

*Failed
1/11/10
[Signature]*
City Manager

**CITY OF HOMER
HOMER, ALASKA**

RESOLUTION 10-13

1 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA, FINDING
2 THAT WITH SPECIFIED AMENDMENTS TO ITS ARTICLES AND
3 BYLAWS HOMER CITIZENS FOR EROSION CONTROL SUBSTANTIALLY
4 MEETS THE REQUIREMENTS TO QUALIFY AS AN ELIGIBLE ENTITY
5 TO RECEIVE GRANTS FOR OPERATION OF THE SEAWALL UNDER HCC
6 15.10.100, AND ENCOURAGING THE CORPORATION TO ADOPT THE
7 REQUIRED AMENDMENTS PRIOR TO MAKING AN APPLICATION FOR
8 GRANT FUNDS.

9
10 WHEREAS, Ordinance 06-53(S) established the Ocean Drive Loop Special Service
11 District and is codified as Chapter 15.10 of the Homer City Code; and

12
13 WHEREAS, Pursuant to HCC 15.10.020, the City has levied and collected property taxes
14 in the Special Service District in 2008 and 2009; and

15
16 WHEREAS, HCC 15.10.100 provides that property tax revenues collected by the City in
17 the Special Service District may be appropriated and expended for grant awards to be used for
18 the limited purpose of funding operation of the seawall for the benefit of all properties in the
19 Ocean Drive Loop Bluff Erosion Control Improvement District; and

20
21 WHEREAS, HCC 15.10.110 states that to be eligible to receive grants under HCC
22 15.10.100, an organization must meet the criteria contained therein; and

23
24 WHEREAS, Homer Citizens for Erosion Control Inc. has been working to establish itself
25 as an "eligible entity" under HCC 15.10.110 and has, among other things, adopted Articles of
26 Incorporation and Bylaws; and

27
28 WHEREAS, The City Attorney has reviewed these legal documents and other
29 information provided to him and has found that Homer Citizens for Erosion Control substantially
30 meets all but two of the requirements contained in HCC 15.10.110; and

31
32 WHEREAS, The City Attorney has reported that Homer Citizens for Erosion Control can
33 meet the remaining two requirements in HCC 15.10.110 by adopting specified amendments to its
34 Articles of Incorporation and Bylaws; and

35
36 WHEREAS, The Homer City Council reviewed the City Attorney's report and
37 supporting backup information at the regular meeting on January 11, 2010.

38
39 NOW, THEREFORE, BE IT RESOLVED that the Homer City Council finds that with
40 the adoption of amendments to its Articles of Incorporation and Bylaws specified by the City
41 Attorney, Homer Citizens for Erosion Control Inc. will substantially meet all of the requirements

42 contained in HCC 15.10.110 for becoming an “eligible entity” qualified to receive grants under
43 HCC 15.10.100.

44
45 BE IT FURTHER RESOLVED that the Council encourages Homer Citizens for Erosion
46 Control to adopt the amendments to its Articles of Incorporation and Bylaws that are required for
47 it to qualify as an eligible entity prior to making a formal application for grant funds.

48
49 PASSED AND ADOPTED by the Homer City Council this 11th day of January, 2010.

50
51 CITY OF HOMER

52
53
54
55 JAMES C. HORNADAY, MAYOR

56 ATTEST:

57
58
59 JO JOHNSON, CMC, CITY CLERK

60
61 Fiscal Note: N/A