

**NOTICE OF MEETING
REGULAR MEETING AGENDA**

- 1. CALL TO ORDER, 5:30 P.M.**
- 2. AGENDA APPROVAL**
- 3. PUBLIC COMMENT UPON MATTERS ALREADY ON THE AGENDA**
- 4. VISITORS (10 minute presentation, 5 minutes Q&A)**
- 5. RECONSIDERATION**
- 6. ADOPTION OF CONSENT AGENDA** *All items on the consent agenda are considered routine and non-controversial by the Parks Art Recreation & Culture Advisory Commission and are approved in one motion. There will be no separate discussion of these items unless requested by a Commissioner or someone from the public, in which case the item will be moved to the regular agenda and considered in normal sequence.*
 - A. Minutes from March 21, 2019 Regular Meeting** **Page 3**
- 7. STAFF & COUNCIL REPORTS/COMMITTEE REPORTS/BOROUGH REPORT (20 minute limit)**
 - A. Staff Report – Julie Engebretsen, Deputy City Planner**
 - B. Community Recreation – Mike Illg, Recreation Manager**
- 8. PUBLIC HEARING**
- 9. PENDING BUSINESS (15 minutes)**
 - A. Draft Bylaws Amendment and Review** **Page 11**
- 10. NEW BUSINESS (15-20 minutes per item)**
 - A. Disposition and Recommendation of Library's Stored Art** **Page 33**
 - B. Letter to the Editor**
 - C. Comprehensive Plan Review**
- 9. INFORMATIONAL MATERIALS**
 - A. Commission Annual Calendar 2019** **Page 57**
 - B. Commissioner Attendance at City Council Meetings 2019** **Page 59**
 - C. Reappointment to Prince William Sound Citizens Advisory Committee** **Page 61**
- 10. COMMENTS OF THE AUDIENCE**
- 11. COMMENTS OF THE COUNCILMEMBER** (If one has been assigned)
- 12. COMMENTS OF STAFF MEMBERS**
- 13. COMMENTS OF THE COMMISSION**
- 14. COMMENTS OF THE CHAIR**
- 15. ADJOURNMENT** the next regular meeting will be on **THURSDAY, MAY 16, 2019** at 5:30pm in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer Alaska

Session 19-02 A Regular Meeting of the Parks, Art, Recreation and Culture Advisory Commission was called to order on March 21, 2019 at 5:32 pm by Chair Ingrid Harrauld at the Cowles Council Chambers City Hall located at 491 E. Pioneer Avenue, Homer, Alaska.

Chair Harrauld requested a motion to allow Commissioner Roedl to participate telephonically.

LEWIS/LOWNEY MOVED TO ALLOW COMMISSIONER ROEDL TO PARTICIPATE TELEPHONICALLY.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PRESENT: COMMISSIONERS LEWIS, FAIR, SHARP, HARRALD, ARCHIBALD, LOWNEY, AND ASHMUN

TELEPHONIC: COMMISSIONER ROEDL

ABSENT: STUDENT COMMISSIONER SALZMANN

STAFF: DEPUTY CITY PLANNER ENGBRETSSEN
DEPUTY CITY CLERK KRAUSE

APPROVAL OF THE AGENDA

Chair Harrauld requested a motion to approve the agenda.

LEWIS/SHARP – MOVED TO APPROVE THE AGENDA.

There was a no discussion.

VOTE. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PUBLIC COMMENT ON ITEMS ALREADY ON THE AGENDA

VISITORS

RECONSIDERATION

ADOPTION OF THE CONSENT AGENDA

A. Minutes for the Regular Meeting on January 17, 2019

Chair Harrauld requested a motion to approve the Consent Agenda.

LEWIS/ARCHIBALD – SO MOVED.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

STAFF & COUNCIL REPORTS/COMMITTEE REPORTS/BOROUGH REPORTS

A. Staff Report - Julie Engebretsen, Deputy City Planner

Deputy City Planner Engebretsen stated that she did not have a copy of the finalized Comprehensive Plan for the Commission but it should be ready next week. Typically she provides a copy of the plan to be shared by the Commission. If anyone is interested in reviewing the plan please stop by the Planning Department. She noted the HERC report is available online in the City Manager's report for the Council meeting on Tuesday, March 25th and includes information regarding the damage to the roof if you are following that process. Mrs. Engebretsen commented that the Planning department is getting busy.

Chair Harrauld inquired if there were any questions or comments.

Commissioner Sharp inquired if that was a typical incidence or goof with the Quiet Creek Park where they did not record the parks for the City.

Deputy City Planner Engebretsen responded that it was an unexpected result.

Commissioner Lowney inquired if there was any written policy or criteria for the Commission to use to evaluate a proposal of a park or something of similar nature.

Ms. Engebretsen stated that the developer worked consistently with the Planning Department and the donation came before the Commission prior to City Council. To her knowledge there is no written criteria or policy guidance for reviewing a donation of parkland. Bringing it to the Commission first would allow the commission to voice any objection, the neighbors if they were really upset, or the City was not going to benefit from it. This is the first time since she has worked for the City that someone has donated parkland to the City.

Chair Harrauld expressed appreciation for the including page 6-17 from the Comprehensive Plan as it reminded her that she volunteered to help with the Adopt a Park program and it's time to start working on that. She then inquired about the outcome of the Wayfinding presentation which was given to Council.

Deputy City Planner Engebretsen responded to questions on following from the commissioners:

- Members of the Economic Development Advisory Commission presented to Council on the Wayfinding, they have spent a lot of time on wayfinding planning and made a sort of funding request but nothing further has been decided. It is in Council's hands at this time.
- There has been no further advancement on the Seafarer's Memorial Parking lot expansion project and with changing of personnel and the beginning of the construction season she doesn't expect any immediate progress on the project.
- Staff will research and bring back for the next meeting where parking revenues are allocated

- There is no expected problems with Quiet Creek in resolving the issues on deeding over the parkland.
- The City follows a calendar year fiscal year and the funding as a Capital Project will be good for three years it may happen in the spring or fall but not during the ball season to interfere with Little League in regards to the road improvements at Karen Hornaday Park. The funding is appropriated for three years.
- The Critical Habitat meeting is on Wednesday, March 27th and she will confirm the location if the Commission wanted to email her on Tuesday, March 26, 2019.

B. Community Recreation – Mike Illg, Recreation Manager

Recreation Manager Illg did not attend and did not provide a report.

D. Parks Report - Matt Steffy, Parks Maintenance Coordinator

Parks Maintenance Coordinator Steffy submitted a written report as a laydown. He was not in attendance at the meeting.

Chair Harrald commented on the Winter Carnival that the event at Ben Walters Park was a great success and a Big Thanks to Robert, Dave Brann and Matt Steffy.

Commissioner Lewis commented that it is usually the Robert and Dave team that gets things going.

Chair Harrald commented on the recycling station and suggested revisiting the issue.

Commissioner Sharp reported that it was his understanding that the handshake agreement was the city removed the recycling from the park. It may be information that was lost in the changing of personnel. Commissioner Sharp was asked to reach out to Matt Steffy to pass on the information and report back at the next meeting.

Commissioner Archibald reported on the 50th Anniversary celebration for the Kachemak Bay State Park, there will be a celebration in May. The planning efforts have begun a year in advance.

There was a brief discussion on the status of the first state park and which park garners that designation.

PUBLIC HEARING

PENDING BUSINESS

NEW BUSINESS

A. Bylaws Amendments and Review

Chair Harrald introduced the item into the record by reading of the title.

Deputy City Planner Engebretsen suggested that the Commission consider two items:

- Reduction in the number of members to seven members since the large membership lends itself to
- Section 2 under Meetings that is highlighted she would prefer to keep the review of items flexible

that the Commission has the Annual Calendar that is referred to and used to schedule reviews of their documents and address budget, etc.

Deputy City Clerk Krause reported that the format is a standardization of all Commission and Board Bylaw changes that is being recommended by the Clerk's Office with the exception of the Planning Commission. The yellow highlighted section is just a suggestion and the Commission can omit that section if they desire. She added that as far as the reduction in membership, she noted that previously Commissioner Sharp announced that he would not be requesting reappointment when his term expires this year and they have had an existing vacancy so it would be simple to reduce the membership to seven if that is the desire of the Commission.

A discussion ensued on the following:

- The number of commissioners on the Commission and Student Representative as an additional or included member
- Providing the right of a Student Representative to have full voting privileges
- Including in the Bylaws specific topics for review or discussion or staying with the Annual Calendar method currently used by the Commission.

LEWIS/LOWNEY – MOVED TO REDUCE THE NUMBER OF PEOPLE ON THE COMMISSION FROM NINE TO EIGHT WITH ONE OF THOSE MEMBERS BEING A STUDENT MEMBER WITH THE RIGHT TO VOTE.

Discussion ensued regarding the proposed changes to the membership clarifying that it would be seven adult members and one student member; and changing the student representative to give them full voting rights since those students put in the time and effort just as much as a regular commissioner and this would give future student representatives a sense of purpose and valid reason to participate fully. Clarification was provided by Staff that the Commission can forward these recommendations/changes to Council and if Council approves the changes then they would be put into effect but it would also require an Ordinance to change City Code which was one of the reason why the Bylaws were being amended for the most part to reflect correctly what was already defined in City Code.

The Commission questioned how the membership would be reduced since terms did not expire until October. It was noted that the membership could be reduced to eight since there was one vacancy already and then if a commissioner decided not to request reappointment when their term expired they could make additional changes to the bylaws.

Further discussion ensued on giving the Student Representative full voting privileges. There was some comparison provided between the Library Advisory Board and surrounding issues. Further comment was made on the Commission being advisory and a student being allowed to vote on their recommendations does not really impact the decisions, the membership reduction effects the quorum requirements by one.

Chair Harrauld inquired if there was any dissent to the motion.

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

Motion carried.

There was no further discussion on the draft bylaws and amendments.

LEWIS/LOWNEY MOVED TO FORWARD THE BYLAWS FOR FINAL REVIEW, FURTHER AMENDMENTS AND APPROVAL AT THE NEXT MEETING OF THE COMMISSION.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

B. Letter to the Editor

Deputy City Planner Engebretsen noted that Commissioner Fair has expressed that he did not have a letter prepared and she will get in touch with Parks Maintenance Coordinator on the new Playground equipment installation at Ben Walters Park and work with Commissioner Fair so that they can have this item on the April agenda.

Chair Harrauld believes they spoke about a topic at the January meeting and if she can find her notes she will email Commissioner Fair.

INFORMATIONAL MATERIALS

A. Commission Annual Calendar 2019

Chair Harrauld reviewed the annual calendar for the Commission and asked for some input from Deputy City Planner Engebretsen.

Mrs. Engebretsen stated that there has been some talk about updating the Transportation Plan and the Commission can certainly discuss and review the plan but she usually reserves review of their plans when the Commission does not have time sensitive items on their agenda. She stated that the Commission has art related items on the next agenda.

Chair Harrauld inquired about the Karen Hornaday Master Plan and Mrs. Engebretsen responded that she would like to address that plan after the road improvements have been completed and the commission can perform a site visit and talk about next steps.

B. Commissioner Attendance at City Council Meetings 2019

Chair Harrauld commented on having no one report at the last Council meeting since the Commission did not meet.

Commissioners Archibald and Lewis, interjected that they could have reported at the Council meeting. Chair Harrauld continued her comment by stating that in review and acknowledging that she is overdue she will attend the Tuesday, March 26th Council meeting and requested Commissioners to email her if there was anything of importance they would like her to report otherwise she will report what they did tonight.

Commissioner Lewis volunteered for the April 8th meeting.

Commissioner Archibald noted that the April 22nd Council meeting falls on Earth Day.

COMMENTS OF THE AUDIENCE

COMMENTS OF THE COUNCILMEMBER

COMMENTS OF THE CITY STAFF

Deputy City Planner Engebretsen thanked the Commissioners.

Deputy City Clerk Krause expressed her appreciation for a short meeting.

COMMENTS OF THE COMMISSION

Commissioner Roedl asked about sidewalks under Section 1 of the Draft bylaws regarding sidewalks. He commented that it was a good meeting, short and apologized for not being there in person.

Deputy City Planner Engebretsen responded that she will look into the sidewalk question.

Commissioner Lewis commented that this was fun tonight.

Commissioner Fair inquired about the process for the art on the Police Station with regard to the due date and when the committee meets.

Deputy City Clerk Krause explained that the RFP closed on April 4th at 4:30 p.m. She will process and create packets for each committee member and have them ready for distribution hopefully no later than 1:00 p.m. on Friday, April 5th. The Committee will review and score each proposal and submit their scoring to the Clerk's Office no later than Wednesday, April 10th; the scoring will be compiled and ready for the meeting on Thursday for the meeting of the Committee. She will send out an email with the information and scheduling to the members of the committee the week before the proposal due date to get a convenient time to meet.

Commissioner Sharp has been in contact with Ms. Brandi Evans regarding the park bench that she is donating and has been consulting with Matt on a good place for a fairly reasonably sized bench. They could not think of an immediate location where the bench could be placed without it being washed away so if the commission can recommend a permanent location for the bench please feel free to recommend them. He then announced that on April 13th at the Alibi the band he is a member of will be playing and all proceeds will be going to non-profits. He will not be at the May 16th commission meeting due to a school trip. Great meeting.

Commissioner Archibald will not be at the April 18th commission meeting. He then reported that there was a recently issued article on Economic Development Outdoor Recreation Impacts and Opportunities article just published but it was too large to send via email. But if folks are interested he can send a link. Interesting meeting, lots going on with the State Parks and budget cuts may limit the ability to write grants for Federal monies which is what the laydown provided from Alaska Trails.

Commissioner Lowney thanked the commission for bearing with her it was nice to be back, she

congratulated Jon on parenthood as new parent herself, enjoy the ride! She commented on reading the materials in the packet, several recent articles from that parent perspective and the new information on impact on kids with social media, with the heightened depression and increase in suicide and things of that nature, is concerning, they are kind of out guinea pigs, they are impacted so desperately and not being aware of exactly it is and looking at the recent vandalism and Mike's comments on youth's sports, kids today are losing the interaction of face to face communication which she believes the parks and rec programs offer this opportunity. She believes the HERC offers this opportunity. Everyone knows where she is at with issue and the HERC. She recommended the pocket park on Pioneer Ave.

Commissioner Ashmun commented on conversation at the Garden Club with a farmer that the federal monies coming to Alaska could be lost if the budget is cut similar to the situation with the Alaska Trails. The department at the State level would lose personnel or be cut and would impact the ability to receive Federal funding of which the Kenai Peninsula is a large recipient. It is not just the state money going away. This will be problematic. She will be out of town for May, June and July taking a special odyssey across Canada.

COMMENTS OF THE CHAIR

Chair Harrauld wished Julie a Happy Anniversary and again thanked everyone who helped make the Ben Walters Park celebration a success, it provided a wonderful opportunity for her Flex Students and many citizens who attended and no cell phones! She also wished that Avram was here tonight so she could thank him and congratulate him.

ADJOURNMENT

There being no further business to come before the Commission, the meeting was adjourned at 6:25 p.m. The next regular meeting is scheduled for **THURSDAY, APRIL 18, 2019** at 5:30 p.m. at City Hall Cowles Council Chambers 491 E. Pioneer Avenue, Homer, Alaska.

RENEE KRAUSE, MMC, DEPUTY CITY CLERK

Approved:_____



Memorandum

TO: PARKS, ART, RECREATION & CULTURE ADVISORY COMMISSION

FROM: RENEE KRAUSE, MMC, DEPUTY CITY CLERK

DATE: APRIL 11, 2019

SUBJECT: DRAFT BYLAW AMENDMENTS

At the March 21, 2019 regular meeting the Commission reviewed the proposed changes and recommended staff recommendation to reduce the commission members to eight which includes the Student representative position. The Commission also discussed and recommended amending officially the role of the student representative to a Student Commissioner with full voting privileges.

The main proposed amendments from the City Clerk's Office include:

- Creating a standardized layout of information and removing excess verbiage related to conducting a meeting that does not necessarily need to be detailed in bylaws since they are outlined elsewhere (such as in City Code or the City's Basic Guide to Robert's Rules).
- Stating the City code the Commission operates from.
- Stating the purpose of the Commission per the duties and responsibilities listed in City Code.
- Including verbiage on consecutive unexcused absences and the conduct for addressing them.
- Clarifying the verbiage on which rules of law the Commission abides by.
- Including verbiage on the creation and purposes of committees.
- Clarifying that the quorum of members must be physically present.

I encourage all Commissioners to review the draft bylaws that follow and consider any additional changes you may like to see. Please keep in mind that the purpose of the bylaws is to outline the Commission's internal operations that govern the proper and orderly discharge of its responsibilities. Some areas that are common to change include:

- Which months to hold regular meetings
- Meeting start times
- Persons appointed as non-voting, consulting members (such as a Council member)
- Any term specifications for student representatives

PLEASE NOTE: That the Policies and Procedures included in the previously approved Bylaws will be retained. This will be another document to be reviewed and updated by the Commission for a later date to separate them from the bylaws.

More significant changes, such as changing the appointment renewal month, membership or designating a councilmember to the commission, may require amendments to City Code and/or City Attorney review.

RECOMMENDATION

Review the draft bylaws; make any additional amendments by way of motion.

Make a motion to forward the Proposed Amended bylaws to City Council.

CITY OF HOMER PARKS, ART, RECREATION AND CULTURE ADVISORY COMMISSION BYLAWS

~~The Commission is established to act in an advisory capacity to the City Manager and the City Council on the problems and development of parks and recreation facilities; public beaches and trails; support of the arts; acquisition, maintenance and disposition of works of art; land use and future development related to parks and recreation facilities and administration of the public arts fund established by HCC 18.07.090 and those duties and powers as set forth in Chapter 2.60 of the Homer City Code~~

~~The Commission's jurisdiction is limited to the area within the city boundaries except for those extra territorial interests, such as trails and city properties, subject to city jurisdiction.~~

~~The Commission consists of nine members; up to three members may be residents from outside the city limits, preference shall be given to City resident applicants.~~

~~Members will be appointed by the Mayor for three year terms (except to complete terms) subject to confirmation by the City Council.~~

~~One Homer area High School student selected by his or her student body can serve as a consulting member of the Commission in addition to the nine appointed members, and may attend and participate in all meetings as a consultant, but shall have no vote.~~

~~There will be regular monthly meetings February through June and August through November of the Commission and permanent records or minutes shall be kept of the proceedings. The minutes will record the vote of each member upon every question. Every decision shall be filed in the office of the City Clerk and shall be public record open to inspection.~~

HISTORY

~~The By laws were passed by the Commission on August 18, 2016 and approved by the City Council on September 12, 2016, and shall be in effect and govern the procedures of the Commission.~~

~~The duties and responsibilities of the Commission are:~~

~~A. Act in advisory capacity to the City Manager and the City Council on matters involving:~~

- ~~_____ 1. City parks~~
- ~~_____ 2. Recreation facilities~~
- ~~_____ 3. Public beaches and trails~~
- ~~_____ 4. Support of the arts~~
- ~~_____ 5. Acquisition, maintenance and disposition of works of art~~
- ~~_____ 6. Land use and future development related to parks and recreation facilities~~
- ~~_____ 7. The administration of the public arts fund established by HCC 18.07.090~~

~~B. Consider any specific proposal, problem or project as directed by the City Council.~~

~~C. Perform the functions prescribed in HCC Chapter 18.07 related to funding works of art in public spaces.~~

~~D. Further development and awareness of the arts in the City.~~

~~E. Solicit donations of money and property in support of its duties under this section. Donations of money to be deposited into separate fund designated for parks, art, recreation or cultural purposes. Donations of property shall be accepted by deed or other conveyance subject to the approval of the City Council and shall be held or disposed of for parks, art, recreation or cultural purposes as the Council may direct.~~

~~The Commission may make recommendations to the Council for the disposition of money or property so received.~~

BY-LAWS

ARTICLE I – NAME AND AUTHORIZATION

This organization shall be called the Parks, Art, Recreation and Culture Advisory Commission, established via Ordinance 16-22, existing by virtue of the provisions of Chapter 2.60 and Chapter 18.07 of the Homer Municipal Code, and exercising the powers and authority and assuming the responsibilities delegated under said Code. The following bylaws were adopted on April XX, 2019 and shall be in effect and govern the procedures of the Parks, Art, Recreation and Culture Advisory Commission.

ARTICLE II – PURPOSE

Section 1. Act in an advisory capacity to the City Manager and the City Council on the problems and development of the following:

- **City Parks**
- **Recreation Facilities**
- **Public Beaches and Trails**
- **Support of the Arts**
- **Acquisition, maintenance and disposition of works of art**
- **Land Use and Future Development related to Parks and Recreation Facilities**
- **Administration of the Public Arts Fund**

Section 2. Perform the functions as outlined in Homer City Code Chapter 18.07 Funds for Works of Art in Public Places.

Section 3. Direct recommendations to the City Council directly or through the City Manager via memorandum from the Parks, Art, Recreation and Culture Advisory Commission.

Section 4. Consider any specific proposal, problem or project as directed by the City Council and any report or recommendations thereon shall be made directly to the Council, unless otherwise directed by the Council.

Section 5. Solicit donations of money and or property in support of the commission purpose.

Section 6. Make recommendations to Council for the disposition of money or property donated.

ARTICLE III – MEMBERS

Section 1. The Commission will be composed of nine members, comprised of at least six (6) members that reside inside city limits, who shall be appointed by the Mayor and confirmed by the City Council,

Section 2. One (1) Homer area high school Student Representative Commissioner may be appointed by the Mayor, subject to confirmation by the City Council, ~~as consulting, non-voting member.~~

Section 3. The Mayor, City Manager, Public Works Director or City Planner may serve as non-voting, consulting members of the Commission.

Section 4. ~~1.~~ A Commission appointment is vacated under the following conditions and upon the declaration of vacancy by the Commission. ~~2.~~The Commission shall declare a vacancy when the person appointed:

- Fails to qualify to take office within 30 days after his/her **their** appointment;
- ~~B.~~ Resigns and the resignation is accepted;
- ~~C.~~ Is physically or mentally unable to perform the duties of his/her **their** office;
- ~~D.~~ Misses ~~three~~ **two (2)** consecutive regular meetings ~~without notice~~ unless excused; ~~or~~
- ~~E.~~ Is convicted of a felony.

ARTICLE IV – OFFICERS

Section 1. A Chair and Vice-Chair shall be selected **elected** annually ~~(November meeting)~~ by the ~~appointive members~~ **from and by the voting members of the Commission.**

Section 2. The Chair shall preside at all meetings of the Commission, **authorize** calls for any special meetings in accordance with the by-laws, sign **execute all** documents **authorized by** of the Commission, **serve as ex officio/voting member of all committees, and generally perform all duties associated with that office.** ~~see that all actions and notices are properly taken, and summarize the findings of the Commission for the official record.~~

Section 3. The Vice-Chair shall perform all duties and be subject to all responsibilities of the Chair in his/her **their** absence, disability or disqualification of office. **In the event that both Chair and Vice Chair are absent, and a quorum of five (5) members are present, the senior member shall assume and perform the duties and functions of the Chair.**

Section 4. The Vice-Chair will succeed the Chair if he/she vacates the office **is vacated** before the term is completed, to complete the unexpired term. A new Vice-Chair shall be elected at the next regular meeting.

Section 5. **Officers shall serve a term of one year from the November meeting at which they are elected and until their successors are duly elected. Officers may be re-elected in subsequent years.**

ARTICLE V - MEETINGS

~~C.~~ ~~REGULAR MEETINGS:~~

Section 1. **Regular meetings shall be open to the public and held on the third Thursday February through June and August through November on the third Thursday of the — month at 5:30 p.m. in the designated location and shall be posted for public information as required by Homer City Code and Alaska State Statutes.**

Section 2. Section held for designation certain months to review specific topics such as budget, strategic plan, policies, etc.

Section 3 2. ~~Items will be added to the agenda upon request of staff, through the Chair or upon approval by the Chair and in the absence of the Chair, the Vice Chair. Agenda deadline is the Wednesday of the week preceding the meeting date at 5:00 p.m. **Allowances will be made for holidays.**~~

~~3. Removing items from the published agenda will be by consensus of the Commission. No items may be added once the agenda has been published and distributed.~~

~~4. Commissioners will give staff or Chair a minimum of two weeks notice or as soon as possible regarding their potential absence from a meeting.~~

~~5. A Quorum is required to conduct a meeting of the commission.~~

~~6. Meetings will be conducted in the Cowles Council Chambers or alternative location as designated or required.~~

Section 3 4. The order of business for the regular meetings shall include, but not be limited to, the following items, which shall be covered in the sequence shown, as far as circumstances permit. Agenda shall be posted for public information as required by Homer City Code and Alaska State Statutes.

NAME OF BODY	DATE OF MEETING
PHYSICAL LOCATION OF MEETING	DAY OF WEEK AND TIME OF MEETING
HOMER, ALASKA	MEETING ROOM

NOTICE OF MEETING
REGULAR MEETING AGENDA

1. CALL TO ORDER
2. APPROVAL OF AGENDA
3. PUBLIC COMMENTS REGARDING ITEMS ON THE AGENDA. (3 MINUTE TIME LIMIT)
4. RECONSIDERATION
5. APPROVAL OF MINUTES or CONSENT AGENDA.
6. VISITORS (Chair set time limit not to exceed 20 minutes) (Public may not comment on the visitor or the visitor's topic until audience comments.) No action may be taken at this time.
7. STAFF & COUNCIL REPORT/COMMITTEE REPORTS/BOROUGH REPORTS (Chair set time limit not to exceed 5 minutes.)
8. PUBLIC HEARING (3 MINUTE TIME LIMIT)
9. PENDING BUSINESS
10. NEW BUSINESS
11. INFORMATIONAL MATERIALS (NO ACTION MAY BE TAKEN ON THESE MATTERS, THEY MAY BE DISCUSSED ONLY).
12. COMMENTS OF THE AUDIENCE (3 MINUTE TIME LIMIT)
13. COMMENTS OF THE CITY STAFF (not required) (Staff report may be at this time in the agenda.)

[Added language bold and underlined. Deleted language stricken through.]

14. COMMENTS OF THE COUNCILMEMBER (If one is assigned)
15. COMMENTS OF THE CHAIR (May be combined with COMMENTS OF THE COMMISSION/BOARD since the Chair is a member of the Commission/Board.)
16. COMMENTS OF THE COMMISSION
17. ADJOURNMENT/NEXT REGULAR MEETING IS SCHEDULED FOR _____ note any worksessions, special meetings, committee meetings etc. All meetings scheduled to be held in the Homer City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska. (Sometimes the meeting is scheduled for the Conference Room)

Contact info for the department constructing the agenda. Example: City Clerk's Office, clerk@ci.homer.ak.us, 235-3130.

- A. ~~To abide by existing Alaska State Law, Borough Code of Ordinance, where applicable, and Homer Municipal Code;~~
- B. ~~To abide by Robert's Rules of Order, current edition, in so far as this treatise is consistent with Homer City Code.~~

Section 4 5. Per Resolution of the City Council (Resolution 06-115(A)), Public testimony shall normally be limited to three minutes per person. Exceptions may be provided for at the Chair's discretion or by a majority vote of the members in attendance.

Section 5 6. Special Meetings and Worksessions may be called by the Deputy City Planner, Parks Maintenance Coordinator, Recreation Manager, Deputy City Clerk, Chair or a majority of the Commission. Worksessions do not require a quorum, however, no action may be taken at a worksession; items on the agenda are for discussion only. Notice of such meetings shall be posted in the same manner as that of regular meetings.

Section 6 7. A quorum for the transaction of business at any meeting shall consist of five (5) members. For the purpose of determining the existence of a quorum, honorary members shall not be counted.

Section 7 8. Five affirmative votes are required to approve any action before the Commission and shall constitute the meaning of "majority vote". The Chairperson may vote upon, and may move or second a proposal/motion before the Commission.

Section 8 9. Recorded minutes shall be made available by the City Clerk's Office to the Commission prior to the next meeting and a record of all voting will be included in the minutes of each meeting. Minutes shall be available to the public as required by Homer City Code and Alaska State Statutes.

Section 10 9. The Commission shall abide by existing Alaska State Law, Borough Code of Ordinance, where applicable and Homer City Code as well as Roberts Rules of Order, current edition, in so far as this treatise is consistent with Homer City Code.

[Added language bold and underlined. Deleted language stricken through.]

ARTICLE VI - COMMITTEES

Section 1. Committees of one or more members for such specific purposes as the business of the Commission will only become active upon approval of Council. A memorandum and resolution will go before Council outlining the reason, tasks assigned and termination date. Committees shall be considered to be discharged upon completion of the purpose for which it was appointed, and after its final report is made to and approved by the Commission.

Section 2. All committees shall make a progress report to the Commission at each of its meetings.

D. ~~COMMITTEES~~

- ~~1. Committees will be formed upon approval of City Council.~~
- ~~2. The Chair shall appoint committees for such specific purposes as the business of the Commission may require. Committee membership shall include at least two Commissioners. Other Committee members may be appointed from the public.~~
- ~~3. One Committee member shall be appointed Chair and be responsible for creating an agenda and working with the Deputy City Clerk in regards to establishing meeting dates so they may be advertised in accordance with Alaska State Law and Homer City Code.~~
- ~~4. One Committee member shall be appointed responsible for furnishing summary notes of all Committee meetings to the Deputy City Clerk.~~
- ~~5. Committees shall meet in accordance with Commission bylaws and Robert's Rules.~~
- ~~6. All committees shall make a progress report at each Commission meeting.~~
- ~~7. No committee shall have other than advisory powers.~~
- ~~8. Per Roberts Rules, upon giving a final report, the Committee is disbanded.~~

E. ~~COMMISSION MEETING PUBLIC COMMENT/TESTIMONY AND AUDIENCE COMMENT TIME LIMITS~~

- ~~1. The meeting Chair shall note for the audience's benefit that there is a three minute time limit each time there is a place in the agenda for public comment/testimony or audience comments.~~
- ~~2. Any individual wishing to address the Commission shall adhere to a three minute time. It is the responsibility of the Chair to announce under Public Comments, Public testimony on public hearing items and Audience Comments that there is a 3 minute time.~~
- ~~3. Time limits may be adjusted by the 2 minutes up or down with the concurrence of the body in special circumstances only such as agenda content and public attendance.~~

F. ~~SPECIAL MEETINGS:~~

- ~~1. Called by Chair or majority of the Commission conducted only upon approval of Council.~~

G. ~~DUTIES AND POWERS OF THE OFFICERS:~~

- ~~1. A Chair and Vice Chair shall be selected annually (November meeting) by the appointive members.~~
- ~~2. The Chair shall preside at all meetings of the Commission, call special meetings in accordance with the by laws, sign documents of the Commission, see that all actions and notices are properly taken, and summarize the findings of the Commission for the official record.~~
- ~~3. The Vice Chair shall perform all duties and be subject to all responsibilities of the Chair in his/her absence, disability or disqualification of office.~~
- ~~4. The Vice Chair will succeed the Chair if he/she vacates the office before the term is completed, to complete the unexpired term. A new Vice Chair shall be elected at the next regular meeting.~~

H. ~~MOTIONS TO RECONSIDER:~~

[Added language bold and underlined. Deleted language stricken through.]

- ~~1. Notice of reconsideration shall be given to the Deputy City Clerk and copied to the Chair or Vice-Chair, if the Chair is unavailable, within forty-eight hours from the time the original action was taken.~~
- ~~2. A member of Commission who voted on the prevailing side on any issue may move to reconsider the Commission's action at the same meeting or at the next regular meeting of the body provided the above 48-hour notice has been given.~~
- ~~3. Consideration is only for the original motion to which it applies.~~

I. ~~CONFLICT OF INTEREST:~~

- ~~1. A member or the Commission shall disqualify himself/herself from participating in any official action in which he/she has a substantial financial interest.~~
- ~~2. Should the Commission member not move to disqualify himself/herself after it has been established that he/she has a substantial financial interest, the Commission may move to disqualify that member by a majority vote of the body.~~

J. ~~QUORUM; VOTING:~~

- ~~1. Five Commission members shall constitute a quorum.~~
- ~~2. Five affirmative votes are required for the passage of a resolution or motion.~~
- ~~3. Voting will be by verbal vote, the order to be rotated. The final vote on each resolution or motion is a recorded roll call vote.~~
- ~~4. The City Manager, Mayor and High School student shall serve as consulting members of the Commission but shall have no vote.~~

K. ~~CONSENSUS:~~

- ~~1. The Commission may, from time to time, express its opinion or preference concerning a subject brought before it for consideration. Said statement, representing the will of the body and meeting of the minds of the members, may be given by the presiding officer as the consensus of the body as to that subject without taking a motion and roll call vote.~~

L. ~~ABSTENTIONS:~~

- ~~1. All Commission members present shall vote unless the Commission, for special reasons, permits a member to abstain.~~
- ~~2. A motion to excuse a member from voting shall be made prior to the call for the question to be voted upon.~~
- ~~3. A member of the Commission requesting to be excused from voting may make a brief, oral statement of the reasons for the request and the question of granting permission to abstain shall be taken without further debate.~~
- ~~4. A member may not be permitted to abstain except upon the unanimous consensus of members present.~~
- ~~5. A member may not explain a vote, may not discuss the question while the roll call vote is being taken and may not change his/her vote thereafter.~~

M. ~~VACANCIES:~~

- ~~1. A Commission appointment is vacated under the following conditions and upon the declaration of vacancy by the Commission.~~
- ~~2. The Commission shall declare a vacancy when the person appointed:~~
 - ~~_____ A. fails to qualify to take office within 30 days after his/her appointment;~~
 - ~~_____ B. resigns and the resignation is accepted;~~
 - ~~_____ C. is physically or mentally unable to perform the duties of his/her office;~~
 - ~~_____ D. misses three consecutive regular meetings without notice unless excused; or~~
 - ~~_____ E. is convicted of a felony or of an offense involving a violation of his/her _____~~
 - ~~_____ oath of office.~~

N. ~~GENERAL ORDER OF BUSINESS:~~

[Added language bold and underlined. Deleted language stricken through.]

NAME OF BODY _____ DATE OF MEETING _____
PHYSICAL LOCATION OF MEETING _____ DAY OF WEEK AND TIME OF MEETING _____
HOMER, ALASKA _____ MEETING ROOM _____

NOTICE OF MEETING
REGULAR MEETING AGENDA

1. CALL TO ORDER
2. APPROVAL OF AGENDA
3. PUBLIC COMMENTS REGARDING ITEMS ON THE AGENDA. (3 MINUTE TIME LIMIT)
4. RECONSIDERATION
5. APPROVAL OF MINUTES or CONSENT AGENDA.
6. VISITORS (Chair set time limit not to exceed 20 minutes) (Public may not comment on the visitor or the visitor's topic until audience comments.) No action may be taken at this time.
7. STAFF & COUNCIL REPORT/COMMITTEE REPORTS/BOROUGH REPORTS (Chair set time limit not to exceed 5 minutes.)
8. PUBLIC HEARING (3 MINUTE TIME LIMIT)
9. PENDING BUSINESS
10. NEW BUSINESS
11. INFORMATIONAL MATERIALS (NO ACTION MAY BE TAKEN ON THESE MATTERS, THEY MAY BE DISCUSSED ONLY).
12. COMMENTS OF THE AUDIENCE (3 MINUTE TIME LIMIT)
13. COMMENTS OF THE CITY STAFF (not required) (Staff report may be at this time in the agenda.)
14. COMMENTS OF THE COUNCILMEMBER (If one is assigned)
15. COMMENTS OF THE CHAIR (May be combined with COMMENTS OF THE COMMISSION/BOARD since the Chair is a member of the Commission/Board.)
16. COMMENTS OF THE COMMISSION
17. ADJOURNMENT/NEXT REGULAR MEETING IS SCHEDULED FOR _____ note any worksessions, special meetings, committee meetings etc. All meetings scheduled to be held in the Homer City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska. (Sometimes the meeting is scheduled for the Conference Room)

~~O. **PROCEDURE FOR CONSIDERATION OF AGENDA ITEMS:**~~

~~The following procedure will normally be observed pursuant to Robert's Rules:~~

- ~~1. A motion is made to discuss the item OR to approve the staff recommendation. The item may then be discussed, amended or voted on.~~
- ~~2. If there are questions of staff or an appropriate audience member, a Commissioner may request permission from the Chair to ask the question. The Chair, upon with consensus approval, may grant the request.~~

P. ARTICLE VII - BYLAWS AMENDED: AMENDMENTS

Section 1. The bylaws may be amended at any meeting of the Commission by a majority plus one vote of the members present, provided that notice of proposed amendment is given to each member in writing. The proposed amendment shall be introduced at one meeting and action shall be taken at the next commission meeting.

Section 2. Any rule or resolution of the Commission, whether contained in these Bylaws or otherwise, may be suspended temporarily in connection with business at hand; and such suspension to be valid; may be taken only at a meeting at which at least four of the members of the Commission shall be present, and two-thirds of those present shall so approve.

[Added language bold and underlined. Deleted language stricken through.]

Q-ARTICLE VIII TELECONFERENCE-ING

Section 1. Teleconference meetings:

- a. The preferred procedure for Commission meeting is that all members be physically present at the designated time and location ~~within the City~~ for the meeting. However, physical presence may be waived ~~by the Chair or Commission~~ and a member may participate in a meeting by Teleconference. **This allowance is limited to two (2) meetings per year.** ~~when it is not essential to the effective participation or the conduct of business at the meeting.~~
- b. There must be a** A quorum **of members physically** ~~must be present.~~ **In addition to the telephonic member.**
- c. A Commission member participating by teleconference shall be deemed to be present at the meeting for all purposes.
- d. In the event the Chair participates telephonically, the Vice-Chair shall run the meeting.

1. Section 2. Teleconference procedures.

- a. A Commission member who cannot be physically present for a regularly scheduled meeting shall notify the ~~Deputy City Clerk~~ at least five days prior to the scheduled time for the meeting of ~~his/her~~ **their** intent to appear by telephonically. ~~means of communication.~~
- b. ~~The Deputy City Clerk~~ shall notify the **other** ~~Commissioners~~ **members of the Commissioner's intent to appear by teleconference** three days prior to the scheduled time ~~for the Commission meeting of Commission members intending to appear by teleconference.~~
- c. The means used to facilitate a teleconference meeting ~~of the Commission~~ must enable each Commissioner ~~er member~~ appearing telephonically to clearly hear, **and be heard by** all other ~~Commissioners members and members of the public,~~ attending the meeting as well as ~~be clearly heard by all other Commission members and members of the public.~~
- ~~d.~~ The ~~Deputy City Clerk~~ shall note in the attendance record all Commission members appearing telephonically.

ARTICLE IX – PUBLIC ART

1% FOR THE ARTS PROGRAM

The State has recognized through the enactment of AS 35.27.010, and the City of Homer hereby recognizes by the enactment of Ordinance 02-25(A), Chapter 18.07, the responsibility of government to foster the development of culture and the arts through the purchase or commissioning of works of art for municipal buildings and facilities. It is therefore declared to be municipal policy that a portion of appropriations for capital expenditures for municipal buildings and facilities be devoted to the acquisition of works of art to be permanently placed or incorporated in such buildings or facilities.

[**Added language bold and underlined.** Deleted language stricken through.]

Definitions

The following words, terms and phrases, when used, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning.

"Art" and "work of art" mean all forms of original creations of visual art, including but not limited to the following:

1. Sculptures: in the round, bas relief, high relief, mobile, fountain, kinetic or electronic, in any material or combination of materials.
2. Painting: all media, including portable and permanently affixed works, such as murals.
3. Graphic arts: printmaking and drawing.
4. Mosaics.
5. Photography.
6. Crafts: in clay, fiber and textiles, wood, metal, plastics and other materials.
7. Calligraphy.
8. Mixed media: any combination of forms or media, including collage

"Construction, remodeling or renovation of municipal buildings and facilities" means any capital improvement projects paid for wholly or in part by the municipality to build, rebuild or improve any decorative or commemorative structure, park or parking facility or any building.

"Total cost of construction, remodeling or renovation" means the total allotted funding for the subject project at the time of award of contract, exclusive of the costs of land acquisition, site investigation, and environmental clean-up or remediation. (Ord. 02-25(A), 2002.)

The Parks, Art, Recreation and Culture Advisory Commission shall be responsible for the following:

- A. Determine the dollars allocated for art within the budget of each eligible project;
- B. Name a Selection Committee for each project;
- C. Develop and monitor policies related to the selection and installation processes;
- D. Develop plans that insure the preservation of the art collection;

Procedures for the 1% for the Arts Program

Eligible Projects

1. Upon approval of the City budget, the City Manager will provide a copy of the capital improvement budget to the Commission notating all projects he/she believes to be eligible for the 1% for Art Program.
2. Eligible projects include remodeling, renovation, new construction to municipal buildings or facilities when the cost of the project exceeds \$250,000.
3. Staff will update the Commission at least quarterly regarding any new capital improvement projects City Council has approved and will indicate whether the City Manager believes the 1% for Art Program is applicable.

[Added language bold and underlined.] Deleted language stricken through.]

Project Budget

1. 1% of the project cost will be allocated for the purchase of art, with a minimum project value of \$250,000 and a maximum of \$7,000,000. Therefore, the minimum budget is \$2,500 and the maximum is \$70,000. The budget may be increased by the addition of private funds or donations from non-city public funds.
2. Project cost is defined as the cost of the original contract awarded, excluding land acquisition, site investigation, environmental cleanup or remediation. Subsequent change orders and amendments to the contract do not increase or decrease the amount of funding available for artwork.
3. The art budget will include all costs associated with design, construction, installation, and acquisition of works of art.

Selection Committee

1. The Commission will submit to the Council for its approval members of a new Selection Committee for each eligible project. Appointments will be made as early as possible in the construction process to encourage integration of art into the architecture of the building and design of the outdoor spaces.
2. A Selection Committee will be composed of at least five (5) members, including
 - a. One member(s) from the Commission,
 - b. One Artist
 - c. One member from the architectural/design team
 - d. One member from the user department
 - e. Director of building in question or his/her designated representative.

The scope of the project may require the appointment of additional members.

3. The Deputy City Clerk for the Commission will also assist the Selection Committee. This will facilitate clear communication and cooperation between the two advisory bodies.
4. Diversity. The Commission will specifically include members of the community who share a commitment to the goals of the 1% for Art Program yet represent the diverse citizenry in our community.
5. Responsibilities of the Selection Committee
 - a. Selection Committee members will suggest the most suitable locations for artwork within the building or on the site, often in discussion with the architect or chief designer. It is also appropriate to allow artists to submit proposals for locations not identified by the committee.

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- b. The committee will organize interaction between the design team and artists to ensure that artists are sufficiently briefed about the project opportunities and restrictions. The goal is to generate top quality, responsive proposals.
- c. Carefully review each eligible submission. This will frequently be a multi-step process, with time between meetings for personal reflection.
 - d. If necessary, a specific member of the committee or the Deputy City Clerk may be directed to discuss modifications to a specific proposal with the artist. All such discussions shall be confidential, and members must exercise care so a specific artist does not construe such discussion as acceptance of work.
 - e. Prepare list of Recommended Artwork for the named project and a short list of runners-up, if possible. (Occasionally 1st choice work will not be available and this process may preclude the need to reconvene the jury.)
 - f. Selection Committee Chair will be present when the Resolution is before Council for final approval and award. Responses to Council questions may include a brief summary of the selection process, including number of submittals, names of the selection committee members and other information that encourages final acceptance by City Council members.
 - g. Deputy City Clerk will notify all selected artists of their award and thank all participants.
 - h. All participants, including Committee members and all artists who submitted proposals will be offered a formal opportunity to comment on the process. The Commission will receive these comments.

NOTE: The entire selection process must be handled confidentially. No decisions are final until approved by City Council and final contracts are negotiated with the artists. (Reso. 10-80, 2011.)

ADDITIONAL OVERSIGHT UNDER THE 1% PROGRAM

1. Requests for Proposals (RFP)

The Selection Committee with the assistance of the Deputy City Clerk will prepare an RFP for each eligible project. (See sample in Exhibit A). The Clerk's Office will circulate the RFP as required by City code under the City's Procurement Policy. Packets of additional information that describes the project will be available in City Clerk's Office and on the City's website. It will include the brochure, "Special Considerations for Art in Public Places" (See Exhibit B)

2. Establishing Selection Criterion

- a. Each member of the Selection Committee will be provided with a complete RFP, including the "Special Considerations" brochure. Members will be asked to remember these considerations in their art selections.
- b. The Selection Committee will be provided with an Evaluation Checklist (see Exhibit C).

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- c. The Selection Committee may specify that certain projects will show a preference for art by local or Alaskan artists.

3. Legal Considerations.

The Selection Committee and the Parks, Art, Recreation and Culture Advisory Commission are liaisons between artists and the City, the principals in this program. These guidelines will clarify the understanding between them:

- a. Ownership of the Art: All art purchased under the 1% for Art Ordinance will be owned by the City of Homer.
- b. Artist's Rights: Public artwork and art concepts will not be altered, modified, removed or moved from a site which is integral to the concept for the work without prior notice to the artist. If the City's best and reasonable efforts to contact the artist have failed, the City may proceed without such notice.
- c. Artist's Promise to the City of Homer: The art is unique and original and does not infringe upon any copyright. Neither the art nor a duplicate has been accepted for sale elsewhere. The art is free and clear of any liens. The fabricated and installed art will be free of defects in material and craftsmanship. Maintenance requirements have been accurately described;

4. Contract with an Artist:

The City of Homer will enter into a contract with each artist whose work is selected for inclusion in a City project. It will address description of the project, payment schedule, payment of special engineering or installation costs, due date. (See sample in Exhibit D). (Reso. 10-80, 2011.)

ACCESSION POLICY

To establish an orderly and consistent process for reviewing artwork for acceptance into the Municipal Art Collection ensuring that the collection is comprised of artwork of the highest quality.

Definition

Accession is to accept artwork in to the Municipal Art Collection

Policy

1. Accession procedures insure that the interests of all concerned parties are represented including the Parks, Art, Recreation and Culture Advisory Commission, the Public, the Artist, the Arts Community and the City of Homer.

[Added language bold and underlined. Deleted language stricken through.]

2. Artwork shall be distinctive artistic merit and aesthetic quality and will enhance the diversity of the Municipal Art Collection.
3. Artwork shall be appropriate in and for its site, scale, material, form, and content for both its immediate and general social and physical environment.
4. Artwork shall be reasonably durable against theft, vandalism, weather, and excessive maintenance costs.
5. Accession implies the responsibility to preserve, protect, and display the artwork for public benefit.
6. Accession implies a work's permanency within the Municipal Art Collection, providing that the work retains its physical integrity, identity and authenticity.
7. Artwork will be acquired without restrictions as to its future use and disposition except as provided in contracts with artists.
8. Artwork will be accessioned into the City of Homer's Municipal Art Collection only upon completion of all facets of the Commissioning or purchasing contract and final approval of City Council.
9. Each accessioned work into the Municipal Art Collection will be documented to the fullest extent possible, including artist's last known address and when available photograph.
10. The artist's signed contract or release transferring title for the artwork and clearly defining the rights and responsibilities of all parties will accompany every accessioned work and shall be in the documented records of the work.
11. In the case of interagency or inter-local agreements a copy of the agreement and signatures of all parties will be kept in the office of the City Clerk.
12. Accession results from projects and purchases generated as part of the Municipal Art program except in case of donations which will be reviewed in accordance with the City of Homer policy on gifts and if accepted will be accessed pursuant to this accession policy. (Reso. 10-80, 2011.)

GIFT POLICY

Purpose

To identify a procedure and criteria for the Parks, Art, Recreation and Culture Advisory Commission to review proposed gifts of artwork.

Definition

[Added language bold and underlined.] Deleted language stricken through.]

Gifts are personal or real property that is donated or bequeathed with or without restrictions to the City of Homer for actual artwork, property for placement or funds for the acquisition of artwork.

Policy

1. The Parks, Art, Recreation and Culture Advisory Commission will review all proposed gifts as defined above and will evaluate the suitability of proposed gifts and make recommendations to the Homer City Council in accordance with Homer City Code which allows acceptance of donations.
2. Each Proposed gift will be reviewed for the following:
 - a. Aesthetic Quality – the proposed gift has significant aesthetic merit.
 - b. Appropriateness of Chosen Site or Location – scale of artwork is appropriate for the site including relationship between the artwork and the site and obstacles of the site.
 - c. Restrictions from the Donor – any restrictions must be clearly identified and may be a factor in determining whether to accept a gift.
 - d. Originality of Artwork – artworks must be one of a kind or part of an original series reproductions of originals are not considered eligible for acceptance.
 - e. Relationship to the Collection as a Whole – the Commission is committed to creating a diverse collection of art. The proposed gift must be compatible with the Municipal Art Collection without being over represented.
 - f. Technical Feasibility – the realistic ability for the proposed project to be built and installed as proposed in the selected location.
 - g. Technical Specifications – the Commission must review the actual work if available or a scale drawing and or model consisting of site plans and elevations describing the following:
 1. Surrounding site conditions if applicable
 2. Dimensions
 3. Materials and finishes
 4. Colors
 5. Electrical, Plumbing, or other utility requirements
 6. Construction and installation method
 7. Additional support material such as text verbally describing the artwork and specifications, models, or presentation drawings by a licensed engineer may be required.
 - h. Budget – cost to manage the project, prepare the site, deliver and or install the work, funds for signage/recognition, and any other cost should be disclosed by the donor in a budget. The Commission will determine if the costs are accurate and realistic and that the donor has clearly delineated responsibility for all costs associated with the project.
 - i. Timeline – expected timeline for donation or installation should be proposed by the donor. The Commission will determine if the timeline is realistic.

j. Durability – expected lifetime and staying power of the material used to create the artwork especially if set in the out of doors or in a non-archival exhibition setting and exposed to the elements.

k. Warranty – the donor agrees to be responsible for a warranty period of one (1) year from the date of final installation of the artwork to insure the integrity of the material, fabrication and installation when installed in or on a city owned facility or property.

l. Vandalism and Safety – the artwork will not be prone to vandalism or pose a safety hazard.

m. Maintenance and Preservation – donor’s agreement to provide a technical and maintenance record including a plan for routine care with estimated costs. The donor must indicate if there are any unusual or ongoing costs to maintain artwork.

3. Donors proposing gifts will be informed of the importance of the above criteria in the Commission consideration.

4. The Parks, Art, Recreation and Culture Advisory Commission will have final authority through the City Manager to review and recommend to Homer City Council to accept or reject the donated artwork.

5. All gifts that are recommended for acceptance will only be accessed into the Municipal Art Collection pursuant to the Accession Policy. (Reso. 10-80, 2011.)

PROCEDURE TO PROPOSE A DONATION OF ARTWORK TO THE CITY OF HOMER

The Parks, Art, Recreation and Culture Advisory Commission is charged with the responsibility of evaluating the suitability of a proposed artwork and making recommendation to the City Council as to whether or not to accept it as a gift. If accepted, the donated work becomes the responsibility of the City of Homer, which will inventory, insure, maintain and repair it as required by Homer City Code and Alaska State Law.

Definition

“*Gifts*” are personal or real property that is donated, devised or bequeathed with or without restrictions to the City of Homer. Gifts can be actual artwork, property for placement of artwork or funds for the acquisition of artwork.

“*Gift Policy*” is the policy that identifies the procedure and criteria for reviewing proposed gifts of artwork to the City of Homer.

“*Accession Policy*” is the policy that defines an orderly and consistent process for reviewing artwork for acceptance into the Municipal Art Collection insuring that the collection is comprised of artwork of the highest quality. (Reso. 10-80, 2011.)

Process

[Added language bold and underlined.] Deleted language stricken through.]

The Parks, Art, Recreation and Culture Advisory Commission will review all proposed gifts according to the Gift Policy. They will evaluate the suitability of the proposed gifts and make recommendations to the Homer City Council through the City Manager.

In order to provide the Commission with the information necessary to evaluate the proposed artwork in accordance with the Gift Policy and Accession Policy the potential donor or donor's representative must complete the Gift Proposal Application and submit to the City of Homer, City Clerk's Office. (Reso. 10-80, 2011.)

Presentation to the Parks, Art, Recreation and Culture Advisory Commission

If applicable the donor will be scheduled to present his or her proposal to the Commission at the next regular meeting. The donor is expected to present the actual artwork or model or scale drawings of the proposed piece. If it is not possible depending on the artwork a photograph may be accepted upon approval of a majority vote of the Commission.

The Parks, Art, Recreation and Culture Advisory Commission will review the proposal, consider the presentation and make a recommendation at the meeting. If the proposal materials do not give the Commission enough information to make an educated recommendation they may request to postpone recommendation until further information is provided by the donor.

PRESERVATION OF THE MUNICIPAL ART COLLECTION

1. Registry

The City's art collection will be catalogued and a registry maintained. Each entry will include

- a. Name and contact information for the artist
- b. Title of the work, date created, dimensions
- c. Photographs of the work
- d. The artist's cleaning and maintenance recommendation;
- e. An artist's statement regarding the work, if possible.
- f. An identification number _____ (year installed), _____ consecutive number (for example: 2006-#21). This number will also be affixed to the piece of art or to its label.
- g. Exact location of the artwork.
- h. Techniques and materials used in creating the artwork.

The registry will be bound and stored in the City Clerk's Office. The City will also provide an official label for each piece of art that will be consistent in style and material. Information contained will reflect the following:

- Color Photo of artwork
- Artist Name(s)
- Title of Artwork
- Year Completed/Date
- Medium Used

[Added language bold and underlined.] Deleted language stricken through.]

- Size/Dimensions
- Location
- Physical Description of the piece
- Short Summary about the Artist
- Summary Comment on the artwork

Inspection and Maintenance of Artwork

All building and grounds supervisors will be instructed to inform the City Clerk if vandalism is observed or the artwork requires maintenance. All cleaning and maintenance will follow the instructions provided by the artist. If the artwork requires extensive repairs, the City will make a good-faith effort to obtain advice from the artist. If no information is forthcoming, the City may proceed with its best practice.

DE-ACCESSIONING PURCHASED AND DONATED ITEMS

The City has the responsibility for conserving the collection, and because the disposal of artworks may have serious implications for the artists, removing the items from the collection should be a deliberate and seldom-used procedure. It is the policy of the City not to dispose of works simply because they are not currently in fashion and not to dispose of works whose worth might not yet be recognized.

Purchased or donated items which have been accepted into the Municipal Art Collection will be de-accessioned only at the direction of the City Council, which shall consider the recommendations and comments of the Parks, Art, Recreation and Culture Advisory Commission, Staff and any public comment received.

The City will comply with all laws pertaining to de-accessioning of art items. If documents provide for de-accessioning, such documents will determine the method and manner of the de-accessioning.

Examples of situations where de-accessioning would be considered include:

- a. The item(s) has deteriorated beyond a reasonable means of conservation or in deteriorating, has lost its usefulness.
- b. The authenticity, attribution, or genuineness of the item(s) is determined to be false or fraudulent.
- c. The item(s) is redundant or is a duplicate that has no value as part of a series.
- d. The item(s) is located in an area where jurisdiction will be transferred to another entity or is made inaccessible to the public.

The Parks, Art, Recreation and Culture Advisory Commission may recommend any of the following courses of action as a result of a deaccessioning review. The Commission shall not be limited to these courses of action and may suggest new methods as may be demanded by a particular set of circumstances:

[Added language bold and underlined.] Deleted language stricken through.]

- a. Relocate the work of art. This course of action shall be given highest priority
- b. Remove the work from display and maintain in a safe storage
- c. Yearly City Surplus Sale
- d. Private sale
- e. Exchange for another work by the artist
- f. Gifting the piece to a non-profit organization
- g. Recycling

Destruction of the item(s) may be considered where the physical condition of the work is severely deteriorated or will be irreparably damaged by the de-accessioning process. In appropriate instances, appraisals of the item(s) to be de-accessioned will be sought from outside sources.

Encouraging Additional Public and Private Art in Public Spaces, and Promoting Public Awareness and Appreciation for the Municipal Art Collection

Ordinance 02-25(A) encourages the addition of private money into the public art program. Any art purchased with such funds will be owned 100% by the City of Homer and the City will have responsibility for selection, installation, maintenance and repairs.

The Parks, Art, Recreation and Culture Advisory Commission will be a resource for business owners who wish to include art in their business location.

Parks, Art, Recreation and Culture Advisory Commission will endeavor to obtain buy-in from affected city departments and a wide variety of governmental and non-governmental organizations, as required, to ensure the successful implementation of the public art policy.

The Commission will work to establish partnerships with private funders to help the art policy proponent's work with and advise patrons who are funding public-art projects privately. This will help guarantee that these projects meet a set of agreed-upon requirements and fulfill the goals and vision set forth in this policy.

The Parks, Art, Recreation and Culture Advisory Commission will identify alliance opportunities with institutions, organizations, and the public. Partner with them to publicize and discuss how public art can help further the mission of their specific organization.

Raise support among the press to help the fundraising efforts to educate and inform the public about the many different types of public art, and the wealth and ability of the local arts community.

Keep the information flowing about the progress of any public art initiatives.

The Parks, Art, Recreation and Culture Advisory Commission, with the assistance of users, will plan an installation ceremony upon completion of each project. Costs for this event will be from the annual budget or underwritten by donors.

The Parks, Art, Recreation and Culture Advisory Commission will plan events and promotional tools that invite residents and visitors to enjoy the City of Homer art collection. These might include walking tour maps, guest lectures, on-line catalogue, etc. (Reso. 10-80, 2011.)

FUNDING FOR THE MUNICIPAL ART COLLECTION

A public art fund is established in accordance with Homer City Code 18.07.090, Public Art Fund, as a separate, interest bearing account in the city general fund to receive money for the public art program from the following sources:

1. Funds for public art fees received from private development.
2. Funds donated to the city for public art.
3. Other funds appropriated by the City Council for public art.

Money in the public art fund shall be used solely to pay the costs of selecting, commissioning, acquiring, installing, maintaining, public education regarding, administrating, removing and insuring the works of public art, and any other expense related thereto.

Interest earned on money in the public art fund shall be deposited in the public art fund.

The public art fund is administered by the City with the advice of the Parks, Art, Recreation and Culture Advisory Commission.

- The Commission shall prepare a plan annually for expenditures from the public art fund for approval by the city council. (Ord.09-51(A), §1, 2009.)
- Encourage the addition of private money into the public art program. Any art purchased with such funds will be owned 100% by the City of Homer and the City will have responsibility for selection, installation, maintenance and repairs. (Ord. 02-25(A), 2002.)



Memorandum

TO: PARKS, ART, RECREATION, & CULTURE ADVISORY COMMISSION

THROUGH: RENEE KRAUSE, MMC, DEPUTY CITY CLERK

FROM: ANN DIXON, LIBRARY DIRECTOR

DATE: MARCH 19, 2019

SUBJECT: DISPOSITION OF LIBRARY'S ART STORED IN HERC BUILDING

The Library has approximately 23 pieces of artwork that is included in the City of Homer Municipal Art Collection and stored in the HERC Maintenance building. The City Maintenance Department would like us to remove them from their storage to free up space.

Commissioner Lowney and I did a preliminary sorting of the pieces into two categories: those we can probably remove from the collection and those we should keep or consider more deeply.

I am requesting that the Parks, Arts, Recreation & Culture Advisory Commission perform the following in accordance with the adopted Accession and Deaccessioning Policies:

- Evaluate art pieces recommended for deaccessioning from the collection
- Evaluate the remaining art to ascertain their value, condition, and what should be done with the artwork
- Work in coordination with Library Director input
- Obtain input from industry professional or professional curator if required

RECOMMENDATIONS:

Evaluate the Library art stored in the HERC Maintenance building in accordance with the Accession and Deaccession policies, identify pieces suitable for deaccession and forward recommendations to City Council for approval.

City of Homer Art Inventory / Individual Record

LOCATION	TITLE / DESCRIPTION	ACCESS	CONDITION	SIZE	ARTIST	MEDIUM	DATE ACQUIRED / COST	OWNERSHIP / NOTES
PUBLIC WORKS MAINTENANCE BUILDING								
To unlock file, go to Tools / Protection / Unprotect Sheet								
PW Maintenance HERC Building 2	"Fall Sunset"	Stored	Good	28.5 x 34.75 inches	Steve Herbert	Framed acrylic painting on canvas	1980 / Value unknown	City of Homer / from old Library



City of Homer Art Inventory / Individual Record

LOCATION	TITLE / DESCRIPTION	ACCESS	CONDITION	SIZE	ARTIST	MEDIUM	DATE ACQUIRED / COST	OWNERSHIP / NOTES
PUBLIC WORKS MAINTENANCE BUILDING								
To unlock file, go to Tools / Protection / Unprotect Sheet								
PW Maintenance HERC Building 2	"Glacier"	Stored	Good	22.5 x 27 inches	Normal Lowell	Framed oil on canvas	1979 / Value unknown	City of Homer / from old Library



City of Homer Art Inventory / Individual Record

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PUBLIC WORKS MAINTENANCE BUILDING								
To unlock file, go to Tools / Protection / Unprotect Sheet								
PW Maintenance HERC Building 2	"Homer Spit in Winter"	Stored	Fair (some cracking of paint)	32 x 22 inches	Vega Pratt	Framed oil on canvas	1979 / Value unknown	City of Homer / from old Library / donated by Sam Pratt



City of Homer Art Inventory / Individual Record

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PUBLIC WORKS MAINTENANCE BUILDING								
To unlock file, go to Tools / Protection / Unprotect Sheet								
PW Maintenance HERC Building 2	"Mink"	Stored	Excellent	23 x 29 inches	Gary Lyon	Framed print	9/1985 Value unknown	City of Homer / from old Library / donated by Mr. & Mrs. Robert Gray



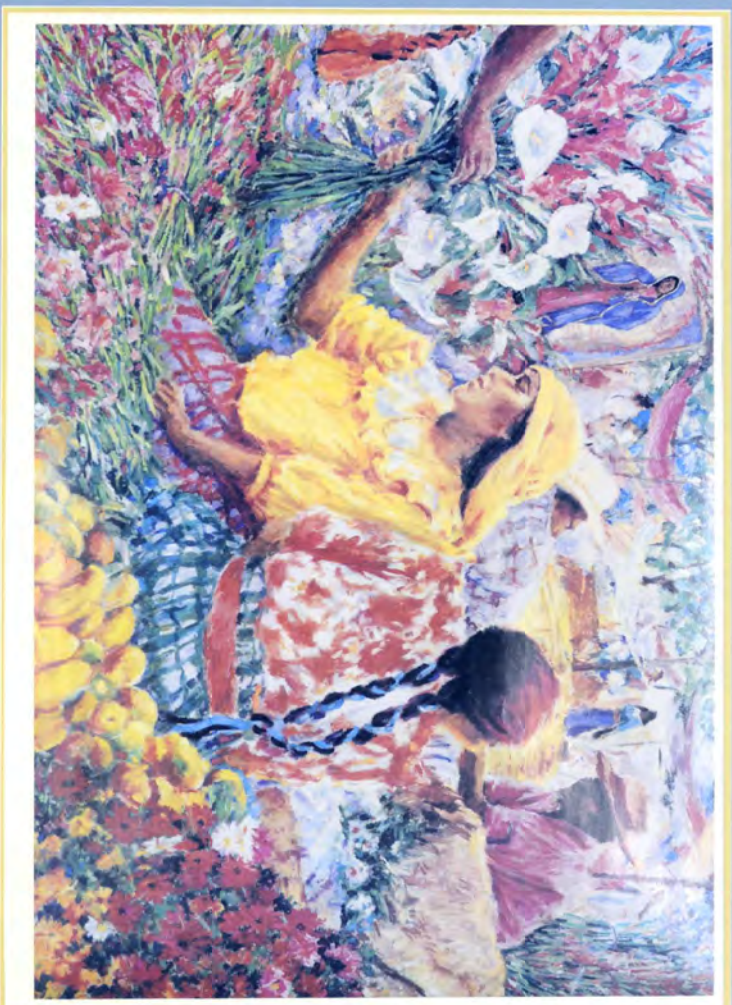
City of Homer Art Inventory / Individual Record

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PUBLIC WORKS MAINTENANCE BUILDING								
To unlock file, go to Tools / Protection / Unprotect Sheet								
PW Maintenance HERC Building 2	Homer Library (Heston Building)	Stored	Excellent	38 x 25.25 inches	Unknown	Framed watercolor & pen	Unknown	City of Homer / from old Library



City of Homer Art Inventory / Individual Record

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PUBLIC WORKS MAINTENANCE BUILDING								
To unlock file, go to Tools / Protection / Unprotect Sheet								
PW Maintenance HERC Building 2	"Dia de las Flores"	Stored	Excellent	34 x 26.75 inches	Angeline Kysla	Framed print 78/700	1993 / Value unknown	City of Homer / from old Library



City of Homer Art Inventory / Individual Record

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PUBLIC WORKS MAINTENANCE BUILDING								
To unlock file, go to Tools / Protection / Unprotect Sheet								
PW Maintenance HERC Building 2	"Black Labrador"	Stored	Excellent	23.5 x 29 inches	James Killen	Framed print 4425/5500	Unknown	City of Homer / from old Library



City of Homer Art Inventory / Individual Record

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PUBLIC WORKS MAINTENANCE BUILDING								
To unlock file, go to Tools / Protection / Unprotect Sheet								
PW Maintenance HERC Building 2	"Pride & Joy" Woodduck Hen & Chicks	Stored	Excellent	16.75 x 20.75	James Meger	Plexiglass framed print	Unknown	City of Homer / from old Library



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PUBLIC WORKS MAINTENANCE BUILDING								
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PW Maintenance HERC Building 2	Beach, rocks, waves at night	Stored	Excellent	22 x 18.25	Bryden	Framed print	Unknown	City of Homer / from old Library



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PUBLIC WORKS MAINTENANCE BUILDING								
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PW Maintenance HERC Building 2	"View From Haines Highway"	Stored	Excellent	25 x 17.25 inches	Gil Smith	Framed print	9/1985 Value unknown	City of Homer / from old library / donated by Mr. & Mrs. Robert Gray



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PUBLIC WORKS MAINTENANCE BUILDING								
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PW Maintenance HERC Building 2	"Ron Waterman's Homestead Cabin"	Stored	Good (frame is falling apart)	17.25 x 19.5	Toby Tyler	Framed watercolor & ink pen	9/1979 Value unknown	City of Homer / from old Library / donated by the artist



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PUBLIC WORKS MAINTENANCE BUILDING To unlock file, go to Tools / Protection / Unprotect Sheet								
PW Maintenance HERC Building 2	"Wintering Buffalo"	Stored	Fair	16.75 x 15 inches	Terry Maddox	Framed pencil drawing	1978 / Value unknown	City of Homer / from old Library



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PUBLIC WORKS MAINTENANCE BUILDING								
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PW Maintenance HERC Building 2	"Orthodox Church - Kenai"	Stored	Excellent	25.25 x 21.25	Ross Wenn / exchange art teacher from Australia, 1976- 1977	Watercolor	9/1985 Value unknown	City of Homer / from old Library / donated by Mr. & Mrs. Robert Gray



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PUBLIC WORKS MAINTENANCE BUILDING								
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PW Maintenance HERC Building 2	"Sik-Sik" (Arctic ground squirrel)	Stored	Excellent	17.5 x 21 inches	Gary Lyon	Framed print 144/200	9/1985 Value unknown	City of Homer / from old library / donated by Mr. & Mrs. Robert Gray



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PUBLIC WORKS MAINTENANCE BUILDING								
PW Maintenance HERC Building 2	"Ermine"	Stored	Excellent	16.20 inches	Gary Lyon	Framed print 109/500	9/1985 / Value unknown	City of Homer / from old Library / donated by Mr. & Mrs. Robert Gray



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PUBLIC WORKS MAINTENANCE BUILDING								
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PW Maintenance HERC Building 2	"Chickadees in the Cottonwood Tree"	Stored	Excellent	11 x 9 inches	Dale DeArmond	Reproduction of original woodcutprint	1982 / Value unknown	City of Homer / from old library / donated by Mr. & Mrs. Robert Gray



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PUBLIC WORKS MAINTENANCE BUILDING								
To unlock file, go to Tools / Protection / Unprotect Sheet								
PW Maintenance HERC Building 2	"Birds"	Stored	Excellent	12 x 15	Boyd Shaffer	Framed watercolor	9/1985 Value unknown	City of Homer / from old Library / donated by Mr. & Mrs. Robert Gray



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PUBLIC WORKS MAINTENANCE BUILDING								
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PW Maintenance HERC Building 2	"Alaskan Beach Grasses & Flowers"	Stored	Excellent	15.5 x 19.5	Toby Tyler	Framed print	1979 / Value unknown	City of Homer / from old library / donated by the artist



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PUBLIC WORKS MAINTENANCE BUILDING								
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PW Maintenance HERC Building 2	"Four Seasons Flowers"	Stored	Excellent	15.5 x 19.5	Toby Tyler	Framed print	1979 / Value unknown	City of Homer / from old Library / donated by the artist



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PUBLIC WORKS MAINTENANCE BUILDING								
To unlock file, go to Tools / Protection / Unprotect Sheet								
PW Maintenance HERC Building 2	"Four Seasons"	Stored	Excellent	15.5 x 19.5	Toby Tyler	Framed print	1979 / Value unknown	City of Homer / from old library / donated by the artist



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PW Maintenance HERC Building 2	"Snowy Owl"	Stored	Excellent	27 x 21 inches	Dale DeArmond	Framed print 6/20	9/1985 Value unknown	City of Homer / from old Library / donated by Mr. & Mrs. Robert Gray



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PW Maintenance HERC Building 2	Tropical scene	Stored	Excellent	20 x 21 inches	Luba Yelapa	Framed silkscreen	1995 / Value unknown	City of Homer / from old Library /



PARKS ART RECREATION & CULTURE ADVISORY COMMISSION ANNUAL CALENDAR
FOR THE 2019 MEETING SCHEDULE

<u>MEETING DATE</u>	<u>SCHEDULED EVENTS OR AGENDA ITEM</u>
JANUARY 2019	DRAFT ART RFP PROPOSED BEACH TRAIL WINTER CARNIVAL EVENT/RECOGNITION OF BEN WALTER PARK
FEBRUARY 2019	COMPREHENSIVE PLAN LAND ALLOCATION PLAN KHP MASTER PLAN REVIEW
MARCH 2019	LETTER TO THE EDITOR DRAFT FOR PUBLICATION IN APRIL KHP MASTER PLAN NON-MOTORIZED TRANSPORTATION AND TRAIL PLAN
APRIL 2019	3 YEAR BUDGET TRENDS/FINANCIAL GOALS NON-MOTORIZED TRANSPORTATION AND TRAIL PLAN
MAY 2019	3 YEAR BUDGET TRENDS/FINANCIAL GOALS SPRING PARK &/ OR BEACH WALK THROUGH
JUNE 2019	INITIAL BUDGET REVIEW – WHAT DOES THE COMMISSION WANT FOR 2020? REVIEW CAPITAL IMPROVEMENT PLAN & RECOMMENDATIONS FOR NEW PROJECT(S) IF ANY
JULY 2019	NO MEETING SCHEDULED
AUGUST 2019	BUDGET REVIEW & RECOMMENDATIONS CONTINUED CIP RECOMMENDATIONS TO COUNCIL LETTER TO THE EDITOR DRAFT
SEPTEMBER 2019	FALL PARK WALK THROUGH AND BEACH WALK; ELECTIONS SCHEDULE KHP CLEAN UP DAY BUDGET DISCUSSION
OCTOBER 2019	REVIEW AND APPROVE THE 2020 MEETING SCHEDULE LETTER TO THE EDITOR
NOVEMBER 2019	BUDGET UPDATE MOU/MOA REVIEW & RECOMMENDATIONS
DECEMBER 2018	NO MEETING SCHEDULED HAPPY HOLIDAYS!

PARKS ART RECREATION & CULTURE ADVISORY COMMISSION ANNUAL CALENDAR
FOR THE 2019 MEETING SCHEDULE

Quarterly: Letters to the editor updating the Community on PARCAC activities

Even Years: Comprehensive Plan (February) Strategic Plan review (March), Diamond Creek Plan (May), Camping Fees (May), Beach Policy (October), Art Policies

Odd Years: HNMTTP, Karen Hornaday Park Plan, 3 year budget trends & progress toward financial goals (April/May)

2019 HOMER CITY COUNCIL MEETINGS ADVISORY COMMISSION/ BOARD ATTENDANCE

Commissions are invited to report to the City Council at the Council's regular meetings under Item 8 – Announcements/Presentations/Borough Report/Commission Reports. This is the Commission's opportunity to give Council a brief update on their work. Generally the Commissioner who will be reporting will attend one of the two meetings for the month they are scheduled to attend.

The 2019 meeting dates for City Council is as follows:

January 14, 28	_____	_____
February 11, 25	_____	_____
March 11, 26*	_____	<u>Harrauld</u>
April 8, 22	<u>Lewis</u>	_____
May 13, 28*	_____	_____
June 10, 24	_____	_____
July 22**	_____	_____
August 12, 26	_____	_____
September 9, 23	_____	_____
October 14, 28	_____	_____
November 25**	_____	_____
December 9, 16****	_____	_____

City Council's Regular Committee of the Whole Meeting at 5:00 pm to no later than 5:50 pm prior to every Regular Meeting which are held the second and fourth Monday of each month at 6:00 pm.

*Tuesday meeting due to Memorial Day/Seward's Day.

** There will be no first regular meeting in July or November.

***Council traditionally reschedules regular meetings that fall on holidays or high school graduation days, for the following Tuesday.

****Council traditionally cancels the last regular meeting in December and holds the first regular meeting and one to two special meetings as needed. Generally the second special meeting the third week of December will not be held.



City of Homer

www.cityofhomer-ak.gov

Office of the Mayor

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(p) 907-235-3130

(f) 907-235-3143

March 27, 2019

Robert Archibald
P.O. Box 2460
Homer, AK 99603

Dear Robert,

Congratulations! Council confirmed/approved your appointment to the Prince William Sound Regional Citizens Advisory Council during their Regular Meeting of March 26, 2019, via Memorandum 19-037.

Thank you for your willingness to serve the City of Homer as representative on the Prince William Sound Regional Citizens Advisory Council.

Your term will expire May 2021.

Cordially,

Ken Castner, Mayor

Enc: Memorandum 19-037
Certificate of Reappointment

Cc: Cook Inlet Regional Citizens Advisory Council



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Office of the Mayor

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Memorandum 19-037

TO: HOMER CITY COUNCIL
FROM: KEN CASTNER, MAYOR
DATE: MARCH 20, 2019
SUBJECT: REAPPOINTMENT OF ROBERT ARCHIBALD AS HOMER'S REPRESENTATIVE TO
THE PRINCE WILLIAM SOUND REGIONAL CITIZENS ADVISORY COUNCIL

Robert Archibald is reappointed to the Prince William Sound Regional Citizens Advisory Council for a two year term that expires May 2021.

RECOMMENDATION:

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

City of Homer

Homer, Alaska

Mayor's Certificate of Appointment

Greetings

Be It Known That

Robert Archibald

Has been reappointed to

serve as

“Representative”

on the

“Prince William Sound Regional Citizens Advisory
Council”

*This appointment is made because of your dedication to the cause of good
government, your contributions to your community and your willingness
to serve your fellow man.*

*In Witness whereof I hereunto set my hand
this 27th day of March, 2019.*



Ken Castner, Mayor

Attest:


Melissa Jacobsen, MMC, City Clerk

