability is critical to the operation of the City's drinking water utility
as it provides real-time monitoring, control data transmission and alerts of various parameters
at both the un-manned raw water pump station and the water treatment plant; and

WHEREAS, DHS&EM approved the City's Scope of Work Change and Budget Modification request and has issued an Amendment to the Hazard Mitigation Grant 4413-001 1R to add the fiber optic line to the project's scope and budget in the amount of \$120,300.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The Homer City Council hereby amends the FY25 Capital Budget by accepting and appropriating the Hazard Mitigation Grant 4413-001 1R Amendment #2 from the Alaska Division of Homeland Security and Emergency Management in the amount of \$120,300 as follows:

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
215-0838	DHS&EM Hazard Mitigation Grant Grant 4413-001 1R Amendment #2	\$120,300

Section 2. The total construction project cost budget for the City of Homer is \$2,229,333 as follows:

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
215-0838	DHS&EM Hazard Mitigation Grant Amendment #2	\$120,300
215-0838	DHS&EM Hazard Mitigation Grant 4413-001 1R	\$2,109,033

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

Section 3. This ordinance is a budget amendment only, is not of a permanent nature and is a non code ordinance.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA this 24thth day of February, 2025.

CITY OF HOMER

RACHEL LORD, MAYOR

ATTEST:

RENEE KRAUSE, MMC, CITY CLERK

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85 YES:
86 NO:
87 ABSTAIN:
88 ABSENT:
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90 Introduction:
91 Public Hearing:
92 Second Reading:
93 Effective Date:



MEMORANDUM

Ordinance 25-15, An Ordinance of the City Council of Homer Alaska Amending the FY25 Capital Budget by Accepting and Appropriating a Grant from the Homer Foundation Youth Advisory Committee in the Amount of \$1000 for the Homer Public Library.

Item Type: Backup memorandum
Prepared For: Mayor Lord and City Council
Date: January 28, 2025
From: Library Director Dave Berry
Through: City Manager Melissa Jacobsen

I am pleased to report that the Homer Foundation has awarded a \$1,000 grant to the Homer Public Library, to be used for purchasing headphones, electronic tablets or sports equipment.

The award letter notes that “this grant was made at the recommendation of the Homer Foundation Youth Advisory Committee (YAC), managed by the Homer Foundation, based upon the Youth’s perceived needs within our community.” Adding to the library’s existing collection of circulating equipment will enhance the value and usefulness of that collection to the public, particularly to younger patrons.

Recommendation:

Accept the grant award.

Attachments:

Award Letter from the Homer Foundation

Ordinance 25-15

The HOMER FOUNDATION

January 27, 2025

Homer Public Library
500 Hazel Avenue
Homer, AK 99603

Dear ,

The Homer Foundation is pleased to award a charitable grant of \$1,000.00 to Homer Public Library for purchasing equipment for checkout, specifically iPads or tablets, sporting equipment, and headphones. The allocation of the spending within these parameters is up to Homer Public Library.. If you are unable to utilize all or part of the grant funds for this purpose, don't hesitate to get in touch with the Homer Foundation. This grant was made at the recommendation of the Homer Foundation Youth Advisory Committee (YAC), managed by the Homer Foundation, based upon the Youth's perceived needs within our community.

This letter and its attachment outline the terms and conditions of accepting this grant. Please read all of the information carefully, sign it, and return it to the Homer Foundation. A copy will be returned with your award check.

When making any public announcement about this grant, we would appreciate it if you would recognize the support from the Homer Foundation above-named Funds, including online and on social media.

We would love photos of this project, including one submitted when the award is received, to publicly announce the award. This can be a generic organization photo if the project has not started.

Congratulations on this recognition of your important efforts and of your project. The Homer Foundation wishes you continued success.

Sincerely,



Lauren Seaton, Office and Program Manager
The Homer Foundation



Grant 25-YAC7

January 27, 2025

Dave Berry
Homer Public Library
500 Hazel Avenue
Homer, AK 99603

Project title: 2025 YAC Grant

Amount: \$1,000.00

The Homer Foundation is pleased to award a designated grant in the amount of \$1,000.00 from the YAC Fund, managed by the Homer Foundation. In accepting this grant, Homer Public Library agrees to expend the funds for the requested purpose and complete and submit the grant evaluation form online. This form includes:

1. Summary of the project and how funds were expended.
2. Write a letter to the editor of the local media describing your project and recognizing support from the YAC Fund at the Homer Foundation.
3. Write a thank you letter to the donors. These letters are important tools to help us keep donors engaged in community philanthropy. Submit this letter to the Homer Foundation and we will forward it to the donor. Please address all recognition to the YAC Fund at the Homer Foundation.
4. Notification to your board or similar oversight entity of award of this grant.
5. Submit 2-3 photos of the project, **sending one with this signed letter of agreement.**
6. At least two social media posts of this award, once at the time of the award and once after the project.
7. "Liking" the Homer Foundation Page on Facebook and/or Instagram

Final compliance of all requirements must occur prior to receiving more funding from the YAC program.

Please have a fiduciary sign this letter of agreement and return to the Homer Foundation. A fully executed copy will be sent with your award.

Homer Public Library by:
Dave Berry

The Homer Foundation by:
Stacey Schultz
Executive Director

Signature

Signature

Date

Date



AUTHORIZATION AGREEMENT FOR DIRECT DEPOSIT

VENDOR INFORMATION

NAME: _____

MAILING ADDRESS: _____
STREET STATE CITY ZIP CODE

FINANCIAL INSTITUTION INFORMATION

FINANCIAL INSTITUTION NAME: _____ ☐ Checking
☐ Savings

FINANCIAL INSTITUTION ADDRESS: _____

TELEPHONE NUMBER: _____

ACCOUNT NUMBER

ROUTING NUMBER

AUTHORIZATION

I hereby authorize **the Homer Foundation** to initiate credit entries to transfer funds to the account listed above, and if necessary, debit entries or adjustments for any credit made in error to the account. This Authorization is to remain in full force and effect until the Homer Foundation has received written notice from us of its termination in such a manner as to afford reasonable time to act on it.

SIGNATURE

PRINTED NAME

DATE

SIGNATURE

PRINTED NAME

DATE

**CITY OF HOMER
HOMER, ALASKA**

City Manager/
Library Director

ORDINANCE 25-15

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
AMENDING THE FY25 CAPITAL BUDGET BY ACCEPTING AND
APPROPRIATING A GRANT FROM THE HOMER FOUNDATION
YOUTH ADVISORY COMMITTEE IN THE AMOUNT OF \$1,000 FOR
THE HOMER PUBLIC LIBRARY.

WHEREAS, The Homer Foundation Youth Advisory Committee (YAC) has awarded a
charitable grant of \$1,000 to the Homer Public Library, to be used for purchasing circulating
equipment such as headphones, electronic tablets or sports equipment; and

WHEREAS, This grant assists the library in furthering its mission to “foster education,
personal well-being, cultural creativity, community engagement, and economic
development”.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The Homer City Council hereby amends the FY25 Capital Budget by accepting
and appropriating a Homer Foundation YAC Grant of \$1,000 as follows:

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
157-xxxx	Homer Foundation Youth Advisory Committee	\$1,000

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

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

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA this ____ day of _____, 2025.

CITY OF HOMER

RACHEL LORD, MAYOR

44 ATTEST:

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48 _____
RENEE KRAUSE, CITY CLERK

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50 YES:

51 NO:

52 ABSTAIN:

53 ABSENT:

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55 First Reading:

56 Public Hearing:

57 Second Reading:

58 Effective Date:



MEMORANDUM

Ordinance 25-16, An Ordinance of the City Council of Homer, Alaska Amending the FY 2025 Capital Budget by Appropriating \$22,200 from the Port Reserves Fund to Install Electricity to the Camera Poles at Ramps One Through Five. City Manager/Port Director

Item Type: Back-Up Memorandum
Prepared For: Mayor Lord and Homer City Council
Date: January 29, 2025
From: Bryan Hawkins, Port Director
Through: Melissa Jacobsen, City Manager

The Ramp 1 through 5 camera project has been a long-term goal for the Enterprise, and staff have been working diligently to bring it to fruition in a step-by-step manner, which has helped keep costs manageable. The next step is to provide electricity to the newly installed camera poles.

The Port has collaborated with three local electrical contractors to obtain quotes for this work, aiming to have it completed before the spring rush. Once the electrical portion is finished, we will work with the IT department to gather updated cost estimates for the purchase and installation of the new cameras, as time and budget permit.

RECOMMENDATION:

Approve Ordinance 25-16 to appropriate \$22,200 for the electrical installation of camera poles for ramps 1 through 5.

Funding: 456-0380 Port Reserves

**CITY OF HOMER
HOMER, ALASKA**

City Manager/
Port Director

ORDINANCE 25-16

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
AMENDING THE FY25 CAPITAL BUDGET BY APPROPRIATING
\$25,000 FROM THE PORT RESERVES FUND FOR THE PURPOSE OF
INSTALLING ELECTRICITY TO THE CAMERA POLES AT RAMPS 1-5.

WHEREAS, Cameras will greatly enhance safety and security of the West side of our facility by providing a clear view of all access points to the harbor thus achieving a long- term goal for our customers; and

WHEREAS, In 2022, Sherman Technologies quoted a turnkey solution for installing camera poles between ramps one through five at \$254,000; and

WHEREAS, Port staff was able to reduce overall costs by coordinating contractors and working with City staff to install the camera poles through separate tasks; and

WHEREAS, Poles have been installed and the next step in the project is to supply electricity to this infrastructure; and

WHEREAS, We received three bids and would like to proceed with the lowest qualified quote of \$22,101.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The Homer City Council hereby amends the FY25 Capital Budget by appropriating \$25,000 as follows:

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
456-0380	Camera Poles 1-5 Electrification	\$25,000

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

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA this 24th day of February, 2025.

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ATTEST:

RENEE KRAUSE, MMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

First Reading:

Public Hearing:

Second Reading:

Effective Date:

CITY OF HOMER

RACHEL LORD, MAYOR



City of Homer

www.cityofhomer-ak.gov

Office of the City Manager

491 East Pioneer Avenue
Homer, Alaska 99603

citymanager@cityofhomer-ak.gov

(p) 907-235-8121 x2222

(f) 907-235-3148

Memorandum

TO: Mayor Lord and Homer City Council
FROM: Melissa Jacobsen, City Manager
DATE: February 20, 2025
SUBJECT: City Manager's Report for February 24, 2025 Council Meeting

Comprehensive Plan

The Draft Comprehensive Plan was posted for public review on February 7, 2025. On February 11, City Staff, in collaboration with our consultant firm Agnew Beck, held an Open House at the Islands & Ocean Visitors Center to invite members of the community to review, discuss, and provide their thoughts on the draft plan. Public comments on the Draft Comprehensive Plan will be accepted until March 14th. In February and March, Homer Commission and Committees will be encouraged to review the draft plan and provide comments on their area of expertise. Review the Draft Comprehensive Plan and provide your comments here:

<https://homercompplanupdate.com/>



Library News

The western lot committee is ramping up again. The Friends of the Homer Library placed an order for a wraparound tree bench and Public Works will acquire a standard bench for the western end of the trail, identical with the other benches they're ordering for Pioneer Avenue, and there is a plan for stump seating and storywalk posts. The goal is to have these project elements in place by the end of April. Also renovations in study room 6 have begun. All the built-in furniture has been removed, the carpet repaired and the walls painted. The next step is replacing part of the baseboard, then putting up sound-absorbent panels on the walls. The renovations in study room 5 seem to have paid off, as use of that room more than doubled

afterwards. Attached to this report is a copy of the Library's Annual report that reinforces the importance of the library to our community through their services and programs.

Juneau Visit

As I finish up this brief report, I'm in Juneau with Mayor Lord, Councilmembers Aderhold and Hansen, Port Director Hawkins and Special Projects & Communications Coordinator Carroll wrapping up meetings with Legislators, Legislative Staff, US Coast Guard, Alaska Department of Transportation & Public Facilities, and Alaska Department of Environmental Conservation. It's been a fabulous opportunity to spend time at our State Capitol meeting with these folks who serve our great state and to work with our lobbyists, J&H Consulting in thanking our Legislators for their support in successful funding of our Harbor Expansion General Investigation, sharing our need for coordinated, multi-agency, long term sustainability planning for Homer Spit erosion and resiliency, and sharing the City's legislative priorities and positions. After we return, I'll follow up with a more complete report and photos.

City Manager Meetings and Events:

- February 11 – Conversations with a Council Member with Councilmember Venuti
- January 13 – Planning Meeting for public outreach for the City lots proposed as a location for the new multi-use community center
- February 17-21 – Travel to Juneau for meetings with J&H Consulting, 20 different State Legislators and their staff, US Coast Guard, and State agencies on behalf of the City.
- Ongoing weekly meetings with Departments, Mayor, and Councilmembers

Attachments:

- Library Annual Report
- February Employee Anniversaries
- Inactive Records Destruction Report

Homer Public Library 2024 Annual Report



On a rainy day in May, two dedicated patrons settled in for some serious entertainment.

- Jan. 1: The New Year opens with plans for major events, particularly the nationwide Big Read. The library has several projects underway, including replacing the chairs and upgrading technology. The balance in the library endowment fund stands at \$56,496.11.
- Jan. 5: Storytime Craft makes suet balls.
- Jan. 8: Council adopts Ordinance 23-49(S), which reorganizes the City administrative structure and creates standalone departments for the library and IT.

Highlights of 2024 included the Big Read in January and February, replacement chairs in April, the summer reading program in June and July, renovations to study room 5 in September and digitizing the *Homer News* archive in December. We encountered some financial turbulence in August, offset by a surge in donations in November. Through it all, the library benefitted from enormous infusions of labor and money from the Friends of the Library, the LAB, numerous businesses and community organizations, and many, many private citizens. Homer really is a unique place.

January

On January 8, Council passed Ordinance 23-49(S). Among other things, this ordinance establishes a standalone library department for the first time in 39 years. It also adds language to the Homer City Code mandating certain qualifications for the library director.

The National Endowment for the Arts (NEA) Big Read encourages communities all across the country to select from a shortlist of titles and build public programs around shared reading. For 2024, the Friends of the Library chose *The Cold Millions*, by Jess Walter, and paired it with *The Big Both Ways*, by John Straley. Both books explore social class, protest and economic hardship.

- Jan. 10: Virtual author talk by Rebecca Serle about multigenerational love stories.
- Jan. 11: The RFP for replacement library chairs closes.
- Jan. 13: Writing Circle with Richard Chiappone.
- Jan. 19: Big Read Kickoff at Alice's Champagne Palace, including a singalong with live music.
- Jan. 20: Plant Swap.
- Jan. 23: Virtual author talk by Rajiv Nagaich, author of *Your Retirement: Dream or Disaster*. Big Read Book Club discusses the Spokane riots.
- Jan. 24: Big Read Coffee Table on KBBI discusses themes from *The Cold Millions*.
- Jan. 25: Big Read Historical Homer—Clark Fair talks about his ongoing weekly column with the *Homer News*.
- Jan. 30: Virtual author talk with Dr. Robert Lustig on medicine and processed foods.
- Jan. 30: Big Read Book Club discusses the history of unions.
- Feb. 1-May 30: Art in the Library displays works by Andy Sonneborn.
- Feb. 1: Big Read Zoom with authors Jess Walter and John Straley, exploring their books *The Cold Millions* and *The Big Both Ways*. Hosted at the library.



Friends of the Library Coordinator Cheryl Illg and Trivia Master Kathleen Gustafson kicked off the Big Read on January 19.

The Big Read kicked off on Jan. 19 with a night of live music, singing and trivia at Alice's. Over the next 11 days, KBBI featured a book talk, Clark Fair gave a talk on the history of Homer and the Big Read Book Club met twice, talking about the Spokane Riots and the history of unions.

February

The Big Read continued through Feb. 17. The month featured exhibits and discussions, a Zoom talk with Tom Kizzia and both authors, a free-speech panel, a movie showing and more Big Read Book Club meetings. The grand finale starred numerous local citizens in *The Cold Millions Onstage with Pier One*, bringing to life historical speeches and songs from the labor movement.

A brief list of organizations that collaborated on the Big Read: Alice's Champagne Palace, Bunnell Street Arts Center, Homer Council on the Arts, Homer High School, Homer Senior Center, KBBI, Kenai Peninsula College, Ninilchik Library and Pier One Theatre. Individual volunteers are too numerous to list here, but our thanks also go out to all the FHL members and the helpers from the community. Particular recognition goes to Cheryl Illg and Mercedes Harness, who coordinated the schedule and improvised admirably when one of our major author visits fell through.

- Feb. 2: Alarm system replaced. Big Read Conversation about finding home and the local housing crisis. HCOA hosts the conversation and features an exhibit all through February.
- Feb. 4: Big Read explores Alaskan cultures in a new high school curriculum, hosted at the Bunnell Arts Center.
- Feb. 6: Big Read Book Club discusses indigenous perspectives.
- Feb. 8: Big Read book discussion at the Senior Center, followed by sharing stories about homesteading. Virtual author talk with Tessa Bailey on writing romantic comedies.
- Feb. 13: Big Read Book Club discusses leading women.
- Feb. 15: Big Read Book Circle invites elders and long-time locals to the Ninilchik Community Library to talk about *The Cold Millions* and share stories from early Ninilchik.
- Feb. 16 and 17: Big Read watches *The Cold Millions* on stage. Pier One presents historical speeches and songs from labor movements at Beluga Lake Lodge.
- Feb. 16: Big Read watches *Newsies* at the library.
- Feb. 28: Virtual author talk with Kim Scott on managing a workplace.



Paintings by Andy Sonneborn went up in the fireplace lounge on February 1.

March

On March 1, we put up a large display screen behind the front desk, as a way of advertising library resources and upcoming events. The LAB and FHL board held their annual potluck at the library on March 3, with excellent food and a chance to meet people that otherwise would never cross paths.



At the Celebration of Lifelong Learning on April 20, Spencer Co's family accepted the Youth Learner Award on his behalf.

- Mar. 1: A large display screen goes up at the front desk, displaying public announcements and news of upcoming programs.
- Mar. 5: Voznesenka School visits the library. Wii Sports for Tweens and Teens.
- Mar. 14: Showing of Spiderman: Into the Spiderverse.
- Mar. 27: Teens and Tweens Get Crafty.
- Apr. 2: New office chairs arrive at the library, replacing worn-out furniture throughout the building. Virtual author talk with Smithsonian curator Paula J. Johnson on the book *Smithsonian American Table: The Foods, People and Innovations That Feed Us*.
- Apr. 9: Virtual author Talk with Colum McCann and Diane Foley on their book *American Mother*, about the murder of Foley's son by ISIS terrorists. Homer High School students present a travelogue about their trip to Australia.
- Apr. 11: Cinda Nofziger, Cheryl Illg and Lyn Maslow present to the Downtown Rotary Club about the western lot project, as well as library and Friends of the Library programs.
- Apr. 12: Library staff play Dungeons and Dragons with teens.
- Apr. 17: Virtual author talk with Xochitl Gonzalez, author of *Anita de Monte Laughs Last*, about art and society in New York of the late 1990s.

April

On April 7, the HPL unveiled new library card designs, featuring the same illustrations that local artist Rachel Tussey produced for the Bookmobile. We also launched the library needs survey, which ran through July 31.

On April 9, students from Homer High School presented a travelogue about their trip to Australia. A dozen kids showed off pictures, told stories and raffled off small packages of vegemite.

The Celebration of Lifelong Learning featured monologues from three DDF students, the much-beloved trivia tree and silent auction, outstanding food and music, and excellent speeches from both awardees (Spencer Co delivered recorded remarks, while Nancy Lord gave her speech in person).

New chairs arrived, taking the place of the aging furniture throughout the building. Patrons particularly appreciated the new office-style chairs, which see heavy use all around the computer terminals.



Eager readers stormed the library for the Spring Book and Plant Sale on May 10 and 11.

May

The bookmobile loomed over the Safe and Healthy Kids Fair on May 4. More than 100 kids signed up for the summer reading program and did arts and crafts.

The Spring Book and Plant Sale on May 10-11 was successful as always! Shoppers arrived with empty bags, and some lined up at the front door before the library opened Saturday. Many thanks to the Friends of the Library

- Apr. 20: Celebration of Lifelong Learning, featuring food from the Tickled Pear, desserts from BB's Bakery, live music, a silent auction and a trivia tree. Monologues from three DDF students. Congratulations to Nancy Lord and Spencer Co, the adult and youth winners, respectively!
- Apr. 30: Crafternoon for teens and tweens.
- May 1: Virtual author talk with Douglas Brunt, author of *The Mysterious Case of Rudolf Diesel: Genius, Power and Deception on the Eve of World War I*, about the disappearance of the inventor of the diesel engine on Sept. 29, 1913.
- May 4: Bookmobile at the Safe and Healthy Kids Fair.
- May 8: The new lounge chairs are set up in the library. Virtual author talk with Nina Simon, author of *Mother-Daughter Murder Night*, about three amateur sleuths investigating a murder next door.
- May 10-11: Spring Book and Plant Sale.
- May 13: Wii sports for teens and tweens.
- May 14-16: Outreach sessions with Agnew::Beck on the Homer Comprehensive Plan.
- May 14: Poetry reading by local authors Wendy Erd, Linda Martin, Peter Kaufmann and Anne Coray.

Board members (Judy Gonsalves, Lyn Maslow, Ann Dixon, Sara Reinert, Lin Hampson, Linda Robinson, Shellie Worsfold, Sarah Brewer, Joy Steward and McKenna Black), as well as all the volunteers who made the sale possible: Marylou Burton, Eric Fenger, Barb Veeck, Michael McKinney, Bobby Copeland-McKinney, David Lewis, Cecelia Fitzpatrick, Jane Miles, Lolita Brache, Barbara Haynes, Deb Curtis, Carter Davis, Daniel Christ, Doug Baily, Landa Baily, Milli Martin, Annie Williams, Joleene Hooker and Karen McRae. Special thanks to Sara Reinert, Barb Veeck and Marylou Burton for sorting and storing books in preparation for the sale—a job that never ends!

On May 10, volunteers with the Christian Community Church turned out to help clean up the library grounds. They pulled a number of saplings out of the rock garden along the library's north wall and removed the potentilla bushes from the start of the Story Walk Trail, which required some heavy digging.



Four poets visited the library for a collaborative event on May 14.

On May 14, the library hosted a poetry reading with authors Wendy Erd, Linda Martin, Peter Kaufmann and Anne Coray. All four authors read excerpts from their work and took questions from the audience.

The summer reading program kicked off on the last day of the month. Hordes of small people played ring-toss, experimented with a marble maze, and made crafts out of Kleenex boxes and paper towel rolls.

- May 21: Virtual author talk with Rebecca F. Kuang, author of *Yellowface*, about envy and racism.
- May 31: Summer Reading Kick-off in the kids' room, featuring upcycle crafts.
- Jun. 1-Sept. 30: Art in the Library displays works by Bonnie Dupree.
- Jun. 3: Virtual author talk with Matt Shindell, curator of the Smithsonian Air and Space Museum, on his book *For the Love of Mars*.
- Jun. 5-Jul. 24: Girls Who Code for Teens and Tweens.
- Jun. 6-Jul. 25: Girls Who Code for elementary students.
- Jun. 6: Upcycle old t-shirts into pet toys for the animal shelter or to take home.
- Jun. 10-Jul. 29: Music, Movement and Making for babies through preschoolers features 20-25 minutes of a story, plus singing and dancing, and creative making with recycled materials.
- Jun. 10: Teens and Tweens do "fontomatopoeia" paintings for decorating the teen corner.
- Jun. 11-Jul. 30: Stories and Adventures with the Center for Alaskan Coastal Studies features read-alouds, games, and crafts in the woods west of the library.



Library staff welcomed volunteers to an appreciation lunch on June 25.

June

The summer reading program continued with coding workshops, author talks, special storytimes and events at Bishop's Beach and in the woods west of the library. Kids made pet toys out of old t-shirts, created paintings for the teen space, learned American Sign Language and enjoyed a "family spa day."

On June 25, the library workroom hosted a volunteer-appreciation lunch for all the groups that offer their time to support the library: the FHL board and the LAB; the regular volunteers who shelve, clean and repair books; the members of the Teen Advisory Board and the others who assist with youth events; the dozens who sort book donations, drive the bookmobile, read between the lines on the radio, and hang flyers around town; and the huge crowds who help out with the book and plant sales, the Celebration of Lifelong Learning, the chess club, the summer reading program, the author events and other special projects. FHL provided an outstanding selection of food and put up some impressive decorations. The list of invitees came to more than 90 people, of whom about a third managed to attend. Thank you all!

July

The summer reading program cruised on through July. Volunteers decorated the bookmobile and marched with it in the Fourth of July parade. Authors from across the country gave more presentations, and a Junior Iditarod racer visited the library with her retired sled dog. We saw more art and more Sign Language, plus LEGOs, movies and s'mores.

- Jun. 11: Storytime at Bishop's Beach includes songs, poems and a free book from the bookmobile. Touring author Ken Waldman reads for kids and performs on the fiddle.
- Jun. 12: Zoom author talk with Chris Grabenstein, Hena Kahn and Mychal Threats, live in the kids' room.
- Jun. 13: Upcycle old t-shirts into pet toys for the animal shelter or to take home. Virtual author talk with Frieda McFadden, author of *The Housemaid* and others, about writing psychological thrillers.
- Jun. 14: Family Spa Day includes a DIY bath bomb, a balm and a scrub to take home.
- Jun. 17: Artist David Braeme and teens and tweens do "fontomatopoeia" paintings for decorating the teen corner.
- Jun. 19: Showing of *Wall-e*, about a robot at the end of the world.
- Jun. 20: Virtual author talk with Tiffany Jewell, author of *Everything I Learned About Racism I Learned in School*, about racism in education.
- Jun. 24-26: Upcycled hand puppets.
- Jun. 27: Yoga for Teens and Tweens.
- Jul. 3: Pre-parade activity and sign up to walk with the bookmobile, library staff and Friends of the Library in the Independence Day parade.



Youth Services Librarian Cinda Nofziger set the tone for the July 4 parade.

The summer reading program party drew something like 100 attendees. The marimba was great, the hot dogs and ice cream outstanding, and many games and prizes got the kids wildly excited. Many thanks to Cinda Nofziger, Cheryl Illg and all the volunteers who helped out with setting up and serving throughout the event.

Overall, the summer reading program featured 95 programs and events, with 1,129 attendees. Nearly 300 people took part in the reading challenge and 123 completed it! A brief list of all the businesses and individuals who donated prizes and sponsored readers: The Alaska State Library, Susan Jeffres, the Homer Bookstore, Homer Emblem Club #350, Ulmer's Drug and Hardware, Homer's Jeans, Two Sisters Bakery, Wagon Wheel, Cycle Logical, Sustainable Wares, Saw and Cycle, Homer Art and Frame Co., Bubbles Soda Parlor, BB's Bakery, The Fringe, Coffee Smith Café, Swell Taco, Salmon Sisters, Nomar, Wayne Aderhold, Save U More and many anonymous individuals.

- Jul. 4: BOB the Bookmobile cruises in the Independence Day parade.
- Jul. 8-29: American Sign Language with Sherry Pederson.
- Jul. 9 and 11: Making reusable snack bags.
- Jul. 9: Virtual author talk with Newbery Award winner Kate DiCamillo, about the fun-loving pig Mercy Watson. Shown live in the kids' room.
- Jul. 15: Art for Teens and Tweens. Artist David Braeme helps kids with "fontomatopoeia" paintings for decorating the teen corner.
- Jul. 16: Virtual author talk with Max Brallier, author of the series *The Last Kids on Earth*. Shown live in the kids' room.
- Jul. 17-23: LEGO Contest drop off. Competitors bring their creations to the library for judging.
- Jul. 17: Showing of *The Mitchells vs. The Machines*, in which a family battles a robot uprising.
- Jul. 18: Yoga with Anna for Teens and Tweens.
- Jul. 19: Junior Iditarod Musher Addy and her retired leader dog visit the library.
- Jul. 22-26: Art with Sharlene creates art from recycled materials.
- Jul. 22: Spa Day for Teens and Tweens includes a DIY bath bomb, a balm and a scrub to take home.



Friends of the Library Board Members Judy Gonsalves and Joy Steward ran one of the most popular tables at the end-of-summer-reading party on July 27.

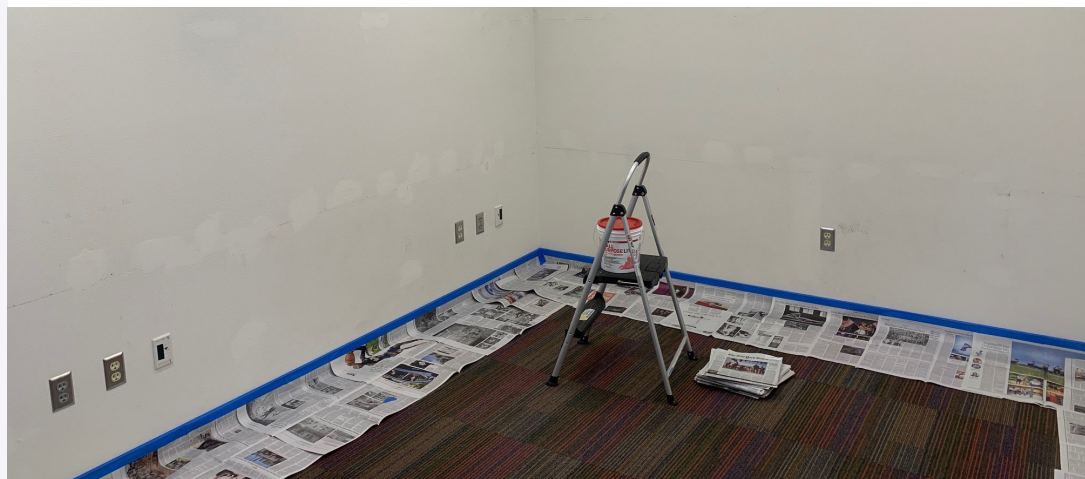
August

On August 16, the State Division of Libraries, Archives and Museums (LAM) announced major cuts to the Public Libraries Assistance (PLA) grants, reducing the per-library allocation from \$7,000 to \$1,829. Following public protest, the LAM restored the full amount of the grants in October.

Separately, the amount allocated to the State Library Electronic Doorway (SLED) dropped from \$500,000 to \$369,514. SLED provided 60 of the 68 databases available to patrons through our library website. Several small databases (LearningExpress, Auto Repair Source, Hobbies and Crafts Source, Home Improvement Source and Small Engine Repair Source) disappeared from the list.

Renovations began on study room 5, and we shifted furniture around on the main floor to create more open space and smooth the flow of traffic.

- Jul. 23: Virtual author talk with Elizabeth Acevedo, author of *The Poet X*, about using poetry to express hidden feelings, including a short workshop. Stories, S'mores and Science at Bishop's Beach.
- Jul. 25: Storytime on the Spit with Youth Services Librarian Cinda Nofziger.
- Jul. 26: End of the summer reading challenge.
- Jul. 27: End of summer reading party, with hot dogs from Global Federal Credit Union, ice cream from Udder Delights and marimba music from Shamwari.
- Jul. 31: Virtual author talk with Caldecott Medal winner Dan Santat, author of *A First Time for Everything*, about the practicalities of creating graphic novels.
- Aug. 7: Virtual author talk by Jennifer Levasseur, curator at the Smithsonian, about the International Space Station.
- Aug. 15: Virtual author talk with Irena Smith about the college-admissions process.
- Aug. 21: Virtual author talk with Shelby Van Pelt, author of *Remarkably Bright Creatures*.
- Aug. 22: Author talk by Susan Pope, author of *Rivers and Ice*, a memoir of life in Alaska.
- Aug. 29: Candidate Forum for Mayor and City Council, organized by KBBI, KDLL, the Peninsula Clarion and League of Women Voters.



Building Maintenance staff renovated study room 5 during September.

- Sept. 4: Sound Publishing, the publishers for the *Homer News*, kindly donate bound volumes containing the print run of the newspaper from 1976-2022.
- Sept. 6-7: Book and plant sale.
- Sept. 10: Virtual author talk with Garret Graff on the oral history of D-Day and the September 11 attacks.
- Sept. 13: *The Muppet Movie* in the meeting room.
- Sept. 18: Virtual author talk with Nate Klemp on living with an expansive mind in a distracted world.
- Sept. 21: Virtual author talk with Liane Moriarty explores character development.
- Sept. 26: Renovations on study room 5 are complete.
- Oct. 1: The library sends its microfilm records of the *Homer News* to Ancestry.com for digitization. After scanning the images and putting them up online, Ancestry provides a free link for Homer Public Library patrons. The microfilm returns to the library in January 2025.
- Oct. 2: Virtual author talk with scientists from the Smithsonian Tropical Research Institute offers a journey into the hidden world of tropical bats.



Bound volumes of the Homer News and Homer Tribune fill the compact shelves on September 4.

September

The *Homer News* closed its local office and took most of the furnishings and equipment up to Kenai. However, they donated bound volumes of the newspaper from 1975-2021 and some loose-leaf issues from the 1960s. The set now takes up nearly a complete range of the compact shelving in the staff area.

The Parks Division put in a ton of work on the western lot—grading the trail, clearing away underbrush, constructing bump-outs for the storywalk posts, and laying sod around the tree where the wraparound bench will someday go.

Building Maintenance completed the renovations on study room 5 on Sept. 26. Staff immediately labelled it the “executive suite,” but the room’s first use was as a gaming den for patrons playing Splendor.

- Oct. 9: The new digital resources page goes live on the library website. Virtual author talk with Silvia Moreno-Garcia on Latin American genre fiction. Mushroom stamp art.
- Oct. 10: Students from Voznesenka School visit the library. Chief Technology Officer Bill Jirsa, Special Projects Associate Susie Inglis and Library Director Dave Berry discuss and demonstrate Artificial Intelligence.
- Oct. 11: The Pratt Museum visits the library to introduce kids to owls.
- Oct. 22: Virtual author talk with Lori Gottlieb, author of *Maybe You Should Talk to Someone*.
- Oct. 25: Showing of *The Nightmare Before Christmas*, in which Halloween spirits attempt to take over the Christmas season.
- Oct. 29: Candidate Forum for House District 6, organized by KBBI, KDLL, the Peninsula Clarion and League of Women Voters.
- Oct. 30: Spooktacular teen and tween costume contest.
- Nov. 7: Virtual author talk with Stanley Milford, author of *The Paranormal Ranger*.
- Nov. 14: Virtual author talk with Javier Zamora, author of *Solito*, on childhood migration from Central America.
- Nov. 15: *The LEGO Batman Movie* in the meeting room.



The Parks Division cleared and regraded the trail on the western lot and prepared the site for the bench that will wrap around this tree, as seen on September 20.

The book and plant sale came off wonderfully, as always. Many volunteers work both sales during a given year, which is all the more impressive. Look at the list below, and compare it with the people who volunteered in May: The Friends of the Library board, Marylou Burton, Tom Goode, Eric Fenger, David Lewis, Stu Schmutzler, Beau Berryman, Michael McKinney, Bobby Paulino, Deb Curtis, Helen Armstrong, Charlie Barnwell, Sandy Early, Janet Fink, Gina Creedon, Janet Klein, Barbara Haynes, Jacque Peterson, Jenny Coyle, Milli Martin, Annie Williams, Kate Finn, Megan O'Neill, Carter Davis, Daniel Christ, Bonnie Jason, Ollie DeLyser, Mable DeLyser, Calvin Wedvik and Karen McRae.

Following extensive debate, the LAB approved the 2025-2029 Library Strategic Plan. Anticipating population growth, the plan identifies future needs for space, staffing, technology and collection development, as well as maintenance requirements for gradually aging infrastructure. Library services have improved greatly in the past several years, but plenty of opportunities remain!

- Nov. 16: Mr. Whitekeys visits Homer to talk about his new book, *The Voyage of the Alaska Union*. Hosted at Kachemak Bay Campus.
- Nov. 18: Games for teens.
- Nov. 20: Virtual author talk with Mona Susan Power, author of *A Council of Dolls*, on Native rights and culture in fiction.
- Nov. 27: The giving tree goes up in the library lobby. Over the course of December, patrons pick all 60 titles off the tree and donate \$440 in gift certificates for the Homer Bookstore.
- Nov. 30: Friends of the Library Pop-Up Plant Sale.
- Dec. 4: Virtual author talk with Jeffrey Post on the Smithsonian National Gem Collection.
- Dec. 5: Technicians from Convergent replace the computer and software controls that manage the library's HVAC system.
- Dec. 11: Virtual author talk with Laura Dave, author of *The Night We Lost Him*, on pulse-pounding, family-driven mysteries.
- Dec. 12: Crafternoon for teens and tweens.
- Dec. 13: A region-wide power failure forces City buildings to close at 11:30.
- Dec. 17: Tom Kizzia and Rich Chiappone discuss writing and history.



On October 10, Susie Inglis and Bill Jirsa visited the library to discuss recent developments in Artificial Intelligence.

October

The library hosted a discussion about Artificial Intelligence on Oct. 10. Chief Technology Officer Bill Jirsa and Special Projects Associate Susie Inglis visited the library to explore the evolution of AI, its impact on society, and what it can do, complete with a live demonstration. The audience of about 25 people chimed in with lots of questions.

On Oct. 29, about 40 people showed up to hear the candidates for House District 6 answer questions. As with last year's candidate fora, this one was organized by KBBI, KDLL, the Peninsula Clarion and the League of Women Voters.

The library website got an overhaul, simplifying access to the 60+ subscription databases that provide everything from peer-reviewed articles to streaming videos. The list can be sorted by title, subject, content format and age group.

November

The library received a state grant for \$6,462 to offset the cost of providing internet service to the public. In the space of two months, four donors collectively contributed \$14,000 to the Library Endowment Fund. The Friends of the Library set up the giving tree on Nov. 27 and people purchased the first items that afternoon, starting a run that ended with patrons plucking all 60 book tags and donating \$440 worth of gift certificates to the Homer Bookstore.

The Teen Advisory Board gave a brief presentation at the start of the LAB meeting, describing some of their activities and advocating for a dedicated teen space in the library.

- Dec. 19: Digitization of the *Homer News* is complete and the link goes live on the library website.
- Dec. 31: The year ends with a sense of accomplishment and many plans for the future. The balance in the library endowment fund stands at \$81,842.72.



Newspapers.com finished digitizing the Homer News on December 19.

December

In late October, we shipped our entire collection of the *Homer News* on microfilm to Ancestry.com, the parent company of Newspapers.com. They spent a couple of months scanning and indexing the material, and the archive (1954-2021) became available online on Dec. 19. Patrons can access it from any computer in the library building, and anyone with a personal subscription to Newspapers.com can find it anywhere.

A region-wide power failure on Dec. 13 forced City buildings to close halfway through the day. The library's backup generator worked fine but the internet went down, which drove some patrons to read books instead. We stayed open from 10:00 to 11:30 and managed to get in one nearly-complete storytime.

On Dec. 17, Tom Kizzia and Rich Chiappone visited the library to talk about history and writing, drawing a crowd of 63 people. Tom received a well-deserved award from Representatives Andrew Gray and Sarah Vance.

Thank you!

Our deepest thanks to all those who supported the library over the past year. Many members of the public contributed their time, energy and money to guarantee the success of the institution. We here recognize those who donated to the library's long-term sustainability:

Library Endowment Fund

Anonymous (4)

Anonymous, in honor of Steve Gibson

Kathryn Anderson

Dave Berry

Kathy Carssow

Richard Chiappone

Kate Finn

Marcia Kuszmaul

Miller Morris, in honor of Dr. Ian Wisecarver

Lesa A. Osborne, in honor of Ann Keffer

Terri Spigelmyer and Andy Haas

Glen Williams, in memory of Gene Williams

Friends of Homer Public Library Endowment Fund

Harmon Clines

Patricia McNeill

Beverly Nikora

Joy Steward and Stu Schmutzler

2024 by the numbers at Homer Public Library



101,206

Visits to the library



170,248

Items checked out

674

New library cards issued

14,213

Patrons attended programs

3,023 sessions
Study Rooms + Meeting Room

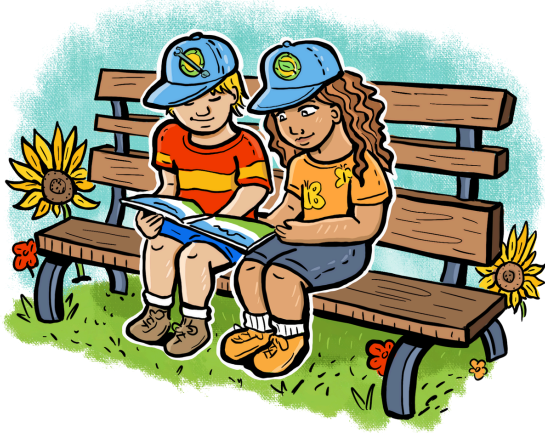
1,129 attended
Summer Reading events

30,573 sessions
Public computers + library WiFi

3,076

Volunteer hours logged





SUMMER HPL 2024

... by the numbers at
Homer Public Library

293
Reading challenge
participants

123
People finished the
reading challenge!

26,200
Books + library
items circulated

95
Special events
& programs

1,129
Event
attendees

12
Community
collaborators

13
LEGO challenge
participants

9
Teen + tween
volunteers!

71
Community
donors

READ, RENEW, REPEAT

www.cityofhomer-ak.gov/library/summer-hpl-2024

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MEMORANDUM

February Employee Anniversaries

Item Type: Informational
Prepared For: Mayor Lord and City Council
Date: February 24, 2025
From: Andrea Browning
Through: Melissa Jacobsen, City Manager

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

Jenny Carroll	Admin	9	Years
Morgan Tracy	Police	8	Years
Kevin Co	Library	6	Years
Tyler Jeffres	Police	6	Years
Mike Swoboda	PW	2	Years
Dan Kort	PW	1	Year
Leon Galbraith	PW	1	Year



MEMORANDUM

Inactive Records Destruction Report 2024

Item Type: Informational
Prepared For: Mayor Lord & Homer City Council
Date: February 13, 2025
From: Zach Pettit, Deputy City Clerk II

In accordance with HCC 2.92.030(g), the City Clerk's Office completed the annual inactive records destruction process for 2024.

On December 8, 2023, Department Heads were notified of the inactive records that were eligible for destruction, and as a result, 68 boxes of records were approved, pulled, and staged in the Council Chambers. Arctic Shred performed on-site shredding of the inactive records on July 17, 2024.

Arctic Shred travels from Anchorage to the Peninsula to provide their on-site service and then brings the shredded materials to their facility in Anchorage for appropriate disposal. This is the City Clerk's Office first year working with Arctic Shred for our inactive records destruction. Their services were retained after solicitation of prices from three vendors that service the Kenai Peninsula and recommendations from the City Clerks of Soldotna and Kenai.

Copies of the Inactive Records Storage Forms and memorandums approving destruction are available in the City Clerk's Office for review.

General Fund
Expenditure Report
Actuals through January 2025
58% Fiscal Year Elapsed

Current Fiscal Analysis

	FY25	FY25 YTD	
	ADOPTED	ACTUAL	
	BUDGET	\$	%
Revenues			
Property Taxes	\$ 4,225,672	\$ 5,233,113	124%
Sales and Use Taxes	9,296,032	6,123,204	66%
Permits and Licenses	41,723	22,907	55%
Fines and Forfeitures	8,381	2,427	29%
Intergovernmental	746,338	406,419	54%
Charges for Services	445,762	362,449	81%
Other Revenues	-	103,970	
Airport	202,406	119,173	59%
Operating Transfers	1,568,082	20,710	1%
Total Revenues	\$ 16,534,397	\$ 12,381,354	75%
Expenditures & Transfers			
Administration	\$ 2,201,751	\$ 1,171,063	53%
Clerks/Council	942,104	407,966	43%
Planning	446,281	227,391	51%
Library	1,126,251	631,398	56%
Finance	948,850	476,568	50%
Fire	1,973,062	1,075,922	55%
Police	4,416,940	2,838,719	64%
Public Works	3,663,001	1,839,067	50%
Airport	239,580	100,855	42%
City Hall, HERC	190,449	87,010	46%
Non-Departmental	191,000	166,000	87%
Total Operating Expenditures	\$ 16,339,269	\$ 9,021,959	55%
Transfer to Other Funds			
Leave Cash Out	\$ 178,375	\$ -	0%
Other	6,752	-	0%
Total Transfer to Other Funds	\$ 185,128	\$ -	0%
Transfer to CARMA			
General Fund Fleet CARMA	\$ -	\$ -	0%
General Fund CARMA	-	-	0%
Seawall CARMA	10,000	-	0%
Total Transfer to CARMA Funds	\$ 10,000	\$ -	0%
Total Expenditures & Transfers	\$ 16,534,397	\$ 9,021,959	55%
Net Revenues Over (Under) Expenditures	\$ 0	\$ 3,359,395	

Water and Sewer Fund
Expenditure Report
Actuals through January 2025
58% Fiscal Year Elapsed

Current Fiscal Analysis

	FY25	FY25 YTD	
	ADOPTED	ACTUAL	
	BUDGET	\$	%
<u>Revenues</u>			
Water Fund	\$ 2,494,551	\$ 1,573,452	63%
Sewer Fund	2,213,812	1,250,754	56%
Total Revenues	\$ 4,708,362	\$ 2,824,206	60%
<u>Expenditures & Transfers</u>			
<u>Water</u>			
Administration	\$ 350,977	\$ 223,448	64%
Treatment Plant	726,654	388,299	53%
System Testing	36,000	11,946	33%
Pump Stations	123,793	50,725	41%
Distribution System	393,195	262,321	67%
Reservoir	19,191	7,143	37%
Meters	288,507	36,085	13%
Hydrants	214,868	112,077	52%
<u>Sewer</u>			
Administration	\$ 348,160	\$ 215,502	62%
Plant Operations	938,779	421,094	45%
System Testing	18,000	9,307	52%
Lift Stations	230,206	122,046	53%
Collection System	378,085	207,118	55%
Total Operating Expenditures	\$ 4,066,415	\$ 2,067,110	51%
Transfer to Other Funds			
Leave Cash Out	\$ 12,216	\$ -	0%
GF Admin Fees	-	-	0%
Other	15,597	-	0%
Total Transfer to Other Funds	\$ 27,813	\$ -	0%
Transfers to CARMA			
Water	\$ 325,376	\$ -	0%
Sewer	288,758	-	0%
Total Transfer to CARMA Funds	\$ 614,134	\$ -	0%
Total Expenditures & Transfers	\$ 4,708,362	\$ 2,067,110	44%
Net Revenues Over(Under) Expenditures	\$ 0	\$ 757,096	

Port and Harbor Fund
Expenditure Report
Actuals through January 2025
58% Fiscal Year Elapsed

Current Fiscal Analysis

	FY25 ADOPTED BUDGET	FY25 YTD ACTUAL	
		\$	%
<u>Revenues</u>			
Administration	\$ 640,736	\$ 481,537	75%
Harbor	4,045,337	3,324,292	82%
Pioneer Dock	302,106	185,774	61%
Fish Dock	578,477	448,133	77%
Deep Water Dock	188,651	161,009	85%
Outfall Line	4,800	4,800	100%
Fish Grinder	7,390	6,460	87%
Load and Launch Ramp	130,000	58,176	45%
Total Revenues	\$ 5,897,497	\$ 4,670,180	79%
<u>Expenditures & Transfers</u>			
Administration	\$ 1,227,954	\$ 754,314	61%
Harbor	1,658,848	845,665	51%
Pioneer Dock	89,120	53,577	60%
Fish Dock	817,052	387,063	47%
Deep Water Dock	107,656	81,059	75%
Outfall Line	13,500	3,140	23%
Fish Grinder	45,150	13,881	31%
Harbor Maintenance	558,501	310,508	56%
Main Dock Maintenance	54,546	27,536	50%
Deep Water Dock Maintenance	65,046	30,081	46%
Load and Launch Ramp	141,549	76,673	54%
Total Operating Expenditures	\$ 4,778,920	\$ 2,583,497	54%
Transfer to Other Funds			
Leave Cash Out	\$ 49,513	\$ -	0%
GF Admin Fees	-	-	0%
Debt Service	0	-	0%
Other	380,573	-	0%
Total Transfer to Other Funds	\$ 430,086	\$ -	0%
Transfers to Reserves			
Harbor	\$ 688,491	\$ -	0%
Load and Launch Ramp	-	-	0%
Total Transfer to Reserves	\$ 688,491	\$ -	0%
Total Expenditures & Transfers	\$ 5,897,496	\$ 2,583,497	44%
Net Revenues Over(Under) Expenditures	\$ 0	\$ 2,086,683	

These numbers are preliminary and are subject change