

Ordinance 13-43 Authorizing Expenditure of HAWSP Funds for Paradise Place Sewer Main Extension

Ordinance ID: 13-43

Ordinance Status: Adopted

Ordinance Summary:

An Ordinance of the Homer City Council Authorizing the Expenditure of Homer Accelerated Water and Sewer Program (HAWSP) Funds for Paradise Place Sewer Main Extension and Approving the Creation of a Deferred Assessment on Benefitted Properties. City Manager/Public Works Director.

CITY OF HOMER
HOMER, ALASKA
City Manager/
Public Works Director
ORDINANCE 13-43

AN ORDINANCE OF THE HOMER CITY COUNCIL AUTHORIZING THE EXPENDITURE OF HOMER ACCELERATED WATER AND SEWER PROGRAM (HAWSP) FUNDS FOR PARADISE PLACE SEWER MAIN EXTENSION AND APPROVING THE CREATION OF A DEFERRED ASSESSMENT ON BENEFITTED PROPERTIES.

WHEREAS, The owner of Lot 3, Block 2, Paradise South Subdivision needs to replace the lot's on-site sewer system and desires to connect to the City sewer system; and

WHEREAS, To receive City sewer service, the owner of Lot 3, Block 2, Paradise South Subdivision must extend a sewer main 700 feet west along Paradise Place from Spencer Drive to the western edge of Lot 3, Block 2; and

WHEREAS, This sewer main extension also would front and benefit Lots 1 and 4, Block 1, and Lots 1 and 2, Block 2, Paradise South Subdivision, and the cost of design and construction of the main extension should be allocated equally among the five benefitted properties; and

WHEREAS, Lot 1, Block 1, and Lot 1, Block 2, Paradise South Subdivision already receive city sewer service from an existing main, and both were considered adjacent to that main and paid main extension costs at the time of their connection; and

WHEREAS, The owners of the other benefitted properties have declined to participate in a special assessment district to finance the main extension; and

WHEREAS, In the past the City has reimbursed a property owner who extends a sewer main for the costs of the extension that are allocated to other benefitted properties, and made those other benefitted properties subject to deferred assessments for their allocated portion of the main extension costs; and

WHEREAS, The Public Works Department and the City Attorney recommend that the City pay the part of the main extension cost that would be allocated to Lot 1, Block 1, and Lot 1, Block 2, Paradise South Subdivision because each lot already paid main extension costs when it connected to the City sewer system; and

WHEREAS, Lot 4, Block 1, and Lot 2, Block 2, Paradise South Subdivision should be subject to deferred assessments for their portion of the main extension cost that are due and payable to the City only if and when the owner of the lot applies for a connection permit to receive City sewer service.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The owner of Lot 3, Block 2, Paradise South Subdivision initially shall pay the cost of design and construction of a 700 foot sewer main extension west along Paradise Place from Spencer Drive to the western edge of Lot 3, Block 2. The estimated cost of the sewer main extension is \$37,000.

Section 2. The cost of the sewer main extension described in Section 1 shall be allocated equally among Lots 1 and 4, Block 1, and Lots 1, 2 and 3, Block 2, Paradise South Subdivision, as illustrated in the following table:

Property Description (Lots in Paradise South Subdivision): Allocation of Estimated Cost

Lot 1, Block 1 \$7,400
Lot 4, Block 1 \$7,400
Lot 1, Block 2 \$7,400
Lot 2, Block 2 \$7,400
Lot 3, Block 2 \$7,400
Total Estimated Cost \$37,000

Section 3. The City Council authorizes the City to reimburse the owner of Lot 3, Block 2, Paradise South Subdivision the portion of the actual cost (whether greater or less than the estimated cost stated herein) of design and construction of the sewer main extension that benefits Lots 1 and 4, Block 1, and Lots 1 and 2, Block 2, Paradise South Subdivision. The estimated total amount of the reimbursement is \$29,600. HAWSP Funds shall be used to make this reimbursement:

Expenditure:

Account No.	Description	Amount
205-375	HAWSP Funds Paradise Place Sewer Main Extension	\$29,600

Section 4. Lot 4, Block 1, and Lot 2, Block 2, Paradise South Subdivision shall be subject to deferred assessments in an amount equal to one-fifth of the actual cost (whether greater or less than the estimated cost stated herein) of design and construction of the sewer main extension. A deferred assessment shall be due and payable when the owner of the lot applies for a connection permit to receive City sewer service.

Section 5. This ordinance is not permanent in nature, and shall not be codified.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this _____ day of _____ 2013.

CITY OF HOMER

MARY E. WYTHER, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

First Reading:

Public Hearing:

Second Reading:

Effective Date:

Reviewed and approved as to form.

Walt Wrede, City Manager Thomas F. Klinkner, City Attorney

Date: Date:

Fiscal Note: Estimated project cost design and construction of the sewer main extension is \$37,000 with the portion of the cost that is allocated to four of the benefitted properties paid for by the HAWSP (\$29,600). Two benefitted properties will be subject to deferred assessments; that will be borne by HAWSP until the owner of the lot applies for a connection permit to receive City sewer service.

Ordinance Dates **Ordinance Introduction Date:** Mon Oct 28th, 2013

Ordinance Public Hearing Date: Mon Nov 25th, 2013

Ordinance Second Reading Date: Mon Nov 25th, 2013

Ordinance Effective Date: Tue Nov 26th, 2013

Ordinance Files  [Ordinance 13-43](#)

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