



City of Homer

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Memorandum 20-142

TO: MAYOR CASTNER AND HOMER CITY COUNCIL

FROM: MELISSA JACOBSEN, MMC, CITY CLERK

DATE: SEPTEMBER 14, 2020

SUBJECT: TASMANIA COURT WATER IMPROVEMENT SPECIAL ASSESSMENT DISTRICT

On January 31, 2020, William Jay Marley Jr, submitted a Special Assessment Petition Application for water only improvements on West Tasmania with payment of the \$100 fee. The application was provided to Public Works, who provided a map of a proposed improvement area. The City Clerk's office prepared and sent an initiation petition to the property owners in the proposed district.

Following the mailing and before the deadline to respond John Crandall, a property owner on West Tasmania who owns a property that was not included in the initial district, requested that his property at the end of the cul-de-sac be included. The proposed district was expanded to include two additional lots.

The Clerk's office received sufficient response to the petition (at least 50% of the total record owners), Public Works was notified, an improvement plan was drafted for the revised district and sent to the property owners, and a neighborhood meeting was held by Zoom meeting on June 16, 2020.

After a neighborhood meeting is held, the next step in the process is to issue a Notice of Right to Object and schedule a public hearing with City Council on the assessment, necessity of the improvement, and on the proposed improvement plan. Per HCC 17.02.050(a) property owners have to be given at least 60 days to respond.

The public hearing information was sent on July 16th however after the neighborhood meeting, property owners began submitting their written requests supporting the district with an amended boundary as seen on the map included with each submission. The letters were put on file to be distributed at the time of the public hearing, along with any objections filed in the noticed time period.

Per HCC 17.02.050, that was revised in September 2019, at the noticed date and time, Council shall hold a public hearing and shall adopt a resolution approving the assessment if Council finds, via resolution, that the improvement is necessary and benefits the properties that will be assessed. I erred and followed old process and scheduled the resolution at the meeting following the public hearing. To resolve this issue a second public hearing will be held on September 28th for the resolution to create the district.

Following the adoption of a resolution creating the district, HCC 17.02.060 comes into play and the City will solicit bids for construction of the improvement and the City will continue with the processes outlined in HCC 17.02.

Attachments:

Petition and Proposed Boundary Map, Proposed Improvement Plan and Revised Proposed Boundary Map, Notice of Right to Object and Public Hearing.

