



City of Homer

www.cityofhomer-ak.gov

Office of the City Clerk

491 East Pioneer Avenue

Homer, Alaska 99603


clerk@cityofhomer-ak.gov

(p) 907-235-3130

(f) 907-235-3143

Memorandum Agenda Changes/Supplemental Packet

TO: MAYOR WYTHE AND HOMER CITY COUNCIL

FROM: JO JOHNSON, MMC, CITY CLERK 

DATE: MARCH 16, 2015

SUBJECT: AGENDA CHANGES AND SUPPLEMENTAL PACKET

NEW BUSINESS

Resolution 15-016, A Resolution of the City Council of Homer, Alaska, Amending the Preliminary Assessment Roll for the Homer Natural Gas Special Assessment District by Exempting Property and Correcting Errors in the Assessment Roll. City Clerk.

Attachment A

Page 3

Written comments/objections

Page 5

RECOMMENDATION:

Voice consensus to changes under Agenda Approval.

Fiscal Note: N/A

March 16, 2015 Changes to the Assessment Roll
for the Homer Natural Gas Special Assessment District

Attachment A

New Exempt Lots			
Parcel ID	Owner	Legal Description	Reason for Change from Preliminary Assessment Roll Resolution 12-081, and exemption an assessment
17411215	Colleen Todd	T 6S R 13W SEC 10 SEWARD MERIDIAN HM POR SW1/4 SE1/4 SE1/4 SE1/4 SW1/4 EXCLUDING DOT ROW	Property is inaccessible from legal access of East End Road - a creek/drainage lies between the road and the usable property. Physical access, and gas would be more likely from Larry Lane, which would require moving property lines or granting an easement.
18101017	Price Marital II Trust	T 6S R 13W SEC 27 SEWARD MERIDIAN HM THAT PORTION OF THE W1/2 OF GOVT LOT 11 LYING NORTH OF HOMER SPIT RD	Property is mostly tidal beach and would be very difficult to develop
17501017	Kachemak Heritage Land Trust	T 6S R 14W SEC 14 SEWARD MERIDIAN HM E1/2 SE1/4 SE1/4 & E1/2 W1/2 SE1/4 SE1/4	Property has Sterling Highway frontage but is steep and inaccessible to development from that area. Physical access is more likely from the north, along Sunshine Drive. Sunshine Drive is an undeveloped right of way and gas is not available.
17405009	Bonnie (Stark) Thompson	T 6S R 13W SEC 9 SEWARD MERIDIAN HM 0790124 HIGH CLIFFS SUB 1979 AMENDED LOT 2	Lot is very steep and has a large ravine. Development will be very difficult (average slope 37% with no obvious building site under 25%)
17405009	William Ginnever	T 6S R 13W SEC 9 SEWARD MERIDIAN HM 0790124 HIGH CLIFFS SUB 1979 AMENDED LOT 3	Lot is very steep and has a smaller ravine. Development will be very difficult (average slope 37% with no obvious building site under 25%)

Jo Johnson

From: CATHARINE sullivan <catharine@gci.net>
Sent: Monday, March 16, 2015 10:50 AM
To: Jo Johnson
Subject: Natural Gas Line

Good Morning,

My parcel ID #17524014. I just received notice of the proposed Natural Gas Line Project. I would like to object. The property in question is bare land, I have no plans on developing it, therefore the gas line is not necessary. If you have questions, my phone number is below

Thanks for your consideration on this matter.

Best Regards,

Catharine Nyman

907.350.5863

Jo Johnson

From: Carol Lima <golfergirl384@comcast.net>
Sent: Monday, March 16, 2015 10:15 AM
To: Jo Johnson
Subject: objection to Homer Natural Gas Assessment

Alan and Carol Lima
384 Crescent Drive
Roseville, CA 95678

March 15 2015

City of Homer
Office of the City Clerk
491 East Pioneer
Homer, Alaska 99603

Dear Sirs,


This is my written objection to the Homer Natural Gas Assessment. I am a property owner of two parcels of land on the assessment rolls.

Parcel # 17707018 and parcel # 17704020. I have owned these properties for over 30 years and am now retired. I feel this is a unfair assessment.

Sincerely,
Alan and Carol Lima

Objection of Natural Gas Assessment

03/16/2015

MAR 16 2015


To the City of Homer's Council and Finance Director,

We, John and Sharon Bushell, object to the natural gas assessment being levied on us. We have lived in our home with connecting lots since 1984. We plan to reside here as long as we live. Besides our home, we are still paying for the lots on either side of us. One lot serves as our yard and the other has a yurt on it.

I have been told by the city, via phone call to Jo on 3/12/15, that we would be able to apply for an "exemption" from this assessment before the actual billing goes out to property owners. We reserve the right to apply for reasons related to financial hardship. Because of the confidential nature of this matter, we will furnish our financial records at the appropriate time. Please send us notice when the exemption form becomes available.

Thank you

John and Sharon Bushell

534 Hidden Way, Homer, AK 99603

(907) 399-0716

HARVEY BLANKENSHIP
PAULINE BLANKENSHIP
PO BOX 303
HOMER AK 99603

MARCH 16, 2015

TO THE OFFICE OF THE CITY CLERK,

AS PROPERTY OWNERS TO PARCEL 17937034
IN THE BEAR CREEK HEIGHTS SUB UNIT 2 LOT 38,
WE OBJECT TO PAYING AN ASSESSMENT VALUE
OF \$3,237.14. WE DO NOT WANT NATURAL
GAS. WE THINK IT IS UNFAIR TO MAKE US
PAY FOR SOMETHING WE DID NOT ASK FOR
OR WANT.

PLEASE FILE THIS LETTER AS AN OBJECTION
TO THE ASSESSMENT ROLL. WE WERE OUT OF STATE
LAST YEAR AND DID NOT GET A CHANCE TO VOTE.
WE THINK IT IS UNFAIR THAT IT WAS AN
AUTOMATIC VOTE OF APPROVAL IF WE DID NOT VOTE.

ALSO MY HUSBAND HAS DISABILITIES AND IS
UNABLE TO WORK, SO WE CANNOT AFFORD THIS
EXTRA BURDEN OF EXPENSE.

PLEASE EXCLUDE US FROM HAVING TO
PAY THIS ASSESSMENT FEE.

Sincerely,
Harvey Blankenship
Pauline Blankenship

Eileen J. Faulkner
3671 Poppy Circle
Homer, AK 99603

14 Mar 15

Office of the City Clerk
491 E. Pioneer Ave
Homer, AK 99603

Subject: Homer Natural Gas Special Assessment Letter dated 17 Feb 2015, not received via mail, received via email 13 Mar 2015.

Written Objection:

Issue: Assessment roll is incorrect

1. The assessment roll page 118, parcel number 17526027, has my address as 357 Lee Drive, Homer, AK 99603. (see attached assessment page)
2. On 2 Dec 2013 I sold this property 357 Lee Drive. As such I am NOT responsible for the natural gas assessment nor any other issues for 357 Lee Drive, Homer, AK 99603
3. Attached 2015 Kenai Borough Notice of Assessment is provided that has my correct address with Parcel Number 17526027 as 3671 Poppy Circle.

Request correction to address on assessment rolls. I will pay natural gas assessment for 3671 Poppy Circle Homer, AK 99603.


Eileen J. Faulkner

- 2 Attachments
- a. Assessment Roll
 - b. 2015 Kenai Borough notice of assessment

Correction 

Parcel ID	Owner	Attention	Address	City	State	Zipcode	Legal	Assessed Value	Assessment
17526022	WEISSER AARON		3677 FOREST GLEN DR	HOMER	AK	99603	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2004089 FOREST GLEN SUB RISINGER REPLAT LOT 6C	\$249,700	\$3,237.14
17526022	WEISSER JENNY		3677 FOREST GLEN DR	HOMER	AK	99603	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2004089 FOREST GLEN SUB RISINGER REPLAT LOT 6C	\$249,700	\$3,237.14
17526023	FRANKLIN MICHAEL R		PO BOX 1761	HOMER	AK	99603	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2005091 FOREST GLEN FRANKLIN REPLAT LOT 1A BLK 3	\$158,000	\$3,237.14
17526024	LOTHIAN JOSEPH L Sr		3637 POPPY CIR	HOMER	AK	99603	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2005091 FOREST GLEN FRANKLIN REPLAT LOT 1B BLK 3	\$166,800	\$3,237.14
17526024	LOTHIAN PAMELIA W		3637 POPPY CIR	HOMER	AK	99603	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2005091 FOREST GLEN FRANKLIN REPLAT LOT 1B BLK 3	\$166,800	\$3,237.14
17526025	RILEY PAULA		4067 CALHOUN ST	HOMER	AK	99603	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2006093 FOREST GLEN SUB UNIT 1 PURCELL REPLAT LOT 2A	\$233,000	\$3,237.14
17526026	PURCELL HOWARD J		PO BOX 2404	HOMER	AK	99603	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2006093 FOREST GLEN SUB UNIT 1 PURCELL REPLAT LOT 2C	\$235,800	\$3,237.14
17526027	FAULKNER EILEEN J		357 LEE DR	HOMER	AK	99603	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2006093 FOREST GLEN SUB UNIT 1 PURCELL REPLAT LOT 2B	\$282,200	\$3,237.14
17526028	HOMER INDEPENDENT BAPTIST CHURCH		PO BOX 112	HOMER	AK	99603	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2013015 FOREST GLEN SUB 2013 REPLAT LOT 1- A BLOCK 1	KPB Assessed Value Unavailable	\$9,711.42
17527001	KAZENNOVA ANYA		PO BOX 2092	KAPAA	HI	96746	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0740531 FOREST GLEN SUB UNIT 2 LOT 3 BLK 2	\$75,900	\$3,237.14
17527006	FROST JUSTIN R		PO BOX 39801	NINILCHIK	AK	99639	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0740531 FOREST GLEN SUB UNIT 2 LOT 8 BLK 2	\$78,800	\$3,237.14
17527006	FROST ROBERT F		PO BOX 39801	NINILCHIK	AK	99639	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0740531 FOREST GLEN SUB UNIT 2 LOT 8 BLK 2	\$78,800	\$3,237.14
17527006	FROST KATHRYN G		PO BOX 39801	NINILCHIK	AK	99639	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0740531 FOREST GLEN SUB UNIT 2 LOT 8 BLK 2	\$78,800	\$3,237.14
17527009	WARD MARGARET ANN		3813 FOREST GLEN DR	HOMER	AK	99603	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0740531 FOREST GLEN SUB UNIT 2 LOT 11 BLK 3	\$110,100	\$3,237.14
17527013	FROST ROBERT F & KATHRYN G		PO BOX 39801	NINILCHIK	AK	99639	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0740531 FOREST GLEN SUB UNIT 2 LOT 7 BLK 3	\$104,100	\$3,237.14
17527014	CRAIG VICKI LYNN		PO BOX 477	HOMER	AK	99603	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2003026 FOREST GLEN SUB NO 6 LOT 9A BLK 3	\$247,300	\$3,237.14
17527018	VON REKOWSKI JEFFREY		3812 FOREST GLEN DR	HOMER	AK	99603	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2003027 FOREST GLEN SUB NO 7 LOT 10B	\$197,400	\$3,237.14
17527018	VON REKOWSKI KATE		3812 FOREST GLEN DR	HOMER	AK	99603	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2003027 FOREST GLEN SUB NO 7 LOT 10B	\$197,400	\$3,237.14
17527022	BOWDEN CHRISTOPHER		3779 FOREST GLEN DR	HOMER	AK	99603	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2004061 FOREST GLEN SUB NO 9 LOT 9B-1 BLK 3	\$237,700	\$3,237.14

KENAI PENINSULA BOROUGH
ASSESSOR'S OFFICE
144 N. BINKLEY STREET
SOLDOTNA, AK 99669-7520

2015 NOTICE OF ASSESSMENT
Annual - Real Property



Address Service Requested

*AUTO**SCH 5-DIGIT 99603



32 1

7321

FAULKNER EILEEN J
3671 POPPY CIR
HOMER AK 99603-7460

MIKE NAVARRE
BOROUGH MAYOR

(907) 714-2230 Fax: 714-2393
(800) 478-4441

Toll free within Kenai Peninsula borough only

THIS IS NOT A TAX BILL

This is a notice of the January 1st assessed value for the following described taxable property.

Account Number: 17526027

Tax Code Area: 20 - HOMER CITY

Parcel Address:
3671 POPPY CIR

Legal Description:

T 6S R 13W SEC 19 Seward MERIDIAN HM 2006093 FOREST GLEN SUB UNIT 1
PURCELL REPLAT LOT 2B

2015 Assessed Values

Land: 49,300

Improvements: 235,900

Total Assessed KPB: 285,200

Exempt Value KPB: 285,200

Total Taxable KPB: 0

Total Assessed City: 285,200

Exempt Value City: 170,000

Total Taxable City: 115,200

AS 29.45.180(a) & KPB 5.12.040 (A) require that a person receiving a Notice of Assessment must advise the Assessor of errors or omissions in the assessment of the person's property, or of disputes in assessed value or taxable status of the property, within 30 days after the mailing of the Notice of Assessment.

Any structures located on this property as of January 1, 2015 that are not reflected on this notice must be reported to the Assessor. Structures omitted from the main tax roll will be placed on a supplemental tax roll at the time of discovery and a tax bill will be sent to you including accrued interest.

Any waivers for filing late exemptions after 03/31/2015 will not be approved

APPEAL DEADLINE: 03/30/2015

TAXES DUE IN FULL: 10/15/2015

OR

BOARD OF EQUALIZATION
WILL BEGIN MEETING:

05/26/2015

1st INSTALLMENT DUE: 09/15/2015
2nd INSTALLMENT DUE: 11/15/2015

APPEAL PROCEDURE AND IMPORTANT TAX INFORMATION ON REVERSE SIDE

MAR 16 2015 AM 08:36

M

Matthew Miller
For Patricia Arnold
3479 Landings Apt 1
Homer AK 99603

3/13/2015

City of Homer
Office of the City Clerk
491 East Pioneer Ave
Homer AK 99603
Ph: (907) 235-3130
Fax: (907) 235-3143

Re: Patricia Ann Arnold 3479 Landings St., Unit 1 Homer, Alaska 99603

To Whom It May Concern,

I am the legal guardian for Patricia Ann Arnold of unit 1 of the Landings Condominium. She received the city's natural gas assessment notice and we are objecting strongly to the Natural Gas – Homer Special Assessment Districts individually billing condo owners. First, we object because the City of Homer has already been challenged on this issue and Judge Charles Huguelet ruled in favor of the condo owner in that suit. Secondary, we object because this assessment is because the city is asking The Landings to pay 17 times the amount that other lots in the special assessment area are paying.

On January 2014, Superior Court Judge Charles Huguelet ruled on the side of Ken Castner that, "The city's assessment with respect to condominium owners is arbitrary and unreasonable." It is my argument that the intent of that ruling was to be applied to all condominiums. In fact your own lawyer supported this buy arguing that the city, "apply the same assessment method to any other condominium where more than one unit is served by a single service connection," such as the Landings Lot 1. It is unclear to me why you would ignore both the judge's ruling and your own legal representative's advices when you chose not to appeal to the judge's ruling.

The reason most people move in to a condo– association is spread out the associations building maintenance cost and create legal entity to take care of the shared cost of living on a smaller parcel of land. My Mother only owns 1/17th of this property and has a financial responsibility to 1/17th of the common property. Only one pipe is being run to the property and not 17 pipes. As I understand it Enstar is billing separately for the multiple meters in the building so this pipe is only to the Lot and as such should be billed to the Association which is responsible to the Lot. As such you are asking the Landings Condo association to pay 17 times what other business and properties are paying.

Please do not let this escalate to further litigation and cost to the city. Further, we would consider claims against the city for the necessary legal cost this action would incur.

Sincerely,



Matthew J. Miller on behalf of Patricia Ann Arnold

Date: 03/14/2015 14:23

NO. OF PAGE: 2 (include this page)

To:

Name: City Clerk

Department: Office of the City Clerk

Company: City Of homer

From:

Name: Matthew Miller

TEL & FAX: (TEL)907-440-1554

E-Mail: Questingknight@hotmail.com

Comment:

Attached is the objection for 3479 Lanc ngs St. Unit 1 to the Natural Gass Special Assessment.

Matthew Miller
For Patricia Arnold
3479 Landings Apt 1
Homer AK 99603

MAR 16 2015



3/13/2015

City of Homer
Office of the City Clerk
491 East Pioneer Ave
Homer AK 99603
Ph: (907) 235-3130
Fax: (907) 235-3143

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Please do not let this escalate to further litigation and cost to the city. Further, we would consider claims against the city for the necessary legal cost this action would incur.

Sincerely,



Matthew J. Miller on behalf of Patricia Ann Arnold

Jo Johnson

From: fixajaw@aol.com
Sent: Sunday, March 15, 2015 1:51 PM
To: Jo Johnson
Cc: Mslezewski13@aol.com
Subject: Objection to Homer Natural Gas Special Assessment.

Dear Ms Johnson/City of Homer,

We are the owners of Lands End Lodges Condominium #21 and associated garages #1/6 and as such hold an allocated undivided interest in the common property natural gas improvement and assessment. We object to receiving an assessment higher than our proportional interest using a method of assessment that has been declared illegal by the State Superior Court (Castner v City of Homer). The administrative process which you have required us to take part in is not appropriate.

Sincerely,

Ray A Holloway DDS
Michelle L Slezewski DMD
3001 Widgeon Lane #3
Anchorage, AK 99508
fixajaw@aol.com
907.632.2043

3-12-15

To Whom It Concerns:

My home is 2158 ASPEN LANE, Homer and this letter is my formal objection to paying for a utility I am not using and did NOT vote for.

If I chose not to hook up to electricity, (which goes by my place) HEA would not send me a bill. Neither would the city bill me if I chose not to hook up to water and sewer. Why is this gas utility different?

Why do I have to pay for a service I am not using?

At such time that the owner of the property wanted to hook-up, then the assessment would be made.

Sincerely

MR and MRS Jeff Coker

MAR 13 2015



for Margaret Brown

17937004



Engaging and Connecting our Community with the Arts

355 W Pioneer Ave, Homer AK 99603 | hcoa@homerart.org | fax: 907.235.4308 | tel: 907.235.4288

Parcel ID 17515224 Homer Council on the Arts
Parcel ID 17515215 HCOA / Quit Claim from Mary Epperson

March 10, 2015

Dear Mayor Wythe and Members of the City Council,

In the year 2000, fifteen years ago, Mary Epperson made a decision to donate the Etude Music Studio and property to Homer Council on the Arts (HCOA) upon her death. Her hope was to move into the HCOA Building before repairs were necessary on the Etude building. At the time, HCOA was planning a remodel, which would have provided a space for Mary to continue her work. An unfortunate circumstance of vandalism prevented HCOA from moving forward with the remodel. Mary always allowed HCOA to use her property for parking.

In 2010, because the HCOA remodel had not happened, Mary changed her mind and decided to gift her building to Wally and Carol Comfort for them to repair and maintain the Etude property. Carol Comfort had been teaching in the Etude building for many years already. The Comforts did not accept the gift because the building was beyond reasonable repair. Shortly thereafter, Carol Comfort moved her teaching space from Etude to Homer Council on the Arts and Mary's health forced her to retire. The Etude building sat vacant. Mary and Jack Epperson, with their son Dean, prepared a Quit Claim Deed and signed the property over to HCOA on December 28, 2012.

HCOA had the Etude building inspected and was informed that the building was beyond repair. With grant funding from the Rasmuson Foundation and the Homer Foundation, HCOA razed the building in August of 2014. And the lot is now used entirely for parking.

The original intention of Mary Epperson was to blend her property with that of Homer Council on the Arts and have the HCOA building be the physical location for the continuation of musical instruction.

HCOA has no intention of putting a building on the old Etude site. The lot size and location of Woodard Creek makes it suitable for a parking site but not practical for another building. HCOA plans to remove the culvert under the parking lot, to daylight Woodard Creek. A bridge would be placed over the creek on the Etude side in order to access the back parking lot. Access to natural gas is not an asset to the second HCOA (Etude) property lot.

With the HCOA building upgrade and renovation project on the City of Homer CIP list, and a funding request submitted to CAPSIS for phase one of the project (conversion to natural gas), the funds for a second assessment would be put to better use converting the HCOA building to natural gas.

Homer Council on the Arts requests that the City makes an exception to the current appraisal rule and considers the two parcels that HCOA now owns to be assessed as a single assessment for natural gas. Thank you for your consideration.

Sincerely,

Gail Edgerly
Executive Director

March 11, 2015

City of Homer
Office of the City Clerk
ATTN: Jo Johnson, MMC
491 East Pioneer Avenue
Homer, Alaska 99603

MAR 13 2015



We are submitting our written objection to the City of Homer Natural Gas Special Assessment levied by tax parcel number the condominiums we own in the condominium project on the Homer Spit, Land's End Lodges, 4799 Homer Spit Road, tax parcel ID number;

18103449CO12 – James & Leslie Huffman / Great Land Properties


Superior Court Judge Charles Huguelet's decision in Castner vs. the City of Homer stated the City of Homer could not treat condominium units the same as individual city lots in the natural gas special assessments.

The Land's End Lodges condominium project is located on one lot (T 7S R 13W Sec 1 Seward Meridian HM 0990018 Lands End Sub No 2 Amended Lot 24-B-1) within the City of Homer and was provided with one natural gas stub-out on Homer Spit Road to supply the entire condominium project. In order to connect the condominiums to natural gas from the single stub-out, Enstar Natural Gas charged the Land's End Lodges Homeowner's Association \$49,390.32 to extend access to the individual condominium units. Had the City of Homer supplied stub-outs to each individual tax parcel, the Homeowner's Association would not have incurred such high costs from Enstar. Enstar did not charge the individual owners of the condominiums within the project to extend the gas line, they charged the condominium association. The City of Homer did not supply 28 individual natural gas stub-outs to the 28 condo tax parcels, they provided one stub-out to the condominium project's one lot. We would not be objecting to this assessment by tax parcel if each of our tax parcel's had been treated as a single city lot and provided with a stub-out.

Our condominium project consists of 28 tax parcels consisting of 22 residential condominiums units and six garage units. The garage units are owned by individual owners of condos within the association and are not allowed by the association's declarations and by-laws to be sold to any entity or individual unless they own one of the residential condominium units. Our declarations and by-laws prohibit use of the garage units for human habitation, they can only be used as garages and do not have water and sewer connections. We object to the detached garage units being assessed the same as an individual city lot - does the City of Homer assess other detached garages independently of their respective residences?

We believe the City of Homer should abide by Judge Huguelet's decision and the recommendations of former City Manager Walt Wrede and City Attorney Thomas Klinkner to apply the Castner ruling to all condo assessments and assess the Land's End Lodges Homeowner's Association one assessment of \$3,237.14 for our one City lot and the one stub-out provided by the City, not 28 individual assessments, six of which are for detached garages associated with the residential condominiums.

As a condominium association we own the two streets that access our project and are responsible for their maintenance, repair, snow plowing and snow removal - NOT the City of Homer. Our condo association is responsible for the repair and maintenance of our street lights and associated electrical bills, NOT the City of Homer. When a fire hydrant needed repairs several years ago as required by the City of Homer, our association arranged and paid for the work NOT the City of Homer. When a water line in one of our two streets failed last year creating a giant sink hole extending from garage driveways through the street and into individual unit driveways, the association arranged and paid for the repairs NOT the City of Homer because we are a condominium project and are treated differently than individual single family residences on individual lots under the City of Homer's condominium zoning requirements and building codes.


Leslie Huffman, Owner
18103449CO12

T65A13W SEC 27

MAR 13 2015

3-11-15

Reference enclosed notice of *JR*
exclusion.

To Whom it may concern:

I feel this assessment is
unfair as I will not benefit
in any way.

Half of my property is
under high tide.

I would have a hard
time selling + don't plan
to build myself.

Sincerely,

Beverly Price
361 Regis Dr.
Ventura, Cal.
93803



City of Homer Planning & Zoning

491 East Pioneer Avenue
Homer, Alaska 99603-7645

Telephone (907) 235-3106
Fax (907) 235-3118
E-mail Planning@ci.homer.ak.us
Web Site www.ci.homer.ak.us

PRICE MARITAL II TRUST
BEVERLY J PRICE TRUSTEE
361 REGIS AVE
VENTURA, CA 93003

September 6, 2012

NOTICE OF EXCLUSION FROM THE HOMER SPECIAL ASSESSMENT DISTRICT FOR NATURAL GAS

You may provide comments to the Homer City Council on Monday, September 24th, 2012, 6:00pm, City of Homer City Hall, 491 E Pioneer Ave, Homer AK 99603. Written comments must be received by 5:00pm the day of the meeting.

Dear PRICE MARITAL II TRUST,

The City of Homer is working with Enstar Natural Gas to bring natural gas to Homer. This will allow homes and businesses to convert to natural gas. The City is in the process of forming the Homer Special Assessment District (HSAD), which will pay for the construction of the system, and levy an assessment against most properties in Homer.

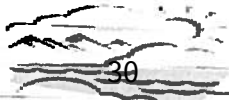
Approximately 90% of the community will have direct access to natural gas. The distribution system will be paid for by assessments against individual properties. You own property that will not have an assessment.


You own property that will have access to natural gas but will not have an assessment levied against it.

Subject Property:

Kenai Peninsula Borough Parcel ID#:18101018
Legal Description: T 6S R 13W SEC 27 SEWARD MERIDIAN HM THAT PORTION OF THE
W1/2 OF GOVT LOT 11 LYING SOUTH OF HOMER SPIT RD

Why won't I pay an assessment?



 The City Council has exempted certain properties from paying an assessment. Lots that have severe constraints for development such as steep slope, tideland, or other physical reasons will not pay an assessment.

Can I expect any more information from the City about this project?

I will not be sending you any more mail for this specific lot. You will receive information in the near future for other properties you own that will be in the assessment district.

You have the opportunity to provide comments about the above properties to the City Council. The City Council meeting starts at 6:00pm, on September 24, 2012, in City Council Chambers at 491 E Pioneer Ave, Homer, AK 99603. You can comment in person, or in writing. Please provide your written comments to the address above, attention Julie Engebretsen, or via e-mail to jengebretsen@ci.homer.ak.us. Written comments must be received by 5:00 pm on the 24th.

Sincerely,

Julie Engebretsen
Planning Technician
jengebretsen@ci.homer.ak.us
(907)435-3119

JOHN VELSKO

P.O. Box 2269
Homer, Alaska
Jvelsko@hotmail.com
907-299-1215

MAR 13 2015

March 7, 2015

City of Homer
491 East Pioneer Avenue
Homer, Alaska
99603

RE: Homer Natural Gas Special Assessment District - Parcel ID #17369021

To Whom it May Concern,

My wife and I object to the changes the Homer City Council has made to the Homer Natural Gas Special Assessment District, in particular, exempting certain parcels due to conservation status or lots deemed to be unsuitable for development. It is our opinion that the City does not have the required foresight and expertise to determine what properties should be exempted. Exempted parcels may change hands through time, real estate law can change or be amended as can zoning regulations. Building technology is constantly evolving and what once was considered "unsuitable for development" can indeed, become very desirable. One has only to look at the development out East End Road - an area that was once identified by the United States Geological Service as "unsuitable for human habitation" due to the lack of potable water and poor draining soils. Some of that real estate has proven to be very valuable and habitable today.

Even if the City has made provision for these exempted parcels to pay the assessment if and when they are developed in the future it is still patently unfair to those residents who had no such option. Who is to say what the current assessment invested in the stock market would bring in five, ten or twenty years from now for those landowners who had no need of natural gas?

Unless the owners of these exempted properties deed them to the City, where there would be some common good, then we believe exempting properties in the Assessment District is illegal.

John Velsko



Theodora Velsko



March 11, 2015

Rodney Val McLay
PO Box 504
Homer, AK 99603
907-299-1824

MAR 13 2015 PM 03:21 *Re*

City of Homer
491 E Pioneer Avenue
Homer, AK 99603

RE: Special Assessment for Gas Pipeline

City Clerk:

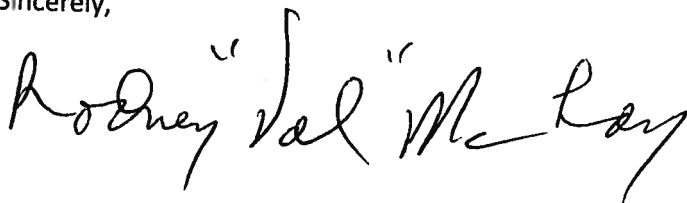
I am writing to object to the assessment on the gas pipeline.

I have two parcels of land. The first parcel is #17926002. This is commercial property on which no business has operated since October 2008. The second parcel is #17411113 which has never been developed.

There is no benefit to having gas at either of these properties. I am retired and on a fixed income and as a result of extra costs due to these assessments I may be forced to sell one of these parcels so that I can continue living in the Homer area.

Thank you for your attention to my concerns.

Sincerely,

A handwritten signature in cursive script that reads "Rodney Val McLay". The signature is written in black ink and is positioned below the word "Sincerely,".

Rodney Val McLay

JOHN VELSKO

P.O. Box 2269
Homer, Alaska
Jvelsko@hotmail.com
907-299-1215

MAR 13 2015

March 8, 2015

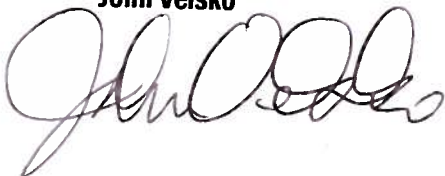
City of Homer
491 East Pioneer Avenue
Homer, Alaska
99603

RE: Homer Natural Gas Special Assessment District - Parcel ID #17516033C007

To Whom it May Concern,

My wife and I object to the above referenced assessment . We sold this property to Benjamin Spell on September 16, 2014. We gained no benefit from the gasline as the Baywatch Condominium HOA declined to hook up to the distribution line at that time. Mr. Spell was aware of the future pending assessment in April 2015 at the time of sale and agreed that this assessment should be borne by him.

John Velsko



Theodora Velsko



3.10.15

Homer AK

MAR 13 2015 AM 10:01 AM

Dear City Council,

In consideration of the gasline assessment please find our lot description attached to this letter.

We would like to object to the fact the gas assessors are calling our lot 2 lots. We bought one lot in 2010. In 2012 we bought an adjacent lot + proceeded to remove the lot line to make our acreage one lot. (See Borough map attached) It was replatted in 2012, before we knew we were getting gas to our property. The gas coming in was not our reason to make one lot. Realistically we need only one gas line and do not need two lines to our lot. We are one residence ~~more~~ lot. We do not want 2 assessments levied against us and feel it is unfair to call our property two lots.

Please reconsider and honor our replat knowing that we are a one

family residence are one lot.

This is our written objection.
If you have any questions
please contact us.

Bonnie Dupree

Bonnie Dupree

907 399 5300

Atz K Kilcher



907. 299. 2524

841 goldberry ct
Homer AK

CITY OF HOMER
PROPERTY OWNER'S
STATEMENT OF ASSESSMENT
HOMER NATURAL GAS SPECIAL ASSESSMENT DISTRICT

Parcel ID	Légai	Assessment
17324168	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 2013047 WINTERGREEN SUBDIVISION 2013 REPLAT LOT 5-A-1	\$6,474.28

If the property has more than one owner, each owner listed on the Kenai Peninsula Borough tax roll will receive this notice. The amount listed above is the assessment due per property, not per individual property owner.

City of Homer
Office of the City Clerk
491 E. Pioneer Avenue
Homer, Alaska 99603
(907) 235-3130

LEGEND

- ① PRIMARY MON. OF RECORD
- ▨ 15' UTILITY EASEMENT
- ▩ WETLAND AREAS
- FIND 2" AC 7968-S

WASTEWATER DISPOSAL

THE PARENT SUBDIVISION FOR THE LOT RESULTING FROM THIS PLATING ACTION WAS APPROVED BY THE KENAI PENINSULA BOROUGH IN 2006. THIS SUBDIVISION MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF November 17, 2013.

Walter Brock
 AUTHORIZED OFFICIAL
 KENAI PENINSULA BOROUGH
 DATE: 12-17-2013

NOTARY'S ACKNOWLEDGMENT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DAY OF 12-14 2013 at Kenai, Alaska
 FOR: Atz Kieker
Katherine Brock
 NOTARY PUBLIC FOR ALASKA
 MY COMMISSION EXPIRES 12/1/14



- NOTES**
1. NO PERMANENT STRUCTURES SHALL BE CONSTRUCTED OR PLACED WITHIN AN EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE SAID EASEMENT.
 2. THIS LOT IS SERVED BY ONSITE WATER AND SEWER SERVICES.
 3. THE FRONT 15' ALONG THE EXISTING RIGHTS-OF-WAY AND 20 FEET WITHIN 5 FEET OF SIDE LOT LINES IS A UTILITY EASEMENT.
 4. DEVELOPMENT OF THIS LOT IS SUBJECT TO THE CITY OF HOMER ZONING REGULATIONS.
 5. ANY PERSON DEVELOPING THE PROPERTY IS RESPONSIBLE FOR OBTAINING ALL NECESSARY LOCAL, STATE, AND FEDERAL PERMITS INCLUDING A U.S. ARMY CORPS OF ENGINEERS WETLAND DETERMINATION IF APPLICABLE.
 6. THIS PLAT WAS PREPARED FOR THE VACATION OF LOT LINES ONLY. NO SURVEY WAS PERFORMED FOR THE PREPARATION OF THIS PLAT. ALL LOT DIMENSIONS SHOWN ON THIS PLAT ARE FROM RECORD DATE AS SHOWN ON PLAT #2008-84 (H80).
 7. COVENANTS FILED IN BOOK 308 PAGE 730 H80.
 8. FURTHER SUBDIVISION OF LOT 5-A-1 MAY BE LIMITED BASED ON ACCESS ISSUES, DEVELOPMENT TRENDS IN THE AREA OR TOPOGRAPHY.

CERTIFICATE OF OWNERSHIP

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON THAT WE HAVE FREELY CONVEALED BY SUBDIVISION AND BY OUR FREE CONSENT DEDICATE ALL RIGHTS OF WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN HEREON.

Bonnie Dupree
 BONNIE DUPREE
 641 GOLDBERRY CT.
 HOMER, ALASKA 99603



NOTARY'S ACKNOWLEDGMENT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DAY OF 12-14 2013 at Kenai, Alaska
 FOR: Atz Kieker
Katherine Brock
 NOTARY PUBLIC FOR ALASKA
 MY COMMISSION EXPIRES 12/1/14

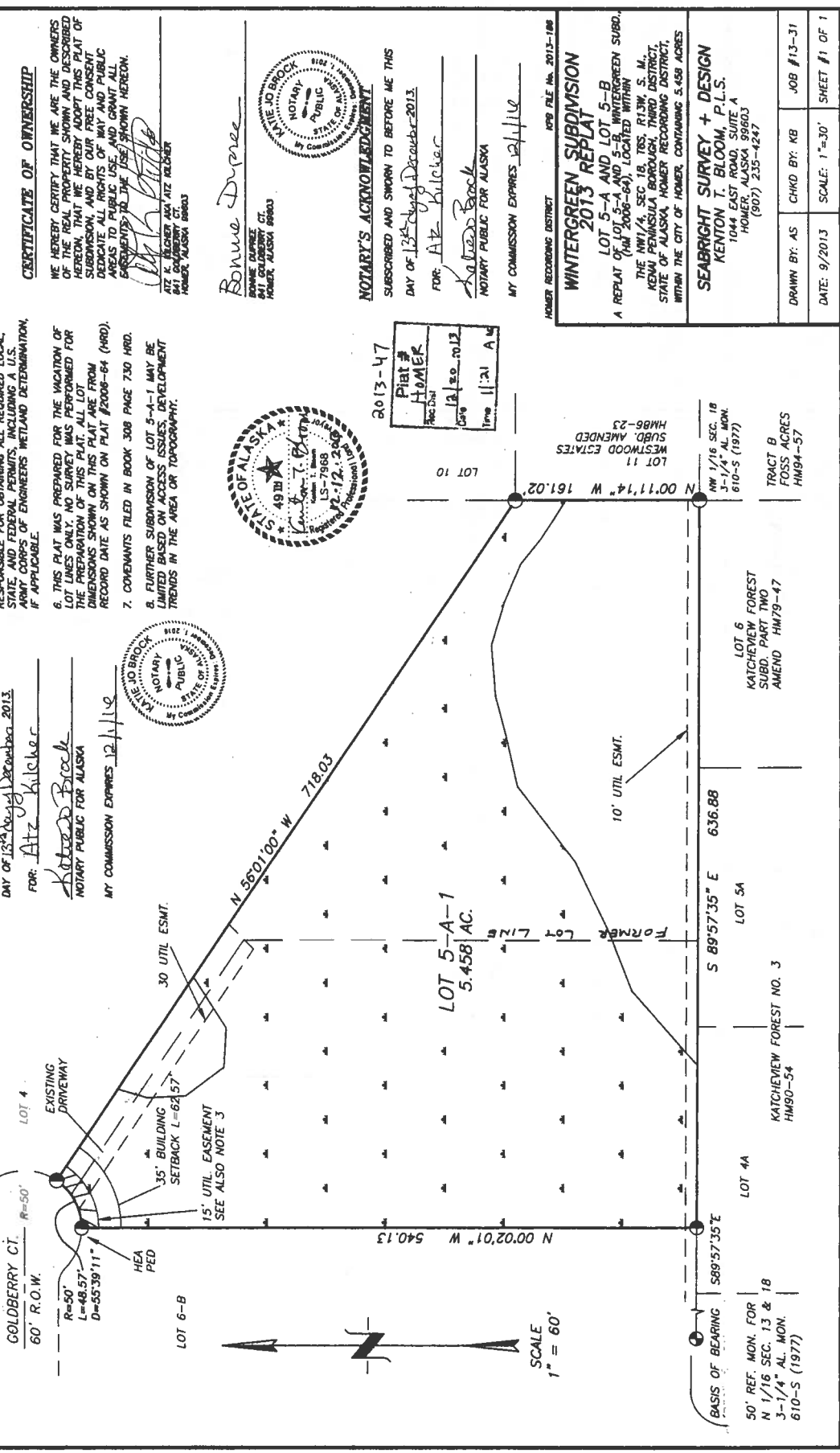
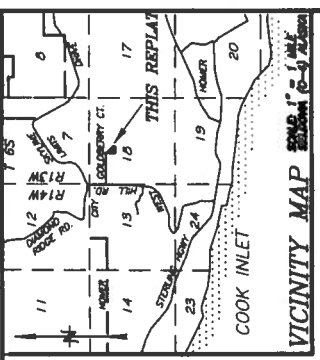
HOMER RECORDING DISTRICT KPB FILE NO. 2013-188

WINTERGREEN SUBDIVISION 2013 REPLAT

LOT 5-A AND LOT 5-B
 A REPLAT OF LOT 5-A AND LOT 5-B WINTERGREEN SUBD., (H80 2008-84) LOCATED WITHIN THE NW 1/4 SEC. 18, T3S, R13W, S. M. KENAI PENINSULA BOROUGH, THRO DISTRICT, STATE OF ALASKA, HOMER RECORDING DISTRICT, WITHIN THE CITY OF HOMER, CONTAINING 5.458 ACRES

SEABRIGHT SURVEY + DESIGN
 KENTON T. BLOOM P.L.S.
 1044 EAST BROAD, SUITE A
 HOMER, ALASKA 99603
 (907) 235-4242

DRAWN BY: AS CHKD BY: KB JOB #13-31
 DATE: 9/2013 SCALE: 1"=30' SHEET #1 OF 1



2013-47
 Plat #
 HOMER
 Rec. Dist.
 Date
 12/18/2013
 Time 11:21 AM

LOT 11
 WESTWOOD ESTATES
 SUBD. AMENDED
 HMB6-23
 NW 1/16 SEC. 18
 3-1/4" AL. MON.
 610-S (1977)
 TRACT B
 FOSS ACRES
 HMB94-57

LOT 6
 KATCHEVIEW FOREST
 SUBD. PART TWO
 AMEND HMB79-47

LOT 4A
 KATCHEVIEW FOREST NO. 3
 HMB90-54

50' REF. MON. FOR
 N 1/16 SEC. 13 & 18
 3-1/4" AL. MON.
 610-S (1977)

March 10, 2015
Vickey J. Hodnik
PO Box 1836
Homer, Alaska 99603

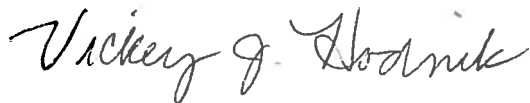
Dear City of Homer,

This letter pertains to the natural gas assessment and my desire to reacquaint you with Resolution 05-93. This resolution pertains to parcels of land that were cut into pieces when Kachemak Dr. was laid down. The resolution states that only one assesement can be charged to the original parcel. My land is a part of Governement Lot 2.....one part is north of Kachemak Dr. and the other is on the south side of the street.

In the late 1990's I purchased the small lot on the north side from Fred Carroll it was a part of the original homesite, and he purchased it to have water for his home. In 2000 I gave the city easement for sewer and water, phase 1, so that five of my neighbors could have sewer and water. However, I did not receive the utility. I had no time to drop the lot lines, as the project was ready to begin, and the city wanted to include the five extra homes. This lot is small, has easements, is partly under Lampert Lake and the rest is swamp not developable and already has an easement for sewer and water! I would ask the city not to assess me for this small lot because of the above mentioned facts. I am in the process of a surveyor redoing the plat and dropping those mentioned lot lines and returning the parcel to it's original form.

Thank you for this consideration and I will be awaiting a response.

Sincerely,



Vickey J. Hodnik



KPB Parcel Viewer



Printed: Mar 05, 2015

→ 2690 Kachemak Dr.



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City Resolutions 1983 - 2010

CITY OF HOMER

HOMER, ALASKA

Novak

RESOLUTION 05-93

A RESOLUTION OF THE HOMER CITY COUNCIL AUTHORIZING HOMER ACCELERATED WATER AND SEWER PROGRAM DEFERRED WATER AND/OR SEWER ASSESSMENTS FOR LOTS THAT WERE SPLIT AS A RESULT OF THE CONSTRUCTION OF KACHEMAK DRIVE AND THAT ARE IN THE KACHEMAK DRIVE PHASE I, PHASE II OR PHASE III WATER AND/OR SEWER IMPROVEMENT/ASSESSMENT DISTRICT PROJECTS AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE APPROPRIATE DOCUMENTS.

WHEREAS, There is one lot in the Kachemak Drive Phase I Sewer District and the Kachemak Phase I Water District that was originally one lot and was split by the construction of Kachemak Drive; and

WHEREAS, Kachemak Drive Phase II Water and Sewer District contains six lots that were originally one parcel and were split by the construction of Kachemak Drive; and

WHEREAS, Kachemak Drive Phases I and II Water and/or Sewer Districts have been approved for construction; and

WHEREAS, Kachemak Drive Phase III Water and Sewer District is in the petition phase, may have one lot that was split, and has not been evaluated since it is still in the petition phase; and

WHEREAS, The creation of two lots was not the result of any action of the owner or previous owners; and

WHEREAS, As a result of being divided by the construction of Kachemak Drive, these lots went from one tax parcel number to being assigned two tax parcel numbers by the Kenai Peninsula Borough; and

WHEREAS, As they have always done, property owners residing on the property live on only one lot.

NOW, THEREFORE, BE IT RESOLVED, that the Homer City Council hereby authorizes Homer Accelerated Water and Sewer Program Deferred Assessments for lots that were split as a result of the construction of Kachemak Drive and that are in the Kachemak Drive Phase I, II or III water and/or sewer Improvement/Assessment District Projects until the date on which the lots are sold or a permit for construction is applied for, and authorizing the City Manager to execute the appropriate documents.

Parcels being considered are the following:

Government Lot 2, South Portion KPB Parcel No. 179-360-0200 Phase I

Government Lot 15, West of Kachemak Drive KPB Parcel No. 179-080-1300 Phase II

Government Lot 16, West of Kachemak Drive KPB Parcel No. 179-080-1900 Phase II

Page Three

Resolution 05-93

City of Homer

Government Lot 17, West of Kachemak Drive KPB Parcel No. 179-080-2100 Phase II

Government Lot 26, West of Kachemak Drive KPB Parcel No. 179-080-2700 Phase II

Government Lot 32, West of Kachemak Drive KPB Parcel No. 179-080-3900 Phase II

Government Lot 38, West of Kachemak Drive KPB Parcel No. 179-100-0400 Phase II

PASSED and ADOPTED by the Homer City Council on this 12th day of September, 2005.

CITY OF HOMER

ATTEST: JAMES C. HORNADAY, MAYOR



Homer

- Facts & Figures
- Photo Gallery
- Snapshots of Homer
- Sustainability
- Volunteer Opportunities

Departments

- Airport
- Economic Development
- Finance
- Fire Department
- Library
- Parks & Recreation
- Personnel
- Planning
- Police Department
- Port & Harbor
- Public Works

Government

- Boards and Commissions
- City Clerk's Office
- City Council / Mayor
- City Manager's Office

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- A to Z Services
- Agendas & Minutes
- Bids and RFPs
- Calendar
- Documents & Forms
- Email notifications
- Pay Utility Bills Online
- Press Releases

Additional Info

- Home
- Login
- Sitemap

William J. Glynn, Jr.
P.O. Box 79
Kasilof, AK 99610

City of Homer
Office of the City Clerk
451 East Pioneer Ave.
Homer, AK 99603

3/12/2015

To Whom It May Concern:

Please except this letter as my opposition to the natural gas special assessment of \$3,237.14, assigned to parcel 17402503 known to the City of Homer by the legal Description T6S R 13W SEC 9 SEWARD MERIDIAN HM 0002273 SKYLINEVIEW SUB LOT 5 LYING N OF DIAMOND RIDGE RD.

I challenge the City's constitutional authority to vote yes to this project on my behalf when I did not actively submit a vote to the City of Homer.

Additionally, no need exists for natural gas service to the property and none has been requested by me.

Further, natural gas service to the property would require Enstar mandated construction complying with their safety standards. Standards that cannot be met without additional construction on the property that is all but impossible under rules imposed on the property by the City for the last construction project. Rules that ultimately cost me three rent paying tenants when the City ordered one of my towers removed from the property in order to comply with rules that could not be waived. Rules that also ultimately contributed to the demise of radio station KMJG, Homer.

Your attention to this matter will be appreciated.


William J. Glynn, Jr.

March 12, 2015

J. Wayne and Donna Aderhold
353 Grubstake Ave
Homer, AK 99603

City of Homer
Office of the City Clerk
491 East Pioneer Ave
Homer, AK 99603

Reference: Homer Natural Gas – Special Assessment District
Parcel ID's: 17710741, 17710320 & 17710319
Objection: inequality in assessment method

Ms. Johnson,

We acknowledge receipt of the notice sent to us dated February 17, 2015, regarding the determination of the "per parcel" assessment amount for the Homer Natural Gas – Special Assessment District (HNG-SAD) and we agree that the three referenced properties are served by this improvement, so have no grounds for objection to inclusion in the HNG-SAD based on the criteria established.

However, we strongly object to the method that was used to determine assessed amounts: specifically the lack of any rational apportionment of assessment (amount) based on benefit received (amount), as is customarily done, for good reason.

For the record, please note that we voted all of these properties "no" (against) formation of the HNG-SAD on January 25, 2013 and hustled through a time-consuming and expensive process to re-plat our residence (from two parcels into one) within the allotted timeframe to fend off an extra assessment in the event the HNG-SAD passed. Our reasons for objection were clearly stated in our submission.

We observed that the City was pressured and rushed through the HNG-SAD process, and as a result cut corners in developing the HNG-SAD method. We assert that the City made bad decisions in order to assure the vote on formation of the HNG-SAD would pass. Notable poor decisions included:

- The voting process for forming the HNG-SAD required those voting "no" to mail in an objection and assumed that all those who did not respond were in favor
- The use of property ownership as the basis for assessment, regardless of benefit (e.g., condominium owners vs. apartments)
- Shying away from a rational approach to assessment due to perceived complexity of the calculation

The prudent path would have been to work out all the “bugs” first, particularly assessments (which would normally be supported by proportionate voting power during formation). There is plenty of history from past improvement projects to demonstrate the pitfalls that could have been avoided.

Now we have the “condo-apartment” issue with one lawsuit so far and others threatening. This squabble only demonstrates one area of obvious inequity that will result if the current assessment plan is upheld. We agree with Judge Huguelet’s statement that City’s current assessments for this one group are “disproportionate to the benefit received” when compared.

Further, single family residences are also being assessed disproportionately when compared to other properties (apartment buildings and large commercial properties, for instance). This flaw just isn’t as blatant as the condo-apartment issue.

The most equitable (and most defensible) way to apportion the cost of this natural gas improvement to the “beneficiaries” is by assigning the assessment based on some rational determination of “benefit received.” The most obvious (and somewhat simple) method is to assign cost based on relative amount of potential “usage” the project delivers to each beneficiary.

The standard measure of usage is meter size and potential benefit to a property is measured by figuring the maximum gas meter size consistent with the class of the property (e.g., single family residence, multi-family residence, small commercial, large industrial). An example methodology for calculating assessments based on Enstar’s meter classification is attached.

Utilization of such an assessment rationale will result in an equitable apportionment of the cost based on a rational calculation of “benefit received” and will stand up to legal challenge. Failure to use a rational method of assessment will leave the City open to more lawsuits and bitterness and discontent among Homer citizens.

It is unfortunate and unattractive for the City of Homer to have to admit to making a mistake at this point in the process, but in the long run it will be better to immediately backtrack and fix the root problem now before it gets worse. To do less is inviting the condo owners to continue their fight, as they as they have stated they will, and further wrongs the single-family homeowners who face shouldering a disproportionate and unfair burden. Property owners asked to pay a disproportionate share of the cost of the HNG-SAD will be forced to pursue an equitable resolution through the courts. **One way or another, the assessment needs to be both rational AND equitable.**

Our position today is essentially the same as we stated via email on February 5, 2014 and in our “no” votes at the time of formation of the HNG-SAD. Had we thought the Governor would eventually cave in to political pressure and approve state funds for the pipeline extension, we would have stated objection to both the use of public funds for private (Enstar) gain and the flawed assessment method being proposed in the early days of the HNG-SAD discussion. Our recollection is that no one on the “pro” side of the natural gas pipeline extension wanted any objections to be taken seriously for fear of losing the State money, and no one making decisions was willing to give sufficient weight to the problems associated with an inequitable assessment method. Mayor

March 12, 2015

Wythe was essentially "gagged" from discussion on the pipeline project and HNG-SAD for perceived conflicts as an employee of Homer Electric Association and for voicing concerns similar to ours early in the process.

We urge you to heed our objection now, follow Judge Huguelet's guiding principle of a "proportionate" assessment method, and devise an equitable assessment scheme before confirming this assessment roll.

Sincerely,



J. Wayne Aderhold



Donna Aderhold

Attachment: Example rational calculation of assessment based on meter size

Cc: Homer City Council, Mayor Wythe

Attachment: Example rational calculation of assessment based on meter size

Enstar has 4 levels of service (classifications) in its tariff filed with the Regulatory Commission of Alaska covering residential through large commercial (G1 through G4). This information is based on Enstar's website (<https://www.enstarnaturalgas.com/about-enstar/rates-regulatory/>) and demonstrates a rational approach to determining the relative "benefit" a property potentially receives based on gas meter size (maximum flow capacity measured in cubic feet per hour [cf/hr]).

The table below demonstrates a rational and equitable means of determining the "shares" each property might be assessed based on the benefit the property would receive from the natural gas pipeline by using Enstar's tariff classifications and customer charges.

Enstar Tariff Class	Maximum Meter Capacity (cf/hr)	Enstar Customer Charge	Relative HNG-SAD Assessment Share
G1	400	\$14	1
G2	649	\$30	2.1
G3	3,000	\$113	8.1
G4	Over 3,000	\$374	26.7

Based on this example, most residential properties would likely fall under the G1 level and pay 1 share of the HNG-SAD per assessed property. Heavier users (likely large apartment buildings, large condo buildings, and large commercial operations) would pay 2.1, 8.1, or 26.7 shares of the HNG-SAD per assessed property depending on meter size.

This method would also be essentially following the relative "payback" of the \$1 per thousand cubic feet which the City of Homer agreed to in order to induce the Governor into agreeing to grant the \$10 million from the State, because it is based on relative use of the commodity.

Note: if this rational approach to apportionment were applied during the voting procedure on whether to form the HNG-SAD, each property's "vote" would be based on its relative benefit value (as is usually done during "normal" improvement district procedures, we believe). That way a property facing greater financial consequences also has proportionate voting power in the decision on special assessment district formation. Unfortunately, the opportunity for incorporating this "fairness" aspect into the voting process was lost in the rush to move forward.

March 13, 2015

Jo Johnson, MMC
City Clerk
City of Homer
491 East Pioneer Avenue
Homer, AK 99603

MAR 13 2015



RE: Parcel ID 1752001

Dear Jo Johnson:

I am writing to request an exemption from the natural gas special assessment as it is not beneficial or not benefited to our lot at 626 Jenny Lane. There is no structure on the property. We would like to keep the area pristine as was initially secured as a homestead.

We ask that the City of Homer consider our parcel to be grandfathered in as a homestead and consider that the City of Homer in-kind the gas assessment at 626 Jenny Lane.

Furthermore, I am wondering if the Council will consider on exemption based income levels and elder status. Are there any options for a veteran exemption because I am the widow of the former property owner John A Sallee who was a World War II Veteran. After serving in the war Mr. Sallee homesteaded on the property on Jenny Lane.

Please let us know at your earliest convenience at 907-360-3193

Thank you,

Sincerely,

Mary A. Sallee

MAR 13 2015



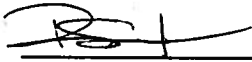
03/09/2015

Office of the City Clerk
491 East Pioneer Avenue
Homer, Alaska 99603

I object to the City of Homer natural gas assessment placed on the Landing Condo Association, as a condominium owner with an allocated interest in the assessment, and "found to be illegal by the Superior Court". I am the owner of parcel address 3479 landing ST Unit #28 and as such hold an allocated undivided interest in the common property natural gas improvement and assessment.

I object to receiving an assessment higher than my proportional interest using a method of assessment that has been declared illegal by the State Superior Court. The administrative process you have required me to take part is not appropriate".

Russ Smith



03/09/2015

MAR 13 2015

MR. AND MRS. DONALD D. WICK
1363 BAY AVE. #3
HOMER, ALASKA
99603-7962



3/10/15

City of Homer

We are the owners of parcel 179-210-18, 1363 Bay Ave #3 with an allocated interest in the assessment and as such hold an allocated undivided interest in the common Property improvement and assessment. We object to receiving an assessment higher than our proportional interest using a method of assessment that has been declared illegal by the State Superior Court. The administrative process that you have required us to take part in is not appropriate!!

Donald F. Wick
Donald D. Wick



Diane Sullivan <dsull32931@gmail.com>

MAR 13 2015

Objection to Gas Assessment

2 messages

Diane Sullivan <dsull32931@gmail.com>

Wed, Mar 11, 2015 at 2:11 PM

To: jjohnson@ci.homer.ak.us

Cc: diane <dsull32931@gmail.com>

CITY OF HOMER
OFFICE OF THE CITY CLERK
491 E.PIONEER AVE.
HOMER ALASKA 99603

I am a condominium owner of parcel T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0800072 BUNNELL'S SUB NO 11 LOT 65-A. and a such hold an allocated undivided interest in the common property natural gas improvement and assessment.

I OBJECT TO RECEIVING AN ASSESSMENT HIGHER THAN MY PROPORTIONAL INTEREST USING A METHOD OF ASSESSMENT THAT HAS BEEN DECLARED ILLEGAL BY THE STATE SUPERIOR COURT. THE ADMINISTRATIVE PROCESS YOU HAVE REQUIRED ME TO TAKE PART IN IS NOT APPROPRIATE.

Please correct this error.

Diane Sullivan for The Sullivan Family Trust.

Augustine Services LLC
P.O. Box 4
Seldovia, Alaska 99663

MAR 13 2015



March 9, 2015

City of Homer
491 East Pioneer Ave
Homer, Alaska 99603

RE: Notice of Assessment: Homer Natural Gas Special Assessment District

TO WHOM IT MAY CONCERN:

We have a large shop building located on Parcel ID 17923009 and Legal Description:
T 6S R 13W SEC 21 SEWARD MERIDIAN HM 004029 BAYVIEW SUB JOHNSON ADDN LOT 10

Our Shop encompasses almost the whole lot and even though we are not utilizing the gas line we would pay the assessment on it.

However, the other two lots listed below, are totally ^{BARE} ~~bar~~ and only provide parking for our Shop. We don't feel we should be charged for the gas line assessment on these two lots because we could never use them.

Parcel ID 17920104 and Legal Description:
T 6S R 13W SEC 21 SEWARD MARIDIAN HM 0000839 BAY VIEW SUB LOT 118

Parcel ID 17920103 and Legal Description:
T 6S R 13W SEC 21 SEWARD MARIDIAN HM 0000839 BAY VIEW SUB LOT 117

Thank you for your consideration of our request.


Russell Geagel
Augustine Services LLC

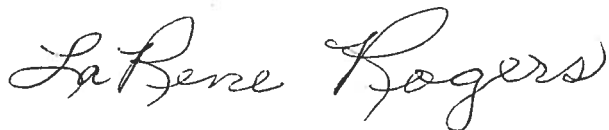
March 8, 2015

MAR 13 2015 PM 02:43 RK

Dear Homer Mayor and City Council Members,

I am objecting to having four gas assessments on our one piece of homesteaded property, making the assessment \$12,948.56. Parcel numbers 17316016, 17316020, 17316023 and 17316024 are actually one piece of property with only our home on it. After the Kenai Peninsula Borough was created they assigned parcel numbers. The borough states that four parcel numbers were administratively assigned only because of the section line (between 14 and 15) and the public road (formerly Old Sterling Hwy now Rogers Loop) that was constructed through it. Our homestead is still seen as one piece of property for the senior tax exemption as per attached. With this information I am trusting you will realize this property should receive only one assessment and make it so.

Thank you for correcting this to one assessment,

A handwritten signature in cursive script that reads "LaRene Rogers".

LaRene Rogers

KENAI PENINSULA BOROUGH

144 North Binkley Street • Soldotna, Alaska 99669

Toll-free within the Borough: (800) 478-4441

Phone: (907) 714-2230 • Fax: (907) 714-2393

www.borough.kenai.ak.us



Mike Navarre
Borough Mayor

November 06, 2014

|||||
LAWRENCE ROGERS
LARENE ROGERS
PO BOX 849
HOMER AK 99603-0849

RE: 2015 Senior Citizen Residential Exemption Parcel(s):

173-160-16 T 6S R 14W SEC 15 Seward Meridian HM PTN OF SE1/4 NE1/4 LYING NORTH OF STERLING HWY & NW OF ROGERS LOOP (FOR
173-160-20 T 6S R 14W SEC 15 Seward Meridian HM PTN OF SE1/4 NE1/4 LYING NE OF STERLING HWY & SOUTH OF ROGERS LOOP (FOR
173-160-23 T 6S R 14W SEC 14 Seward Meridian HM PTN OF SW1/4 NW1/4 LYING NORTH OF ROGERS LOOP (FORMERLY OLD STERLING I
173-160-24 T 6S R 14W SEC 14 Seward Meridian HM PTN OF SW1/4 NW1/4 LYING SOUTH OF ROGERS LOOP (FORMERLY OLD STERLING I

Dear Property Owner :

The parcel(s) referenced above received a Senior Citizen Exemption for the 2014 assessment year. This exemption continues annually for eligible seniors; annual application filing is not required. However, as the property owner, it is your responsibility to notify this office of any changes that affect eligibility for the senior exemption. Reportable changes include:

- Changes in length of occupancy or change in number of occupants
- Starting/stopping rental or commercial use on the property
- Denial of an Alaska Permanent Fund Dividend (PFD)

Exemption eligibility will be reviewed and may be removed if any of the following conditions occurs:

- A recorded deed changes the owner of record
- Upon receipt of an address change to a mailing address outside of the Kenai Peninsula Borough*
- Upon receipt of a postal notice of mail forwarded to an address outside of the borough*
- Notification of death of an owner of record
- An audit reveals your PFD application was denied for any reason

*If you will be out of state for an extended absence that results in a forward or change of mailing address, please notify the assessing department in advance. A notation will be made on the property record so that exemptions are not removed in error.

Unreported changes in occupancy or use for previous years may result in revocation of the exemption and may be subject to retroactive tax recapture with penalties and interest.

If you have any questions, please contact this office at (907) 714-2230 or toll free, within the borough, at 1-800-478-4441.

Susan Guzman
Exemption Examiner
KPB Assessing Department

CITY OF HOMER
PROPERTY OWNER'S
STATEMENT OF OBJECTION
TO SPECIAL ASSESSMENT DISTRICT

SPECIAL ASSESSMENT DISTRICT: **HOMER NATURAL GAS SPECIAL ASSESSMENT DISTRICT.**

I/we affirm that I/we am/are the owner(s) of the following lots in the Special Assessment District (give legal description):

Parcel ID	Legal Description
17522010	T 6S R 14W SEC 23 SEWARD MERIDIAN HM 0670482 BAYCREST SUB LOT 42
17522016	T 6S R 14W SEC 23 SEWARD MERIDIAN HM 0670482 BAYCREST SUB LOT 48

MAR 13 2015



I/We object to the HOMER NATURAL GAS SPECIAL ASSESSMENT DISTRICT.

Reasons/Comments: 1) I filed a formal objection in writing in a timely manner before Jan 2013
 2) I've paid 24 years of city of Homer taxes without any amenities due to living in the
 unmaintained section of Mt Augustine Drive 3) I am currently doing humanitarian work
 with the ebola response in West Africa and as far as I know it is not possible to have
 gas up to my property I am asking to have the assessment rescinded.

PROPERTY OWNER'S PRINTED NAME, SIGNATURE and DATE:

Mary Hogan •	M Hogan (signature)	3/13/15 (date)
	(signature)	(date)
	(signature)	(date)
	(signature)	(date)

NOTE: Please make sure that all the property owners of record print, sign and date this document. IF YOU HAVE MORE THAN ONE LOT PLEASE NOTE THIS ON THIS FORM WHEN YOU RETURN IT. OBJECTIONS WILL APPLY ONLY TO THOSE LOTS NAMED ON THIS FORM.

TO FILE AN OBJECTION COMPLETE THIS FORM AND RETURN IT TO THE OFFICE OF THE CITY CLERK BY THE DEADLINE, JANUARY 25, 2013, 5:00 P.M.

City of Homer
Office of the City Clerk
491 E. Pioneer Avenue
Homer, Alaska 99603

Jo Johnson

From: Keith Spizzirri <Keith@iqcando.com>
Sent: Friday, March 13, 2015 10:00 AM
To: Jo Johnson
Subject: Homer Natural Gas Assessment Objection written notice.

Dear Jo,

Thanks for taking my call today. Please let this serve as a written notice of objection to the assessment roll before confirmation hearings finalize any assessments on my parcels. The parcels ID's I own and object to being assessed are, 17910021, 17010022, and 17910019 titled under MAJiK.

The two parcels I am objecting to being assessed are 17910022 and 17910019 specifically. Neither one of these properties are developed , front Kachemak Drive, and nor do I plan on building on such a beautiful view.

My shop and home are on parcel 17910021 which does front Kachemak Drive but I object to also as I have no need for natural gas. I was doubled assessed on these parcels for water and sewer which I have not tied into either.

Again this is my written objection to the assessment roll and meets the written qualification stated in the City of Homer Notice of publication hearing.

Jo, please send confirmation recipe back to the email address my notice came from.
I heard winter was mild this year!

Thank you

Keith A Spizzirri
Property Owner

Sent from my iPad

Wj

Untitled

March 12 2015
TO:City Council of Homer AK

Account # 17411215
T62 R13w Sec 10 Seward Meridan HM POR SW 1/4 SE1/4SE1/4SE1/4SW1/4

I am requesting the above lot be exempted from the natural gas assesment for the following reasons:

- 1) Most importantly there is no access to this property. There is no easement at all.
- 2) I have owned this for almost 30 years and zero improvements have been made. It is raw land (about 7/10ths of an acre) without water or electric or sewage.
- 3) I voted no when this first arose knowing this would happen. I tried to make it one lot but the Surveyor I would have to use by law informed me it would cost between 3 to 4.5 thousand to file paperwork without a guarenteed approval.
- 4) As far as I can tell there is no hookup or line stubbed in.
- 5) There is no known address. Every tax bill and gas line notices have been sent to my prime address which is adjacent to the disputed property.
- 6) This property is for all intents and purposes an extension of the lot that I will be paying an assessment on. It is not a seperate piece that could be sold or developed.
- 7) In the recent letter regarding this subject the City stated I was benefitting from this improvement. Clearly paying 2 assessments for essentially 1 lot is not to my benefit but rather a financial detriment.

Thank you for your time. I sincerely hope you will see this as I do.

Colleen (Todd) Wagner

Colleen Todd Wagner

2485 Larry Lane
Homer AK 99603

Sorry about the uneren paragraphs. First time using notepad. Looked real good on the screen not so much on paper

Colleen Wagner

Page 1

43

March 12, 2015

City of Homer
Office of the City Clerk
491 E. Pioneer Avenue
Homer, Alaska 99603

SUBJECT: Homer Natural Gas Special Assessment District
Written Objection

I am objecting to the assessment of \$3,237.14 on Parcel No. 177-010-03,
Legal T6S R13W Sec 17 Seward Meridian HM S $\frac{1}{2}$ NW $\frac{1}{4}$, for the reason that the
gas is not available to this undeveloped 80 acres of land.

The lack of construction of the gas line to this parcel has been confirmed
by the City Clerk's Office, by a review of the construction map.

Sincerely,

Margaret S. Anderson

Margaret S Anderson
PO Box 115
Homer, Alaska 99603
907-235-8725

ij

Paul (Tony) Neal III
P.O. Box 3368
Homer, AK 99603-3368
(907) 299-2351
tonyneal@popsiefishco.com

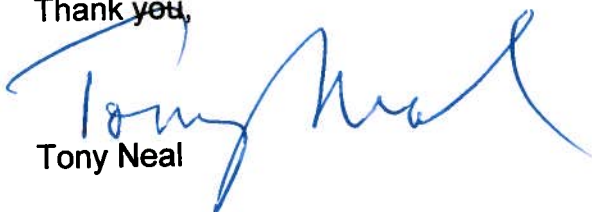
11Mar15

City of Homer
Office of the City Clerk
491 East Pioneer Avenue
Homer, AK 99603

Hello City Clerk,

I am a general partner of Neal Family Limited Partnership, the owner of condominium unit #930 at Quiet Creek Community. The letter is to object to the assessment roll as it applies to our unit and Quiet Creek Community. The Superior Court ruled on the method of assessment for condominium units and the City should comply with that ruling for all condominium units in the City.

Thank you,


Tony Neal

Box 2882
Kenai, AK
March 10, 2015

Homer City Council
491 E. Pioneer Avenue
Homer, AK 99603



RE: Homer Natural Gas Special Assessment
Beluga Professional Center – Unit 3
KPB Parcel No. 177-301-24

Dear Mayor and City Council Members:

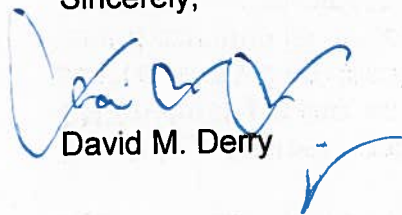
As owners of the referenced property we are writing to object to the Council's decision to discriminate against condo owners by unfairly assessing each owner for the installation of a single natural gas line servicing their building.


The Beluga Professional Center on Ben Walters Lane has 4 units. We are served by **ONE** natural gas line, as well as a single water and sewer service, a single electrical service, and we are located on **ONE** lot. Our building is the same as any other multi-tenant commercial office or retail building in Homer. **Except** the City has levied a natural gas assessment for each unit in our building – not one assessment for the entire building like other commercial buildings in town, even the ones that are much larger with many separate units.

We did not initially contact you about this situation because we were waiting to see the results of Mr. Castner's lawsuit. Afterwards we were aware of the original recommendations of City Attorney Klinker and City Manager Wrede that all condo owners should be treated the same. Only recently did these recommendations change and the assessments finalized.

The Council's decision is not fair, is over zealous, and should be amended to treat every parcel the same, regardless of building ownership or condominium status

Sincerely,


David M. Derry


Julie A. Derry

March 10, 2015

To: City of Homer
491 East Pioneer Ave.
Homer, AK 99615

MAR 12 2015



RE: Homer Natural Gas Special Assessment District for property 393 Rangeview Ave and 510 E Fairview Ave.

Dear City Clerk and Homer City Council:

I strongly protest the excessive costs about to be levied against my property to pay for the natural gas project. I do NOT want to pay this exorbitant fee. I do NOT want the natural gas line running by my property and will not use natural gas on my property. I had no voice in the City of Homer's decision to incur this debt and certainly do not want to pay for this latest ill advised venture.

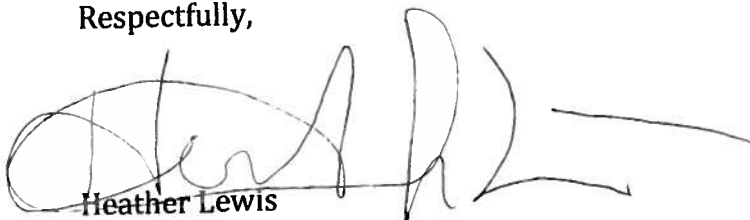
I was born in Homer and have had family living in Homer since 1948. My son has gone to your schools and I have seen HUGE changes in Homer in the last 10-15 years.

My family is middle class, hard working people who have worked hard for our money and we feel strongly that you continue to try to hurt us financially through additional assessments to our properties. We are looking forward to retiring to Homer however if you continue to take our money we will be looking elsewhere which is such a shame since my ties to the community are so strong.

Please note my protest. Please waive the natural gas line fees against my properties. I have worked hard to create a beautifully landscaped ^{place} for native songbirds, animals, and habitat that reflects my memories of growing up in Homer. My properties are truly an asset to Homer.

Thank you for your consideration to my protests!

Respectfully,



Heather Lewis

P. O. BOX 2541
Homer, AK 99603

Jo Johnson, MMC
City Clerk
City of Homer
491 E. Pioneer Ave.
Homer, Alaska 99603

March 7 2015



March 7, 2015

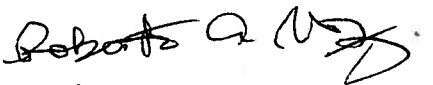
We are submitting our written objection to the city of Homer Natural Gas Special Assessment. We own Lands End Lodge Condominium # 3 at 4799 at Homer Spit Rd. Unit # 3 in Homer Alaska.

Parcel ID # 181034490003

Legal description: T 7S R 13 W SEC 1 Seward Meridian HM 2001017 Lands End Lodges Condominium Unit #3 Sub No 2 amended Lot 24-B-1, and as such hold an allocated undivided interest in the common property natural gas improvement and assessment.

We object to receiving an assessment higher than our proportional interest using a method of assessment that has been declared illegal by the State Superior Court. The administrative process you have required us to take part in is not appropriate.

The Land's End Lodges Condominium project is located on one lot (T 7S R 13 W SEC 1 Seward Meridian HM 0990018 Lands End SuB No 2 Amended Lot 24-B-1) within the City of Homer and was provided with one natural gas stub out on Homer Spit Road to supply the entire condominium project. Please bear in mind the fact that the condominium owners have already paid Enstar for the cost of linking their units to this stub.



Roberto A. Miki.
6930 Tulipan Court.
Coral Gables, Fl 33143.



Dina Chung de Miki
6930 Tulipan Court
Coral Gables, Fl. 33143



**South Peninsula
Behavioral Health Services, Inc**

3948 Ben Walters Lane, Homer, Alaska 99603

March 11, 2015

City of Homer
491 East Pioneer Ave
Homer, AK 99603

MAR 12 2015

RE: Natural Gas Assessment- Parcel 17730255

To Whom it May Concern,

I am the Chief Operating Officer of South Peninsula Behavioral Health Services, Inc., which is a local not for profit behavioral health agency. We own 5 parcels of land within the Homer City Limits, and 1 in Kachemak City, that are all subject to the natural gas assessment. We currently have one location connected to natural gas, at 3665 Ben Walters Lane, and have a gas meter at our main location at 3948 Ben Walters Lane. At the other 4 locations, we have no plans to connect to the natural gas line, as it's not cost effective at this point.

Our assessment will total \$19,422.84 for the Homer locations, and an additional \$3,237.14 for the location we own on Bear Creek Drive, for a total of \$22,659.98. We are a not-for-profit organization with a 501c3 designation, and all of these locations have met the criteria for tax exempt status.

Related to parcel # 17730255 (3948 Ben Walters Lane), we recently completed the process to vacate the property line between 2 parcels we own; one large parcel houses our main office, and the smaller parcel, approximately ¼ acre, was vacant land we used for parking. Rather than have two parcels on the Borough assessment role, and given the fact that we only use the vacant parcel for parking for our employees, we made the decision in the fall of 2014 to combine the two lots, and that process was completed through the Borough in January 2015. However, prior to that process, the vacant parcel was assessed the natural gas assessment, so we now owe \$6,474.28 for parcel # 17730255.

We have no plans to build a building, nor extend our existing building onto the portion of the combined lot that is now parking, so there would not be any need for a gas line to be extended to that portion of our property. I am aware that even with our not for profit status, we are obligated to pay the assessments for the properties that we own. Having said that, an expenditure of \$22,659.98 is a large expense for us to bear. We will only be installing gas in, at most, two properties, one of which is the parcel in question, but given there is no building on

the east portion of our parcel, we would be getting no benefit related to natural gas on that portion once we do connect to the gas line.

I would like to request your consideration to lower the assessment on parcel # 17730255 to \$3,237.14, the amount of the assessment for a single parcel.

Please let me know if I can provide more information. I can be reached at 235-9233.

Thank you for your consideration of this request.

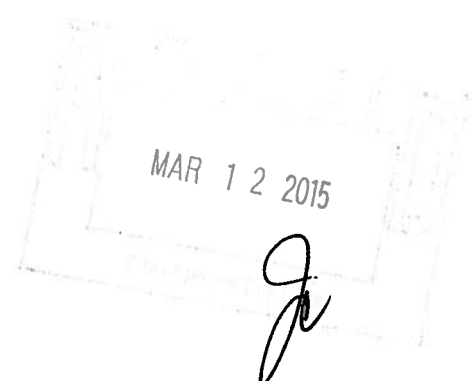
Sincerely,

A handwritten signature in blue ink, appearing to read "Carla Meitler", with a long, sweeping underline.

Carla Meitler
Chief Operating Officer

March 9, 2015

To: City of Homer
Office of the City Clerk
491 East Pioneer Avenue
Homer, Alaska 99603



Re: Homer Natural Gas Special Assessment District
4163 Rainbow Place, Homer, Alaska etc.

Dear City Clerk and Homer City Council:

I strongly protest the excessive costs about to be levied against my property to pay for the natural gas project. I do NOT want to pay this exorbitant fee. I do NOT want the natural gas line running by my property and will not use natural gas on my property. Ever. I had no voice in the City of Homer's decision to incur this debt and certainly do not want to pay for this latest ill advised venture.

I was born and raised in Homer and resided there full time from 1948 into the mid 70s. I became a full time resident and property owner in 2000 and maintain a home and undeveloped acreage on Rainbow Place. Since my purchase I have been forced to pay for separate City of Homer mandated water line and sewer line installations, although my property already had these services. So the City of Homer got paid twice for these services in different time periods. These spendy projects, plus the gas line project, have amounted to nearly one-third of the purchase price of my properties! That is just not good business. Considering the number of businesses that have closed in Homer in the last 5 years, I'm not the only one thinking we just can't afford the City of Homer's overbuilt infrastructure plans!

Please note my protest. Please waive the natural gas line fees against my properties. I have worked hard to create a beautifully landscaped oasis of peace that is a home for native songbirds, animals, and habitat that reflects my memories of growing up in Homer. My properties are truly an asset to Homer.

Being financially penalized on a regular basis doesn't encourage me to stay here when my retirement dollars can go much further in communities that are affordable and welcoming to Seniors. Why can't you admit that you have destroyed so many of the things that originally made Homer exceptional and wonderful?

I protest the natural gas project because it is mandated, not elective.
I protest the natural gas project costs because they are mandated and excessive.

Passionately opposed to the natural gas project and property assessment:

Millie Lewis

*Millie Lewis (719) 431-1641
1724 Sherman
Canon City, CO 81212*

March 9, 2015


Robert and Gail Ammerman
924 Quiet Creek Drive
Homer, Alaska 99603


City of Homer
City Clerk's Office
491 E. Pioneer Avenue
Homer, Alaska 99603

MAR 12 2015



TO: CITY OF HOMER

FROM: 
ROBERT L. AMMERMAN
Owner/Resident: Condo Unit 924, Quiet Creek Community Association


GAIL M. AMMERMAN
Owner/Resident: Condo Unit 924, Quiet Creek Community Association

SUBJECT: HOMER NATURAL GAS SPECIAL ASSESSMENT DISTRICT
T 6S R 13W SEC 17 SEWARD MERIDIAN HM 2003056 BARNETT SUB
QUIET CREEK ADDN TRACT A - \$3,237.14 per parcel
as per Homer City ordinance 13-02

Certified Mail Notification Feb. 17, 2015:

7012 3460 0001 9812 6288 - Robert Ammerman
7012 3460 0001 9812 6295 - Gail Ammerman

We respond with OBJECTION to the above method of ASSESSMENT based on the Superior Court Decision of January 2014, "The assessment charge is disproportionate to the benefit received." The city MUST apply the same assessment method to any and all condominiums where more than one unit is served by a single service connection to the natural gas distribution system.

If the more equitable assessment was levied, thus costing the city \$334,000 more, it would be absorbed according to the Nov. 24 status report of the natural gas project coming in under budget by \$340,000. The city is still \$6,000 under budget.

In the city's present decision, it is levy of a lesser "degree" of citizenship of residency to a condo owner in the City of Homer. Our right to equal protection, as a property owner of a condo unit in the City of Homer is recognised in the January 2014 Superior Court decision, granted by Judge Huguélet for Ken Castner.

Jo Johnson

From: Claire McCann <akclaire50@yahoo.com>
Sent: Thursday, March 12, 2015 2:27 PM
To: Jo Johnson; CLAIRE MCCANN; Christy Mershon; Karen DeVaney

Claire A. McCann
PO Box 4102
Homer, Alaska 99603
(907)299 2142
City of Homer
Office of the City Clerk
ATTN:Jo Johnson, MMC, City Clerk
491 East Pioneer Avenue
Homer, Alaska 99603
Ph: (907) 235-3130
Fax:;(907) 235-3143
E-mail: jjohnson@ci.homer.ak.us

SENT VIA FACSIMILE AND EMAIL

RE: Claire McCann
3479 Landings St. Unit 26
Homer, Alaska 99603

Dear Ms. Johnson:

I have received the city's natural gas assessment notice and as the owner of a single unit in the 17 unit Landings Condominium building and who holds a 1/17th allocated undivided interest in the common property and as such also a 1/18th allocated undivided interest in the common property natural gas assessment, I object to receiving an assessment in which is 17 times higher than my proportional interest in that natural gas improvement.

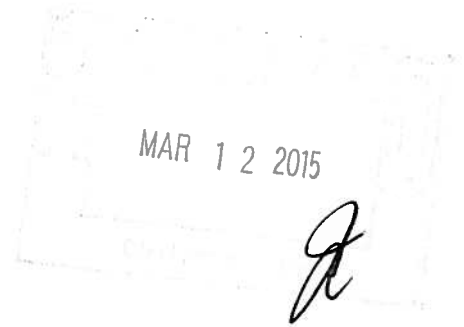
Furthermore, in *Castner v. City of Homer*, Kenai Superior Court Judge Charles Huguelet, noting that a 2 inch natural gas distribution pipe run to a lot is the same whether the lot has an apartment building or a condominium complex on it, held that a city of Homer ordinance assessing condominiums individually places "an arbitrary, unreasonable and inequitable burden" on the condominium owners. As the City of Homer has accepted the decision of the Kenai Superior Court by not appealing the ruling, this decision is binding on the city. The city should and would be collaterally stopped from re-litigating the issue of assessment on condominiums as there is already binding law. *Castner v. City of Homer*, (Jan. 2014). The city's current intentions to assess condominium units in violation of the Court's ruling require me to object to the illegal assessment and notify the city of my intent to meet with the board members of our condominium association to pursue every legal avenue available to ensure a fair and legal natural gas assessment of my property by the city. Cordially,

Claire A. McCann

MAR 12 2015 PM 03:10 *Rk*

March 12, 2015

City of Homer
Office of the City Clerk
491 Pioneer Avenue
Homer, Alaska 99603



Attn: Jo Johnson, MMC, City Clerk

Re: Natural Gas Assessment for Parcel 17921006C006
Bayview Sub Lot 154, SEC 21 Seward Meridian, T 6S R 13W

To Whom It May Concern:

I am writing to object to the final natural gas assessment of the above condominium property belonging to me. For two years, I have followed the "pathway of objection" the City insists does exist in the assessment process. Condominium lots continue to be assessed differently than other properties. Experience seems to be telling us that the City Council only hears the the objecting condo owner voice that is backed by a judge's order.

I am asking that the City reassess the Interlude Condominium lot and assess my condo property and all owners on that property in the same way you have now corrected Mr. Castner and Mr. Hough's assessments. Interlude Condominium Owners should each be assessed 1/6th of a single assessment; or \$539.52. I am also asking that the assessment ordinance be corrected as directed by Judge Huguelet so that all condo lots and owners will be assessed in the same assessment manner as other Homer property owners.

Amy Springer

A handwritten signature in cursive script that reads "Amy Springer".

P.O. Box 855, Homer, Alaska 99603

A handwritten note in cursive script that reads "Hand Delivered 3/12/15".

March 11, 2015

Mayor and City Council
City of Homer
491 E. Pioneer Ave.
Homer, AK 99603

Dear Mayor and City Council,

I recently received your February 17, 2015 "Homer Natural Gas Special Assessment District" notice and wish to voice my formal objections against the assessment. I am requesting that my property, parcel ID 17709105, T 6S R 13W SEC 20 SEWARD MERIDIAN HM 0000301 GLACIER VIEW SUB NO 1 SUPPLEMENTAL PLAT LOT 8 BLK 2, be removed from the Homer Natural Gas Special Assessment District.

I was against and concerned with the way that the City of Homer Council and senior management handled the whole process and outcome. Especially the dealings with the Enstar Natural Gas Company from the beginning.

It was very confusing in the beginning of the process that the residents had to put into writing a NO vote against the gas line assessment district. And since I did not submit a written objection for a NO vote against the gas line assessment district in the beginning of the process, the city recorded me as a vote in favor of the gas line assessment district, which was not my desire.

I have been a member of this community for over 38 years, and as an 85year old senior citizen I am on a very limited income. The costs to bring the natural gas line to my house and to convert my home heating and appliances to natural gas would be a very serious financial burden of which I can not afford.

Sincerely,

Mary W. Wallis

Mary W. Wallis
442 Lee Drive
Homer, Ak 99603

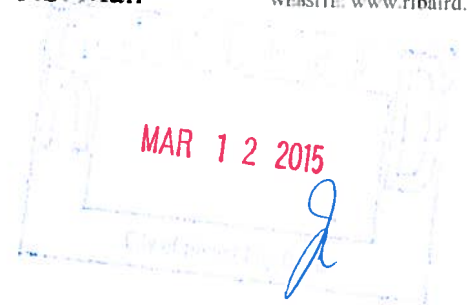
OFFICE OF
RONALD L. BAIRD
ATTORNEY AT LAW

MAILING ADDRESS:
P.O. Box 112070
ANCHORAGE, ALASKA 99511-2070
OFFICE LOCATION:
1000 E. O'MALLEY ROAD, SUITE 202
ANCHORAGE, ALASKA

PHONE NO.: 907-565-8818
FAX NO.: 907-565-8819
WEBSITE: www.rlbaired.com

March 12, 2015
Via email to clerk@cityofhomer-ak.gov and U.S. Mail

City Council
City of Homer
491 East Pioneer Ave.
Homer, AK 99603



Subject: Assessment for Natural Gas Distribution System
The Landings Condominiums
Our File: TLC-01

Dear Council Members:

The Landings Condominium Association renews its objections to the assessment for the natural gas distribution system for the reasons set forth in the attached letter previously sent to you.

Sincerely,


Ronald L. Baird

Enclosure: Letter dated January 7, 2015 from Ronald L. Baird to the City Council

cc: Board of The Landings Condominium Association

RLB:rlb - TLC01150312 Ltr to Council.docx

OFFICE OF
RONALD L. BAIRD
ATTORNEY AT LAW

MAILING ADDRESS:
P.O. Box 112070
ANCHORAGE, ALASKA 99511-2070
OFFICE LOCATION:
1000 E. O'MALLEY ROAD, SUITE 202
ANCHORAGE, ALASKA

PHONE NO.: 907-565-8818
FAX NO.: 907-565-8819
WEBSITE: www.rlbaIRD.com

January 7, 2015
Via email to clerk@cityofhomer-ak.gov and U.S. Mail

City Council
City of Homer
491 East Pioneer Ave.
Homer, AK 99603

MAR 12 2015

Subject: Assessment for Natural Gas Distribution System
The Landings Condominiums
Our File: TLC-01

Dear Council Members:

I represent The Landings Condominium Association concerning the proposed assessment by the City for the natural gas distribution system. The Landings Condominium is a 17 unit condominium project within a single building located at 3479 Landings Street. The building has been connected to the system by means of a single gas line. At Enstar's insistence and at individual unit owner expense, the line is being plumbed at the building into separately metered lines for the individual units.

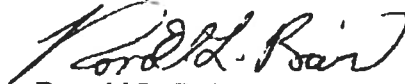
Members of the Board of the Association have been informed that the City is considering assessing each individual unit as if it were a separate lot instead of assessing the project as one lot with each unit responsible for 1/17th of the lot assessment. The former method of assessment simply raises more revenue without regard to the City's actual cost of extending natural gas service to this building which as noted is by means of a single line. As already noted, the expense of the separate metering is already being paid by the unit owners to Enstar. The Landings project should not be penalized for installing a system of separate meters which was required by Enstar. That system will permit individual gas users to pay only for the gas they need and will encourage energy conservation long after the initial cost of the system has been paid.

It is true that AS 34.08.720(b) requires that each unit in a condominium project "shall be separately taxed and assessed" but the statute says nothing about how condominiums are to be assessed in relation to other types of properties. As noted, fairness demands that where only one distribution line is required to serve a property, only one lot assessment should be made.

Homer City Council
January 7, 2015
Page 2 of 2

Please consider these factors when finalizing the assessment role.

Sincerely,



Ronald L. Baird

cc: Board of The Landings Condominium Association

RLB:rlb - TLC01150106 Ltr to Council.docx

Jo Johnson

From: Mary Ann Griffith <griffithmarym@gmail.com>
Sent: Wednesday, March 11, 2015 4:19 PM
To: Jo Johnson
Subject: Homer Natural Gas Special Assessment District

2015

March 11,

City of Homer Manager and City Council:

I am the owner of parcel T65R 13W Sec 17 Seward Meridian HM 2005045 Quiet Creek Community Phase 1 UNIT 706 (Parcel ID 17701082C003) and as such hold an allocated undivided interest in the common property natural gas improvement and assessment. I object to receiving an assessment higher than my proportional interest using a method of assessment that has been declared illegal by the State Superior Court. The administrative process you have required me to take part in is not appropriate. Please do not ignore Judge Huguelet's order (Castner v City of Homer) and treat all condo owners the same.

I attended the City Council meeting Monday night but was unable to speak since the time was cut short because Senator Slevens visit. This error in assessment needs to be corrected.

Respectfully Submitted,

Mary Ann Griffith
706 Quiet Creek Drive
Homer, AK 99603

235-1938

Jo Johnson

From: Josea Busby <joseabusby@gmail.com>
Sent: Wednesday, March 11, 2015 4:55 PM
To: Department Clerk
Subject: Natural Gas Special Assessment

To Whom it May Concern:

I am a part owner in a parcel on Alpine Way, which has a city ROW but has neither a constructed road nor a city maintained road. I do not live in Homer so was unable to vote for your gas line project. I was unaware that the gas line had been extended down Alpine Way and would have objected to it had I been aware.

As a parcel owner on a city owned, but un-constructed and un-maintained roadway, I would have to petition the city along with other parcel owners served by the ROW to get a cost sharing road built. Since most of the parcels are owned by individuals that don't want that added cost and don't desire an improved road (in other words, most parcels are not built upon), it is unlikely a road will be built for some time. Yet the city expects parcel owners to participate in this gas assessment to the tune of \$3237.14 each. If, I as a landowner can be assessed for gas (when all I have is a little cabin...there are only 2 homes on Alpine) without consent, then why doesn't the city build the road without owners consent? I think a road would provide more utility than a gas line. If I could drive to the parcel, then maybe I could use gas some day.

I strongly object to this assessment being equally divided up between parcels that have not been equally served by the city. Please remove the assessment from parcels not being served by city maintained roads.

Sincerely,
Josea Busby

Josea Busby

P.O. Box 64
Chicken, AK 99732

(907) 378-8875

joseabusby@gmail.com

Jo Johnson

From: Mike or Lou Busby <akbusbys@gmail.com>
Sent: Wednesday, March 11, 2015 4:32 PM
To: Department Clerk
Subject: Natural Gas Special Assessment

I am a part owner in a parcel on Alpine Way, which has a city ROW but has neither a constructed road nor a city maintained road. I do not live in Homer so was unable to vote for your gas line project. I was unaware that the gas line had been extended down Alpine Way and would have objected to it had I been aware.

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I strongly object to this assessment being equally divided up between parcels that have not been equally served by the city. Please remove the assessment from parcels not being served by city maintained roads.

Sincerely,
Mike Busby

--
Mike & Lou Busby
PO Box 70
Chicken, Alaska
907-235-6396

Jo Johnson

From: captbuzz@comcast.net
Sent: Wednesday, March 11, 2015 6:32 PM
To: Jo Johnson
Cc: captbuzz@comcast.net
Subject: nat gas assessment objection

Being the owner of parcel 17918113c003, parcel 17918113c006, and parcel 17918113c011, I hereby register my objection to the gas assessment as each parcel is 1/18 of the gas line we received. As the owner of a condo I own from sheetrock to sheetrock in my unit and as assessed for that and 1/18 of common ground. 1/18 times 18 equals equals one condo complex and should be assessed as one. I believe you have had a suit and judgement for this already. Thank You Gary Buzunis PO Box 39376, Ninilchik, Ak Phone 907 252 6995

