

PUBLIC SAFETY BUILDING REVIEW COMMITTEE
REGULAR MEETING
JULY 1, 2015

Session 15-04 a Regular Meeting of the Public Safety Building Review Committee was called to order by Chair Ken Castner at 5:30 p.m. on July 1, 2015 at City Hall Upstairs Conference Room located at 491 E. Pioneer Avenue, Homer, Alaska and opened with the Pledge of Allegiance.

PRESENT: COMMITTEE MEMBERS PAINTER, WYTHE AND CASTNER

DESIGN TEAM: DALE SMYTHE, STANTEC (TELEPHONIC)

ABSENT: COMMITTEE MEMBER CRANE, ROBL (EXCUSED)

STAFF: CAREY MEYER, PUBLIC WORKS DIRECTOR
RENEE KRAUSE, DEPUTY CITY CLERK

AGENDA APPROVAL

The agenda was approved by consensus of the committee.

APPROVAL OF MINUTES

A. Minutes for the April 1, 2015 Regular Meeting

The minutes were approved by consensus of the Committee.

PUBLIC COMMENT ON MATTERS ALREADY ON THE AGENDA *(3 minute time Limit – Only items on the agenda not for Public Hearing may be commented on)*

Mary Griswold, city resident, pointed out that if the city chooses to stop providing fire protection which she believed was unlikely, the service could not just be handed over to KESA as indicated at the Council meeting on Monday, expanding the borough service area would require assembly action and a vote of the residents of KESA and the city, or by the city council on behalf of the city residents, more importantly she objects to moving to 35% Design at this time. This project began when state coffers were flush and the city was confident that they could get the generous state funding for public safety infrastructure, even a couple months ago the city expressed confidence in a reappropriation of the funding for Waddell Road Improvements for this more critical project. This financial situation is more different now and according to the experts is not likely to change in 3-5 years. Rep. Paul Seaton recently speculated that few Capital Projects will be funded by the state and those would require the municipalities to provide a huge portion of the project. The current design is top of the line and counting on a large population increase and a large staff increase. Ms. Griswold believes that before they move to 35% Design it is imperative that they step back and reevaluate the assumptions underlying this assessment to see if the cost can be reduced without compromising essential services. The existing 10% design documents are sufficient to engage public and city staff discussions to develop a more reasonable project that will garner public support for the inevitable bond question.

Scott Adams, city resident, did not support construction of this \$30 million dollar project and commented on the police force's reduced numbers in the last couple of months due to non-funding, he emphasized that the city needed to support the police force we need at this moment, he expressed concerns with regards to affording the additional staff after the building is completed, let alone how we are going to fund the project in the first place. He believed that the project was way too big for the

community. He has heard previously that this city provides police, fire and roads now he hears that they are not going to provide those services, he has issues with the going back and forth, he's heard that the existing buildings are needing repair and cannot be used and questioned how the city could sell those buildings if there is no worth. Mr. Adams reiterated that the project is too costly and suggested the City should look into leasing a building; he is against the whole project and believes it can be revamped into a smaller project which would fit Homer better.

VISITORS

There were no visitors scheduled.

STAFF & COUNCIL REPORT/COMMITTEE REPORT/BOROUGH REPORT

A. Council Report – Mayor Wythe

Mayor Wythe commented on the Pending Business item being postponed to the July 27, 2015 Council meeting. She stated that they were unable to get the funding re-appropriated and the funding for the jails contract has been cut by the state by 40%.

B. Staff Report – Carey Meyer, Public Works Director and City Engineer

Mr. Meyer reported that the project status is in a holding pattern until approval of additional funding for the project.

PUBLIC HEARING

There were no items for public hearing scheduled.

PENDING BUSINESS

A. Funding for the Project to 35% Design

1. Ordinance 15-18(S), An Ordinance of the City Council of Homer, Alaska, Amending the FY 2015 Capital Budget by Appropriating \$613,000 \$621,500 from the General Fund Fund Balance to the Public Safety Building Project Account to Fund the New Public Safety Building to 35% Design

Discussion ensued on the amount being requested in the ordinance with Mr. Smythe explaining the types of line items being covered and that it was standard practice to make sure there were more than enough funds available to cover possible unforeseen expenses. Mr. Smythe stated that the amount was a result from initial planning with the General Contractor that included everything a worst case scenario number; it included contingencies that included added square footage, estimating, and a 10% design fee which is standard and since it was done so early, a guess at the number of a percent complete assuming that to get to a 35% complete you would use more than the 35% design fee. He commented that he believed they would not spend this amount to reach the 35% design as long a decision was made early in the direction. Chair Castner responded that with a CMGC Contract they are never going to 100% Design which was part of the pitch with Cornerstone and everything like that; they will probably get to DD, there will be documents sufficient enough for Cornerstone to begin construction and he thought they were looking at more like 71/2 - 8% of construction not 10.

Mr. Smythe explained that may be true but the consensus was the higher number was more appropriate in this case.

Chair Castner came back with the perception and comments heard from the public on this project. Mr. Smythe stated that the worst thing that can be done in any project is not plan in enough for costs and that they are very early in the process and without even actually a phasing plan determined to even guesstimate a cost is very premature and these were all numbers used for discussion purposes and most folks are confusing that fact with a complete design estimate and that is not where we are at in that process. He continued that the purpose is to get the most accurate costs for this project and they are not doing bid documents, they are doing permit documents since they are not putting this project on the open market for bid but working with a contractor which reduces costs. Due to the conditions of existing buildings they should get the most accurate costs as possible.

Chair Castner added that it would appear that they will end up with almost complete documents for the project which would lend a cost savings in itself to the project. He has always stated that he wanted to see the fully designed facility before they made a decisions on phasing or any decisions and if they are a very short time away from a product that would allow Cornerstone to construct they may have gone too far. He further commented that they could also state that the costs in the future are further reduced since they have done everything up front.

Mr. Smythe commented on the definition of 35% Design and that it varies greatly on industry from AIA to states to Federal standards. The goal of 35% would provide the most accurate costs that he could then communicate to the Police Department, Fire Department and the City what they will be getting, what spaces and what they will have and what they can support and then again with the contractor derive a realistic and practical price. Chair Castner appreciated those efforts from a professional standpoint.

Mayor Wythe had questions regarding the GANTT chart but since it was not included in the packet she withheld her questions. Chief Painter had no questions or comments.

Chair Castner wanted to discuss a Plan B and have that in place as he did not want to wait till the fall and then be at a point they are saying now what. He added that he was not sure what Plan B would look like but maybe they can define that by the end of the meeting. He did not want a yes/no matrix because everyone if those binary situations need if yes then what and if no then what, but he did not want to go into September saying “now what?”

Mr. Smythe wanted the committee to consider that those costs were developed in a rough order of magnitude and he did not believe that the project will cost \$600,000 to get to 35% design. Those were typical accepted numbers accepted in the industry, if \$30 million is not an acceptable decision then someone needs to make that decision. The City needs to decide the specific dollar amount they want to spend. There will be trade-offs but it is not a \$600,000 or nothing.

NEW BUSINESS

A. Stantec – Updated Public Involvement and Funding Strategy Recommendations

Mr. Smythe provided the committee with a revised Public Involvement and Funding Strategy Recommendations. They added the resume of the Consultant based on some earlier discussion on two different fire service areas and he helps resolve conflict between parties involved.

There was a brief discussion on the amount being requested in the Ordinance contained the remaining funds previously appropriated so they were waiting on additional funding.

Mayor Wythe noted that the amount was reduced by the funds that remained.

B. Skagway Public Safety Facility Request for Proposals

Chair Castner provided this information to show the CMGC project from Skagway. He noted that at the beginning of the project he testified it was too early to go into CMGC but he did not want to revisit that; Skagway just went out to bond for \$12 million dollars based on the one drawing and the public approved it. he has provided this as informational.

He did not want to end of spending a lot of planning and get way ahead of the population and get disappointed later on, he is currently working on a \$78 million dollar and just went to CMGC today but it has been fully funding.

The funding mechanism concerns him a lot because it is so “perspective” at this point and he knows that there is thinking that it will work out but he would like to see some public commitment. He would like to have more public discussion on where they will go with this project if they do not get a majority vote or the Mayor can break tie on the ordinance for additional funding.

Mayor Wythe was unsure what information she could provide as she could not speak for the council but they did postpone the Ordinance in order to have a full council available. She further added that in her experience the more ready you are the more probable your success. They have put in a lot of time, effort and money into forward momentum on this project and she gets that there are a lot of people out there who do not support the project and quite a few still smarting from the fact that they are buying Enstars’ gas line for them, there are a number of people repeatedly stating they support this project and what we are doing.

Chair Castner stated he supports this project too and would like to see it succeed sooner than 10 years. He stated that there are other ways to make this project succeed.

Mayor Wythe noted that Funding Strategy that has not been discussed.

Discussion ensued on the funds available that would cover the recommendation in the updated Public Involvement and Funding Strategy recommendations submitted by Stantec. They could spend those funds continuing the public outreach as they go along. Further discussion on the standstill of the committee waiting on council action for additional funds, conducting meetings for the benefit of the public to come and voice their opinions even though the committee may have no items on the agenda for discussion, meetings being canceled and Chair Castner explained he settled the cancelation issue with the Clerk’s office. Further discussion by committee members and clarification from Mr. Smythe on the updated recommendations ensued. It was determined that the remaining amount was \$57576 less a minor amount for his a minor staff.

Chair Castner commented that Council as defined the site and there is no debate where the project will go, he has suggested removal of the first building and doing some site work which would be a step forward too.

WYTHE/PAINTER - MOVED TO REQUEST STANTEC MOVE FORWARD WITH ITEMS A. SEEK ADDITIONAL INVOLVEMENT AND INPUT, ITEM B. FUNDING FEASIBILITY REVIEW and ITEM C. COMMUNITY-BASED FUNDING STRATEGY.

Discussion on the remaining funds would cover those actions, further discussion on the 35% design documents, schedule on completion of that item was a conservative 6 months but probably could be reduced if decisions were made and investigation into abatement, phasing, etc. It would require a rework of the connections to the buildings if the project is phased.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

C. Next Meeting Date and Deliverables

The committee members present agreed to a meeting on Wednesday, July 29, 2015 at 5:30 p.m. Mr. Smythe will provide an updated GANTT schedule related to the Public Involvement processes approved at this meeting.

INFORMATIONAL ITEMS

- A. Resolution 14-20 Creation of the Committee and Scope of Work
- B. Public Safety Building Project Fact Sheet
- C. Resolution 15-007(A) Approving the Recommendations of the Committee
- D. Contact List
- E. Public Involvement Plan 06/23/14

There was no discussion on the informational materials.

COMMENTS OF THE AUDIENCE

Scott Adams, expressed concerns regarding continuing this \$30 million dollar project with no concern for the size of the project; he wants to see the funding obtained before the project is started; he wouldn't build a house before getting the financing in order. He believes that Homer is going to be strapped as it is and would hate to see more employees laid off. He believes that it needs to be a smaller project. He did not believe they needed some of the components that are being included in the project either such as an indoor gun range.

COMMENTS OF CITY STAFF

There were no comments.

COMMENTS OF THE COUNCILMEMBER

Mayor Wythe commented in regards to public comments on the number of new employees that would be required when the new public safety building is constructed is actually the number of employees that would be hired over a 20-30 year period depending on the growth of Homer and the building is planned to have a useful life over 50 years; Mayor Wythe understands that there is processes in place and cannot move services unilaterally. In regards to providing services, her understanding was that there were services that the city had a responsibility to provide but she has found that the City is not

required but permitted to provide those services under Title 29 and there is nothing that says you shall but you may, and the city chose to provide services and to the extent that the community is unwilling or unable to provide those efforts then your alternative becomes looking at what your alternative is and today they are hearing is the community does not want to pay more taxes, we don't want to buy this, we don't want to buy that, we don't want to pay for anything, however we don't have any resources but tax dollars, and so if people don't want to invest tax dollars into the city providing services then then the alternative is for the city to divest itself of those services and for the citizens to contribute those tax dollars to someone else to provide those services. So the alternative is if there is no city police is the state troopers and for fire is KESA. That is what she was saying if they elect to discontinue funding these services. On the other side is that as an employer it is their responsibility to provide a safe and healthy work environment for the employees and they are not doing that, so as for the buildings, the fire could be repurposed but the police should be demolished and never sold for any purpose. The police station just needs to go away and the fire station could be re-purposed and resold. The committee has had these discussions on the buildings. The community needs to decide if the city should provide these services and that is one of the questions they will be posing to the community. They need to decide what they want. It is always assumed that if you are a city you provide certain services such as fire and police, then water and sewer came along, so we had to expand the question and since revenues are not keeping up with the costs of providing services then we need to ask the community what direction do we want to go. It's a question on who they finance anything.

COMMENTS OF THE CHAIR

Chair Castner commented that he is in a path and there are many paths to the top of the mountain. As he stated Monday, they have a duty to replace aging facilities and has pointed out that the Police force is the number one social agency in town and the fire protection and EMS provide the ability for them to live fairly economically here with a high level of security. No one is going to outdo him as far as in providing new facilities for these forces, on the other hand, just given his background he knows there are different ways to construct things. He believes the public knows there is a need to replace things but they do not believe there is an open check book to do it. He does not believe they have convinced the public. He also commented that there comes a time when there is not enough zeros behind it and then they start reducing and cutting the things. He agrees that they are not at that point yet but people have seen that they have taken the attitude they are proceeding to \$30 million dollars, but he assured them they will not proceeding anywhere that there is not the funding. The only other thing is the \$3 billion dollars they just spent has to be repaid and there could be a complete change of tide but he is sorry that this is the time and place and they do not have much expectation for state funding but they can do this if it's done right and it may be distasteful to both of you.

COMMENTS OF THE COMMITTEE

Chief Painter agreed with the Mayor regarding the requirement or obligation to provide services but there are other types of obligations. As early as 1984 a recommendation was submitted by Mike Daughtery to take over the fire and EMS services to Homer and the surrounding area. In 1991 an agreement was entered into by the City and HVFD, Inc. where the city agreed to take over fire and other services and he believes that goes beyond what a first class city provides and he does not recall

any end date in that agreement. While there may not be a legal requirement he believes there is a moral agreement.

There was a brief discussion on the potential contractual requirement to provide EMS and Fire Services. The Mayor requested those records to be pulled and submitted to her.

ADJOURN

There being no further business to come before the Committee the meeting adjourned at 6:38 p.m. The next regular meeting will be **WEDNESDAY, JULY 29, 2015 AT 5:30 P.M.** at the City Hall in the Conference Room Upstairs at 491 E. Pioneer Avenue, Homer, and Alaska.

RENEE KRAUSE, CMC, DEPUTY CITY CLERK

Approved: _____