



MAYOR JAMES C. HORNADAY
COUNCIL MEMBER BETH WYTHE
COUNCIL MEMBER FRANCIE ROBERTS
COUNCIL MEMBER BARBARA HOWARD
COUNCIL MEMBER DAVID LEWIS
COUNCIL MEMBER BRYAN ZAK
COUNCIL MEMBER BEAUREGARD BURGESS
CITY ATTORNEY THOMAS KLINKNER
CITY MANAGER WALT WREDE
CITY CLERK JO JOHNSON

MEETING NOTICE
SPECIAL MEETING AGENDA

1. CALL TO ORDER, 5:00 P.M.

Councilmembers Howard and Zak have requested telephonic participation.

2. AGENDA APPROVAL (Only those matters on the noticed agenda may be considered, pursuant to City Council's Operating Manual, pg. 5)

3. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

4. RECONSIDERATION

A. Reconsideration issued by Councilmember Burgess - Resolution 12-051, A Resolution of the City Council of Homer, Alaska, Establishing a 2012 Mill Rate of 10.0264 Mills for the Ocean Drive Loop Special Service District. City Manager
Page 3

5. RESOLUTIONS

If reconsidered: Resolution 12-051, A Resolution of the City Council of Homer, Alaska, Establishing a 2012 Mill Rate of 10.0264 Mills for the Ocean Drive Loop Special Service District. City Manager.

6. COMMENTS OF THE AUDIENCE

7. ADJOURNMENT

Next Regular Meeting is Monday, June 25, 2012 at 6:00 p.m. and Committee of the Whole 5:00 p.m., and Special Meeting at 4:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

1 CITY OF HOMER
2 HOMER, ALASKA

3 City Manager

4 RESOLUTION 12-051

5
6 A RESOLUTION OF THE CITY COUNCIL OF HOMER,
7 ALASKA ESTABLISHING A 2012 MILL RATE OF 10.0264
8 MILLS FOR THE OCEAN DRIVE LOOP SPECIAL SERVICE
9 DISTRICT.

10
11 WHEREAS, The City of Homer may by ordinance, establish, alter, and abolish
12 differential tax zones to provide and levy property taxes for services not provided generally in
13 the City, or a differential levy than that generally provided in the City; and

14
15 WHEREAS, The City Council by adoption of Ordinance 06-53(S) established a
16 differential tax zone known as the Ocean Drive Loop Special Service District ("District) for the
17 purpose of providing special services to the properties in the Ocean Drive Loop Bluff Erosion
18 Control Improvement District; and

19
20 WHEREAS, Ordinance 06-53(S) provided for the formation of an association of property
21 owners to receive and expend taxes levied in the District to maintain the seawall within the
22 District; and

23
24 WHEREAS, When no association of property owners formed as outlined in Ordinance
25 06-53(S), Council enacted Ordinance 10-19 to abolish the Ocean Drive Loop Special Service
26 District; and

27
28 WHEREAS, Some property owners within the District asserted the City was responsible
29 for maintaining the seawall and induced the Army Corps of Engineers to require the City to
30 repair damage to the seawall under terms of the permit the Corps issued to the City for the
31 seawall; and

32
33 WHEREAS, Council adopted Ordinance 11-49(S) to again create Ocean Drive Loop
34 Special Service District to provide special services to the properties along the Seawall to include
35 operation, maintenance, repair, reconstruction, improvement, insurance, administration and other
36 related activities conducted in the course of making and keeping the Seawall operational for its
37 intended erosion control purpose; and

38
39 WHEREAS, The District is funded by a property tax levied on the properties in the
40 Special Service District; and

41
42 WHEREAS, HCC 15.10.020 provides that "The City Council shall annually set the mill
43 levy pursuant to Section 9.04.040; and

44
45 WHEREAS, HCC 9.04.040 states that the City Council must establish a Mill Rate no
46 later than June 15 of each year; and

47 WHEREAS, This Millage is in addition to the general real property tax Mill Rate.

48
49 NOW, THEREFORE, BE IT RESOLVED that the Homer City Council hereby
50 establishes a 2012 Mill Rate of 10.0264 Mills for the Ocean Drive Loop Special Service District
51 and authorizes the City Manager to so inform the Kenai Peninsula Borough.

52
53 PASSED AND ADOPTED by the Homer City Council this 11th day of June, 2012.

54
55 CITY OF HOMER

56
57
58
59 JAMES C. HORNADAY, MAYOR

60 ATTEST:

61
62
63 JO JOHNSON, CMC, CITY CLERK

64
65
66 Fiscal Note: Revenue \$30,000, Acct. 808-375

67

Jo Johnson

From: Regina Mauras
Sent: Tuesday, June 05, 2012 1:15 PM
To: Jo Johnson
Cc: Walt Wrede
Subject: If you all want something different, please let me know! This is the Mill Rate required to collect \$30,000 annually.

OWNER/ADDRESS	LEGAL DESCRIPTION PARCEL NO.	ASSESSED PROPERTY VALUE	Mill Rate to Collect \$30,000 annually = 10.0264
MCNAMARA, DONALD T. 811 OCEAN DRIVE LOOP HOMER, AK 99603-7920	T 6S R 13W SEC 20 SEWARD MERIDIAN HM0003415 OSCAR MUNSON SUB LOT 34 177-180-13	\$263,000.00	\$2,636.94
NEWBY, CHRISTOPHER L. & ANGELA M. P.O. BOX 1124 HOMER, AK 99603 99603-1124	T 6S R 13W SEC 29 SEWARD MERIDIAN HM0003415 OSCAR MUNSON SUB LOT 35 & 36 177-180-19	\$350,800.00	\$3,517.26
SZAJKOWSKI, JOHN J. & JANET L. 869 OCEAN DRIVE LOOP HOMER, AK 99603-7920	OSCAR MUNSON SUB.REVISION LOT 37 177-180-1600	\$220,900.00	\$2,214.83
MARILYN HUEPER P.O. BOX 301 HOMER, ALASKA 99603	T 6S R 13W SEC 20 SEWARD MERIDIAN HM0003415 OSCAR MUNSON SUB LOT 38 177-177-01	\$339,600.00	\$3,404.97
SCHUMACHER, NORMAN W. 963 ADLER DR. CLOVIS, CA 93612-1500	T 6S R 13W SEC 29 SEWARD MERIDIAN HM0003415 OSCAR MUNSON SUB LOT 39 177-177-02	\$134,400.00	\$1,347.55
PATRICK L IRWIN	T 6S R 13W SEC 29 SEWARD MERIDIAN HM 0003415 OSCAR MUNSON SUB LOT 40	\$120,800.00	\$1,211.19

939 OCEAN DRIVE LOOP HOMER AK 99603-7920	177-177-03		
MARK E. PFEFFER REVOCABLE TRUST 425 G ST STE 210 ANCHORAGE AK 99501-2169 FINDLAY ABBOTT P.O. BOX 3000 HOMER, ALASKA 99603	T 6S R 13W SEC 29 SEWARD MERIDIAN HM 0003415 OSCAR MUNSON SUB LOT 41 177-177-04 T 6S R 13W SEC 29 SEWARD MERIDIAN HM0003415 OSCAR MUNSON SUB LOT 42 177-177-05	\$46,100.00	\$462.22
		\$46,700.00	468.23
CITY OF HOMER 491 E. PIONEER AVE. HOMER, AK 99603	T 6S R 13W SEC 29 SEWARD MERIDIAN HM0003415 OSCAR MUNSON SUB LOT 43 177-177-06 (997 OCEAN DRIVE LOOP) T 6S R 13W SEC 29 SEWARD MERIDIAN HM0003415 OSCAR MUNSON SUB LOT 44 177-177-07 (1017 OCEAN DRIVE LOOP)	\$800.00	8.02
		\$1,000.00	\$10.03
JOHN D & CHARLENE A JUMP P.O. BOX 2714 HOMER, ALASKA 99603	T 6S R 13W SEC 20 & 29 SEWARD MERIDIAN HM0850114 OSCAR MUNSON SUB NO 18 LOT 45-A 177-179-04	\$176,100.00	\$1,765.65

LARRY JACK GOODE LIVING TRUST	T 6S R 13W SEC 21 SEWARD MERIDIAN HM BEGINNING AT CORNER OF SEC 20 21 28 & 29 THENCE N 64 DEG 10 MIN E 50.00 FT THE S 64 DEG 10 MIN E 50.00 FT TH EAST 35.00 FT TH N 0 DEG 05 MIN W 450.00 FT TH WEST 125.00 FT TH S 0 DEG 05 MIN E 450.00 FT TO THE POB	\$439,300.00	4,404.60
1065 KRUEH WAY HOMER, ALASKA 99603	179-230-36 T 6S R 13W SEC 20 & 29 SEWARD MERIDIAN HM0850114 OSCAR MUNSON SUB NO 18 LOT 45B 177-179-03	\$520,400.00	5,217.74
DOUGLAS W. ALANIVA 1121 SEABREEZE COURT HOMER, ALASKA 99603	T 6S R 13W SEC 21 SEWARD MERIDIAN HM0860087 TAMIAN SUB LOT 1 179-230-26	\$332,200.00	3,330.77
RIGHT OF WAY	LAKE STREET SOUTH OF OCEAN DRIVE LOOP	\$	
PEDESTRIAN EASEMENT	SOUTH OF OCEAN DRIVE LOOP BETWEEN OSCAR MUNSON SUBDIVISION LOTS 37 & 38	\$	
Total Estimated Assessed Value		\$2,992,100.00	30,000.00

From: Jo Johnson
Sent: Monday, June 04, 2012 3:49 PM

To: Regina Mauras
Cc: Walt Wrede
Subject: Updates on ODL Seawall Property Assessments

Hi Regina,
Here is a list of the property owners and current property assessments for ODL Seawall Mill Rate.

Jo Johnson

City Clerk
City of Homer
491 E. Pioneer Ave.
Homer, AK 99603
907-235-3130 Fax 907-235-3143

PUBLIC RECORDS LAW DISCLOSURE: Most e-mails from or to this address will be available for public inspection under Alaska public records law.

1 CITY OF HOMER
2 HOMER, ALASKA

3 City Manager, City Attorney

4 ORDINANCE 06-53(S)

5
6 AN ORDINANCE OF THE HOMER CITY COUNCIL
7 AMENDING HOMER CITY CODE BY CREATING A NEW
8 TITLE 15, "SPECIAL SERVICE DISTRICTS," CREATING
9 THE OCEAN DRIVE LOOP SPECIAL SERVICE DISTRICT
10 AND A DIFFERENTIAL PROPERTY TAX ZONE TO
11 LEVY PROPERTY TAXES TO FUND SPECIAL SERVICES
12 PROVIDED IN THE DISTRICT, AND AUTHORIZING
13 GRANT AWARDS TO ELIGIBLE ENTITIES TO OPERATE
14 THE SEAWALL FOR THE BENEFIT OF THE DISTRICT
15

16 WHEREAS, the City may by ordinance establish, alter, and abolish differential tax
17 zones to provide and levy property taxes for services not provided generally in the city, or a
18 different level of service than that provided generally in the city; and
19

20 WHEREAS, it appears to be in the public interest for the City to assist the property
21 owners in providing certain services to the properties in the Ocean Drive Loop Erosion
22 Control Local Improvement District of a special kind and greater level of service than those
23 provided generally in the City.
24

25 NOW THEREFORE, THE CITY OF HOMER HEREBY ORDAINS:
26

27 Section 1. A new Title 15 of the Homer City Code, entitled "Special Service
28 Districts," and a new Chapter 15.10, entitled "Ocean Drive Loop Special Service District,"
29 are hereby adopted to read as follows:

30 Title 15

31 SPECIAL SERVICE DISTRICTS

32
33 Chapter 15.10

34 OCEAN DRIVE LOOP SPECIAL SERVICE DISTRICT

35
36 Article 1
37

38 15.10.005 Definitions. As used in this chapter:

39 "*Improvement District*" means the Ocean Drive Loop Bluff Erosion Control
40 Improvement/Assessment District previously established by the City as a local improvement
41 district to construct an erosion control seawall.

42 "*Operate*" and "*Operation*" with respect to the Seawall includes operation,
43 maintenance, repair, reconstruction, improvement, insurance, and other related or similar
44 activities conducted in the course of making and keeping the Seawall operational for its
45 intended erosion control purpose for the benefit of the properties in the Improvement District.

46 "*Property Owner*" means an owner of real property, including any interest in such real
47 property, located in the Special Service District.

48 "*Seawall*" means the erosion control seawall constructed in the Improvement District.

49 "*Special Service District*" means the Ocean Drive Loop Special Service District
50 established under this chapter.

51

52 15.10.010 Ocean Drive Loop Special Service District Established. a. There is
53 established a special service district within the city designated as the "Ocean Drive Loop
54 Special Service District" for the purpose of providing special services to the properties in the
55 Ocean Drive Loop Bluff Erosion Control Improvement/Assessment District that are not
56 provided elsewhere in the City.

57 b. The Special Service District is comprised of the following properties:

Legal Description

Oscar Munson Subdivision Lot 34

Oscar Munson Subdivision Lot 37

Oscar Munson Subdivision Lot 38

Oscar Munson Subdivision Lot 39

Oscar Munson Subdivision Lot 40

Oscar Munson Subdivision Lot 41

Oscar Munson Subdivision Lot 42

Oscar Munson Subdivision Lot 43

Oscar Munson Subdivision Lot 44

Oscar Munson Subdivision Revision Lot 34

Oscar Munson Subdivision Revision Lot 35

Oscar Munson Subdivision No. 18 Lot 45B

Oscar Munson Subdivision No. 18 Lot 45A

Tamian Subdivision Lot 1

Seabreeze Subdivision Lot 5

A portion of T6S R13W Section 21, Beginning at corner of Sections 20, 21, 28, and 29; thence N 64 degrees 10 minutes E a distance of 50.00 feet; thence S 64 degrees 10 minutes E a distance of 50.00 feet; thence E a distance of 35.00 feet; thence N 0 degrees 05 minutes W a distance of 450.00 feet; thence W a distance of 125.00 feet; thence S 0 degrees 05 minutes E a distance of 450.00 feet to the point of beginning.

Lake St ROW south of Ocean Drive Loop

Pedestrian Easement south of Ocean Drive Loop between Lots 37 and 38, Oscar Munson Subdivision

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15.10.020 Property Tax Levy. a. The Special Service District shall be funded by a property tax levied on the properties in that district. The City Council shall annually set the mill levy pursuant to Section 9.04.040. The tax shall be assessed and collected as other real property taxes levied by the City.

b. Any property tax levied for the purpose of funding the Special Service District shall be excluded from the calculation of the mill rate contingency set forth in Section 9.16.020 for purpose of determining whether the city's sales tax levy shall remain in effect.

15.10.030 Payment In Lieu of Taxes. In lieu of paying taxes on tax exempt property owned by the City in the Special Service District, the City will annually appropriate money to the district or perform in-kind services for the district equivalent in value to the amount of taxes that would be levied on the City property if it were taxable.

15.10.040 Administration. The administration of this chapter is a function of the Department of Administration.

15.10.050 Services Authorized. a. The special services provided to the Special Service District under this chapter are limited to the levy and collection of taxes and other revenues that shall be appropriated for and expended as one or more grant awards to an eligible entity for purposes authorized in this chapter.

b. The City is not authorized to make expenditures of taxes and revenues collected under this chapter for any act performed by the City, its personnel, or its contractors for Operation of the Seawall. This subsection does not prevent the City from appropriating funds from other revenue sources or from performing in-kind services to fulfill its obligation under Section 15.10.030.

15.10.060 Excess tax revenue. If no grant awards are made under this chapter to an eligible entity, or if at any time the City Council determines Special Service District tax

84 revenues exceed the needs of the Special Service District, the City Council may authorize a
85 refund of the excess tax revenues collected under this chapter to the taxpayers in proportion
86 to amounts paid in by such taxpayers.

87

88 Article 2

89

90 15.10.100 Grants authorized. a. Revenue collected by the City under this chapter
91 may be appropriated and expended for one or more grant awards to be used for the limited
92 purpose of funding Operation of the Seawall for the benefit of all properties in the
93 Improvement District.

94 b. The City Council shall have final approval of all grant awards and recipients.

95

96 15.10.110 Eligible entity. To be eligible to receive a grant award under this
97 chapter, an entity shall

98 (i) be independent of the City and organized for nonprofit purposes under the
99 laws of Alaska as a corporation, company, partnership, or other recognized legal entity, and
100 not an unincorporated association; and

101 (ii) have as a primary purpose the Operation the Seawall for the benefit of the
102 properties in the Improvement District; and

103 (iii) have membership open to every Property Owner and, in fact, include in its
104 membership a broad representation of all Property Owners; and

105 (iv) have established bylaws or rules that (a) require all meetings of the entity's
106 membership and its board of directors or similar governing body to be open to
107 all Property Owners, regardless of membership; (b) afford all Property Owners
108 a reasonable opportunity to be heard at such meetings; and (c) require
109 reasonable notice to all Property Owners in advance of all such meetings; and

110 (v) have prepared a reasonable written plan to Operate the Seawall for the
111 benefit of all properties in the Improvement District, including an annual
112 budget that includes projected revenues and expenses for not less than two
113 years; and

114 (vi) provide written assurance that it will use amounts received under a grant
115 award in accordance with its plan and solely for eligible grant purposes; and

116 (vii) prepare and submit to the City Manager an application at such time, and
117 in such manner, and containing such information as the City Manager may
118 require.

119

120 15.10.120 Grant agreement. The City Manager may require an award recipient to
121 enter into a grant agreement with terms to require the grantee to comply with the provisions
122 of this chapter and provide proper accountability for the grantee's use of grant funds.

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Section 2. This Ordinance is of a permanent and general character and shall be included in the City Code.

~~11th~~ ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER, ALASKA, this ~~11th~~ day of December, 2006.

CITY OF HOMER

James C. Hornaday
JAMES C. HORNADAY, MAYOR

ATTEST:

Mary L. Calhoun
MARY L. CALHOUN, CMC, CITY CLERK

AYES: 5
NOES: 1
ABSTAIN: 0
ABSENT: 0

First Reading: 09/25/06
Public Hearing: 10/09/06
Second Reading: 10/09/06 p p to 11/27/06 p p to 12/11/06 - adopted
Effective Date: 12/12/06

Reviewed and approved as to form:

Walt Wrede
Walt Wrede
City Manager

12/12/06

Gordon J Tans
Gordon J Tans
City Attorney

Fiscal Note: NA



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**CITY OF HOMER
HOMER, ALASKA**

Council

ORDINANCE 10-19

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, ABOLISHING THE OCEAN DRIVE LOOP SPECIAL SERVICE DISTRICT, REPEALING HOMER CITY CODE CHAPTER 15.10 OCEAN DRIVE LOOP SPECIAL SERVICE DISTRICT, AND PROVIDING FOR RELATED MATTERS.

WHEREAS, AS 29.45.580 authorizes the City by ordinance to establish, alter and abolish differential tax zones to provide and levy property taxes for services not provided generally in the City; and

WHEREAS, The City adopted Ordinance 06-53(S), enacting Homer City Code Chapter 15.10 to establish a differential tax zone known as the Ocean Drive Loop Special Service District ("District"); and

WHEREAS, The City has levied and collect real property taxes in the District to provide funds for the operation of the seawall that had been constructed in the Ocean Drive Loop Bluff Erosion Control Improvement/Assessment District previously established by the City; and

WHEREAS, The City intended that tax revenues collected in the District be granted to an eligible private entity for the purpose of paying the cost of maintaining, repairing and insuring the seawall on behalf of the owners of property in the District; and

WHEREAS, There has been a lengthy delay in the formation of an eligible entity to receive grants from tax revenues collected in the District, and some owners of property in the District are not participating in that entity and do not support the levying of taxes in the District; and

WHEREAS, The Council finds that it would be in the best interest of the City to allow the owners of property in the District to determine among themselves what collective arrangements, if any, to make for funding the operation of the seawall, without the involvement of the City as a taxing authority; and

WHEREAS, The Council by this ordinance intends to abolish the District, and to discontinue levying and collecting real property taxes for the purpose of the District.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The Ocean Drive Loop Special Service District established by Ordinance 06-53(S) is hereby abolished.

47 Section 2. Commencing in FY 2010, the City will cease to levy and collect real property
48 taxes for the purposes of the Ocean Drive Loop Special Service District.

49
50 Section 3. Homer City Code Chapter 15.10, Ocean Drive Loop Special Service District,
51 is repealed.

52
53 Section 4. This ordinance shall take effect upon its adoption by the Homer City Council.


54
55 Section 5. Section 3 of this Ordinance is of a permanent and general character and shall
56 be included in the City Code.

57
58 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 12th day of
59 April 2010.

60
61 CITY OF HOMER

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64 
65 JAMES C. HORNADAY, MAYOR

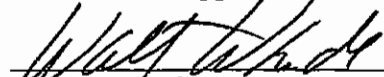
66
67 ATTEST:

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69 
70
71 JOHNSON, CMC, CITY CLERK

72
73 YES: 4
74 NO: 1
75 ABSTAIN: 0
76 ABSENT: 1

77
78 First Reading: 3/22/10
79 Public Hearing: 4/12/10
80 Second Reading: 4/12/10
81 Effective Date: 4/13/10

82
83 Reviewed and approved as to form:

84
85 
86 Walt Wrede, City Manager

87
88 
89 Thomas F. Klinkner, City Attorney

Date: 4/19/10

Date: 4-25-10

47 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:
48

49 Section 1. Homer City Code Chapter 15.10, Ocean Drive Loop Special Service District,
50 is adopted to read as follows:

51 Chapter 15.10

52 OCEAN DRIVE LOOP SPECIAL SERVICE DISTRICT
53

54 Sections:

- 55 15.10.005 Definitions
56
57 15.10.010 Ocean Drive Loop Special Service District established
58
59 15.10.020 Property tax levy
60
61 15.10.030 Payment in lieu of taxes
62
63 15.10.040 Administration
64
65 15.10.050 Services authorized
66
67 15.10.060 Excess tax revenue

68 15.10.005 Definitions. As used in this chapter:

69 "*Improvement District*" means the Ocean Drive Loop Bluff Erosion Control
70 Improvement District previously established by the City as a local improvement district to
71 construct an erosion control seawall.

72 "*Operate*" and "*Operation*" with respect to the Seawall includes operation, maintenance,
73 repair, reconstruction, improvement, insurance, administration and other related or similar
74 activities conducted in the course of making and keeping the Seawall operational for its intended
75 erosion control purpose for the benefit of the properties in the Improvement District.

76 "*Seawall*" means the erosion control seawall constructed in the Improvement District.

77 "*Special Service District*" means the Ocean Drive Loop Special Service District
78 established under this chapter.
79

80 15.10.010 Ocean Drive Loop Special Service District established. a. There is established
81 a special service district within the City designated as the "Ocean Drive Loop Special Service
82 District" for the purpose of providing special services to the properties in the Ocean Drive Loop
83 Bluff Erosion Control Improvement/Assessment District that are not provided elsewhere in the
84 City.
85

86 b. The Special Service District consists of the properties in the Homer Recording
87 District that are described as follows:
88

89 Oscar Munson Subdivision Lot 34

90 Oscar Munson Subdivision Lot 35
91
92

- 93 Oscar Munson Subdivision Lot 36
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95 Oscar Munson Subdivision Lot 37
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97 Oscar Munson Subdivision Lot 38
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99 Oscar Munson Subdivision Lot 39
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101 Oscar Munson Subdivision Lot 40
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103 Oscar Munson Subdivision Lot 41
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105 Oscar Munson Subdivision Lot 42
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107 Oscar Munson Subdivision Lot 43
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109 Oscar Munson Subdivision Lot 44
110
111 Oscar Munson Subdivision No. 18 Lot 45B
112
113 Oscar Munson Subdivision No. 18 Lot 45A
114
115 Tamian Subdivision Lot 1
116
117 A portion of T6S R13W Section 21, Beginning at corner of Sections 20, 21, 28,
118 and 29; thence N 64 degrees 10 minutes E a distance of 50.00 feet; thence S 64
119 degrees 10 minutes E a distance of 50.00 feet; thence E a distance of 35.00 feet;
120 thence N 0 degrees 05 minutes W a distance of 450.00 feet; thence W a distance
121 of 125.00 feet; thence S 0 degrees 05 minutes E a distance of 450.00 feet to the
122 point of beginning.
123
124 Seabreeze Subdivision Lot 5
125
126 Lake St ROW south of Ocean Drive Loop
127
128 Pedestrian Easement south of Ocean Drive Loop between Lots 37 and 38, Oscar
129 Munson Subdivision
130
131 15.10.020 Property tax levy. a. The Special Service District shall be funded by a property
132 tax levied on the properties in the Special Service District. The City Council shall annually set
133 the mill levy pursuant to Section 9.04.040. The tax shall be assessed and collected as other real
134 property taxes levied by the City.
135 b. Any property tax levied for the purpose of funding the Special Service District shall be
136 excluded from the calculation of the mill rate contingency set forth in Section 9.16.020 for
137 purpose of determining whether the City's sales tax levy shall remain in effect.
138

139 15.10.030 Payment in lieu of taxes. In lieu of paying taxes on tax exempt property owned
140 by the City in the Special Service District, the City will annually appropriate money to the
141 district or perform in-kind services for the district equivalent in value to the amount of taxes that
142 would be levied on the City property if it were taxable.

143
144 15.10.040 Administration. The administration of this chapter is a function of the
145 Department of Administration.

146
147 15.10.050 Services Authorized. Revenue collected by the City under this chapter may be
148 appropriated and expended for the limited purpose of funding Operation of the Seawall for the
149 benefit of all properties in the Improvement District.

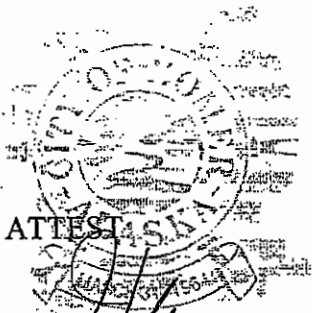
150
151 15.10.060 Excess tax revenue. If at any time the City Council determines Special Service
152 District tax revenues exceed the needs of the Special Service District, the City Council may
153 authorize a refund of the excess tax revenues collected under this chapter to the taxpayers in
154 proportion to amounts paid in by such taxpayers.

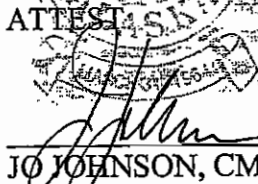
155
156 Section 2. This Ordinance is of a permanent and general character and shall be included
157 in the City Code.

158
159 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 23rd day of
160 January, 2012.

161
162 CITY OF HOMER

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164 
165 JAMES C. HORNADAY, MAYOR



168 ATTEST:
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170
171 JO JOHNSON, CMC, CITY CLERK

172
173
174 YES: 5
175 NO: 1
176 ABSTAIN: 0
177 ABSENT: 0

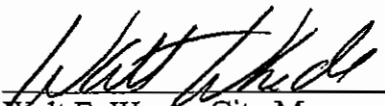
178
179 First Reading: 12/19/11
180 Public Hearing: 1/23/12
181 Second Reading: 1/23/12
182 Effective Date: 1/24/12
183

184 Reviewed and approved as to form:

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188 
Walt E. Wrede, City Manager

189

190 Date: 1/25/12

191

192


Thomas F. Klinkner, City Attorney

Date: 1-27-12

1 CITY OF HOMER
2 HOMER, ALASKA

City Manager

3
4 ORDINANCE 12-03
5

6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER,
7 ALASKA, AMENDING THE FY 2012 OPERATING BUDGET
8 BY APPROPRIATING AND TRANSFERRING \$60,000 FROM
9 THE GENERAL FUND RESERVES TO THE SEAWALL
10 MAINTENANCE RESERVE FOR THE PURPOSE OF
11 REPAIRING AND MAINTAINING THE WALL.
12

13 WHEREAS, The Homer City Council adopted Emergency Ordinance 11-49 which
14 created the Ocean Drive Loop Special Service District; and

15 WHEREAS, The Special Service District was created to raise tax revenues from
16 benefitted property owners to support maintenance and repair of the seawall they own which is
17 located on their properties; and

18 WHEREAS, Expenditures made by the City in providing this special service can be
19 reimbursed through a mil levy on properties located within the service area; and

20 WHEREAS, There is an immediate need to conduct maintenance and repair activities on
21 the seawall in order to prevent further damage and remain in compliance with the Army Corps of
22 Engineers Permit.

23 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

24 Section 1. The Homer City Council hereby amends the FY 2012 Operating Budget by
25 appropriating and transferring \$60,000 from the General Fund Reserves to the Seawall
26 Maintenance Reserve for the purpose of repairing and maintaining the seawall as follows:

27 Appropriation / Transfer From:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
156-375	General Fund Reserve / Fund Balance	\$60,000

30 Transfer To:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
156-369	Seawall Maintenance Reserve	\$60,000

33 Section 2. The City Manager is hereby authorized to execute the appropriate documents,
34 conduct the necessary repair and maintenance activities, and keep an accounting of expenditures
35 for reimbursement through the Special Service District property tax levy.

36 Section 3. This ordinance is a budget amendment ordinance only, is not permanent in
37 nature, and shall not be codified.


38 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 23rd day of
39 January, 2012.

CITY OF HOMER



JAMES C. HORNADAY, MAYOR

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46 ATTEST:

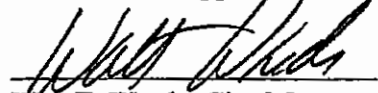


JO JOHNSON, CMC, CITY CLERK

51
52 YES: 4
53 NO: 2
54 ABSTAIN: 0
55 ABSENT: 0

56
57 First Reading: 1/09/12
58 Public Hearing: 1/23/12
59 Second Reading: 1/23/12
60 Effective Date: 1/24/12

61
62 Reviewed and approved as to form:

63
64 
65 Walt E. Wrede, City Manager



Thomas F. Klinkner, City Attorney

66
67 Date: 1/25/12
68

Date: 1-27-12
69