

Resolution 13-017(S) Approving a Contribution in Aid of Construction Agreement (CIAC) Between the City and Enstar Natural Gas Company for Natural Gas Distribution System

Resolution ID: 13-017(S)

Resolution Status: Adopted

Resolution Effective Date: Mon Mar 11th, 2013

Postponed Until: Mon Mar 11th, 2013

Resolution Summary:

A Resolution of the City Council of Homer, Alaska, Approving a Contribution in Aid of Construction Agreement (CIAC) Between the City of Homer and Enstar Natural Gas Company for Construction of Improvements Within the Homer Natural Gas Distribution System Special Assessment District, in an Amount Not to Exceed \$12,160,632.
City Manager.

CITY OF HOMER
HOMER, ALASKA
City Manager
RESOLUTION 13-017(S)

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA, APPROVING A CONTRIBUTION IN AID OF CONSTRUCTION AGREEMENT (CIAC) BETWEEN THE CITY OF HOMER AND ENSTAR NATURAL GAS COMPANY FOR CONSTRUCTION OF IMPROVEMENTS WITHIN THE HOMER NATURAL GAS DISTRIBUTION SYSTEM SPECIAL ASSESSMENT DISTRICT, IN AN AMOUNT NOT TO EXCEED \$12,160,632 DOLLARS.

WHEREAS, On July 23, 2012 the City Council adopted Resolution 12-069 initiating a special assessment district for a natural gas distribution system within the City; and

WHEREAS, On September 24, 2012, the Council adopted Resolution 12-081 accepting and approving the improvement plan submitted by the City Manager for the proposed natural gas distribution system special assessment district; and

WHEREAS, On February 11, 2013, the Homer City Council adopted Ordinance 13-02 which created the City of Homer Natural Gas Distribution System Special Assessment District and authorized the City Manager to proceed with the improvement; and

WHEREAS, Enstar Natural Gas Company is the only natural gas distribution public utility that is authorized by the Regulatory Commission of Alaska to provide natural gas service within the City of Homer, and it is appropriate for the City to contract with Enstar Natural Gas Company for construction of a natural gas distribution system in the City on a sole source basis under HCC 3.16.060(i); and

WHEREAS, The City and Enstar Natural Gas Company have negotiated a Contribution in Aid of Construction Agreement (CIAC) for construction of the natural gas distribution system described in the adopted Improvement Plan, for a not to exceed amount of \$12,160,632.

NOW, THEREFORE, BE IT RESOLVED that the form and content of the CIAC between the City and Enstar Natural Gas Company, a division of SEMCO Energy, Inc., a copy of which is attached and incorporated herein, hereby are in all respects authorized, approved and confirmed, and the City Manager hereby is authorized, empowered and directed to execute and deliver the CIAC to Enstar Natural Gas Company on behalf of the City, in substantially the form and content now before this meeting but with such changes, modifications, additions and deletions therein as he shall deem necessary, desirable or appropriate, the execution thereof to constitute conclusive evidence of approval of any and all changes, modifications, additions or deletions therein from the form and content of said document now before this meeting, and from and after the execution and delivery of said document, the City Manager hereby is authorized, empowered and directed to do all acts and things and to execute all documents as may be necessary to carry out and comply with the provisions of the CIAC as executed.

Resolution 13-017(S) Approving a Contribution in Aid of Construction Agreement (CIAC) Between the City

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the Homer City Council hereby approves the Contribution in Aid of Construction Agreement between the City and Enstar Natural Gas Company for construction of the natural gas distribution system within the City, as described in the Improvement Plan, a copy of which is attached and incorporated herein; and
BE IT FURTHER RESOLVED; That the City Manager is authorized to proceed with the project and execute all necessary documents to that end.

PASSED AND ADOPTED by the Homer City Council this 11th day of March, 2013.

CITY OF HOMER

FRANCIE ROBERTS, MAYOR
PRO TEMPORE

ATTEST:

JO JOHNSON, CMC, CITY CLERK

Fiscal Note: 4\$12,160,632 to be financed.

Resolution Files  [Resolution 13-017\(S\)](#)

 [Enstar Contract](#)

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