



# City of Homer

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## Memorandum 20-152

TO: MAYOR CASTNER AND HOMER CITY COUNCIL

FROM: MELISSA JACOBSEN, MMC, CITY CLERK

DATE: SEPTEMBER 22, 2020

SUBJECT: ALDER LANE WATER IMPROVEMENT SPECIAL ASSESSMENT DISTRICT PUBLIC HEARING

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The Alder Lane Water Improvement Special Assessment District (SAD) was initiated by Alex Trieweiler, a property owner in the district, on January 31, 2020. This assessment district already has city sewer.

A neighborhood meeting was held on May 19<sup>th</sup> where property owners discussed the proposed improvement plan with staff and most of the property owners agreed to the benefitted area methodology of assessment.

In accordance with Homer City Code, property owners were advised by certified mailing of the Public Hearing scheduled for September 28<sup>th</sup> and their Notice of Right to Object. Per HCC 17.02.050 (b) the right to object is not less than 60 days and expires the day before the public hearing is scheduled to be held.

As of the writing of this memorandum two objections have been received. These and any other filings will be provided for your review.

At the last Council meeting I submitted Memo 20-142 that indicated the public hearing and resolution should come to Council at the same meeting, based on code language that reads 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. This language could be interpreted that the two items happen at the same meeting.

After further consideration it seems most appropriate, under normal circumstances, to follow historical process and allow any final objections be submitted by the notice deadline and hold the public hearing before making an assumption to the sufficiency of an assessment district. Both actions, the public hearing and the resolution will be addressed at their notice date and time. The public hearing, noticed for September 28<sup>th</sup> and the resolution, which will be noticed for October 14<sup>th</sup>.

**RECOMMENDATION:** Hold the public hearing on September 28<sup>th</sup> and a resolution regarding the sufficiency or insufficiency of the district will come forward for consideration at the October 14<sup>th</sup>.