

OUTLINE OF HOMER'S SPECIAL ASSESSMENT DISTRICT (HSAD) PROCEDURE

Based on Homer City Code Chapter 17.04, effective April 10, 2012, the steps in the Homer Special Assessment District procedure may be described in a series of stages:

Stage 1 – Initiation of HSAD by resolution or petition

- a. Resolution - Council may initiate a HSAD by resolution by a vote of no less than $\frac{3}{4}$ of the Council.
- b. Petition - Property owners may initiate a HSAD by petition signatures of the record owners of not less than one half in value of the real property in the proposed district.

Stage 2 – Petition

- a. If the HSAD is initiated by resolution of the Council there is no petition stage. Proceed to neighborhood meeting of owners within the district.
- b. If the HSAD is initiated by property owner petition, the petition is prepared by the city clerk for distribution to all property owners in the district. If within 60 days the petition is returned with approving signatures of the owners of *at least 50% in value of the real property to be benefited*, the petition is forwarded to Council for adoption of a resolution to find the improvement is necessary.

If there are not sufficient signatures, Council is informed and adopts a resolution finding that the petition was insufficient and the HSAD fails.

Stage 3 – Neighborhood Meeting/Improvement Plan

- a. Schedule a meeting of record owners of the real property in the proposed district. Property owners will receive an improvement plan that includes final boundaries, design, cost estimate, assessments against properties, method for allocating costs among the properties, time period which assessments will be financed, and a preliminary assessment roll.

Stage 4 – Public Hearing/Written Objection

- a. A public hearing is scheduled and published. Property owners receive notice via certified mail no less than 60 days before the hearing.

b. A record owner of real property within the proposed district may file a written objection to the improvement plan no later than the day before the public hearing. If owners of real property that would bear 50% or more of the assessed cost of the improvement file timely written objections, Council may not proceed with the improvement unless it revises the improvement plan to reduce the assessed cost of the improvement that is borne by objecting owners to less than 50% of the assessed cost of the improvement. In the event of a boundary change Council must pass a resolution and all owners of property shall be notified of the change.

c. Council holds a public hearing and then adopts a resolution determining to proceed with the proposed improvement.

Stage 5 – Contract for Construction/Solicitation of Bids

a. After the HSAD has been created the City solicits bids for construction. If cost of constructing the improvement will exceed 115% of the estimated cost in the improvement plan, property owners will be notified via certified mail of the increased cost.

b. If record owners of property that would bear 50% or more of the cost of the improvement object in writing, the City will not contract to construct the improvement.

Stage 6 – Assessment Roll and Objections

a. After completion of the improvement, Council shall assess costs to each property benefitted in the district.

b. An assessment roll will include the name and address of the record owner, Kenai Peninsula Borough parcel number, property description, amount assessed, and assessed value of the property.

c. A hearing is scheduled to hear objections to the assessment roll.

d. Property owners are notified of the hearing date and sent the assessment roll via certified mail.

e. Council corrects any errors or inequalities in the assessment roll and confirms the assessment roll by resolution. Council sets the time for payments, interest rate, and penalties for delinquent payments by resolution.