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**CITY OF HOMER
HOMER, ALASKA**

City Manager/
Public Works Director

ORDINANCE 12-25

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AN ORDINANCE OF THE HOMER CITY COUNCIL
AMENDING THE OFFICIAL ROAD MAINTENANCE MAP OF
THE CITY OF HOMER BY ADDING A PORTION OF
OHLSON LANE AND WEST BUNNELL AVENUE AS URBAN
ROAD; AND A PORTION OF MISSION ROAD AS RURAL
ROAD.

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WHEREAS, The City Council passed Resolution 06-72, resolving that in exchange for construction by The Alaska Department of Transportation and Public Facilities (ADOT/PF) of the Homer Spit Trail and the End of the Road Park; the City would in part assume ownership and maintenance and operations responsibility for West Bunnell Avenue, Ohlson Lane and East Mission Road; and

WHEREAS, ADOT/PF recommended this project to the Governor for funding and scored the project highly because of the commitments contained in Resolution 06-72; and

WHEREAS, The City and ADOT/PF are prepared to enter into a Transfer of Responsibilities Agreement (TORA) that will 1) provide funding (through ADOT/PF) for the construction of Phase II of the Homer Spit Trail and improvements to the End of the Road Park, and 2) obligate the City to assume ownership and maintenance responsibility for Ohlson Lane, West Bunnell Avenue and Mission Road; and

WHEREAS, The City of Homer has determined that it is necessary to provide minimum standards to regular design and construction of public streets, roads, and highways within the City of Homer; and

WHEREAS, Ordinance 85-14, HCC 11.04.055, adopted July 2, 1985, provides appropriate street design and construction standards as well as an official maintenance map to record streets officially accepted for maintenance; and

WHEREAS, HCC 11.04.055 provides that the City shall not accept maintenance responsibility for any road or street which is not constructed or reconstructed to the adopted standards unless the road is shown on the Official Road Maintenance Map, as amended via Ordinance 02-23(S), adopted June 10, 2002, of the City of Homer; and

WHEREAS, West Bunnell Avenue and a portion of Ohlson Lane have been duly reviewed and approved by the Department of Public Works and recommended for acceptance by the City of Homer as an Urban Road; and a portion of Mission Road has been duly reviewed and approved by the Department of Public Works and recommended for acceptance by the City of Homer as a Rural Road.

47 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

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49 Section 1. Pursuant to the Provisions contained in HCC 11.04.55 (a) through (e) the
50 Official Road maintenance Map is hereby amended as follows:

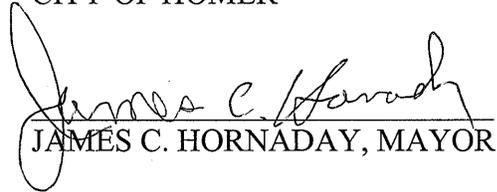
51 <u>Roadway Name</u>	52 <u>Location</u>	53 <u>Linear Feet</u>	54 <u>Mile Class</u>
55 Ohlson Lane	56 Sterling Hwy. to W. Bunnell Ave.	890	Urban
West Bunnell Ave.	Ohlson Lane to Main St.	423	Urban
Mission Road	East End Road to a Point 2763' East	2,763	Rural

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58 Section 2. This is a non-code ordinance and not of a permanent nature.

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60 Section 3. A draft copy of the TORA referenced above is attached and incorporated
61 herein. The City Manager is authorized to execute the final TORA provided that it is not
62 substantially changed. The City Manager is also authorized to execute all appropriate deeds and
63 other documents related to the transfer of ROW ownership to the City.

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65 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 25 day of
66 _____, 2012.

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68 CITY OF HOMER

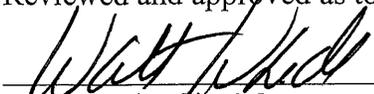
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72 JAMES C. HORNADAY, MAYOR

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74 ATTEST:

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77 _____
78 JO JOHNSON, CMC, CITY CLERK

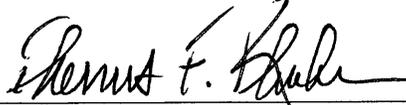
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81 YES: 6
82 NO: 0
83 ABSTAIN: 0
84 ABSENT: 0
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87 First Reading: 6/11/12
88 Public Hearing: 6/25/12
89 Second Reading: 6/25/12
90 Effective Date: 6/26/12
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93 Reviewed and approved as to form:

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95 _____
96 Walt Wrede, City Manager

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98 Date: JUNE 26, 2012
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101



Thomas F. Klinkner, City Attorney

Date: 6-29-12

Fiscal Note: Additional routine annual maintenance costs estimated to be \$13,215