1 **CITY OF HOMER** 2 **HOMER, ALASKA** 3 City Manager/ 4 Public Works Director 5 **ORDINANCE 13-43** 6 7 AN ORDINANCE OF THE HOMER CITY COUNCIL AUTHORIZING 8 THE EXPENDITURE OF HOMER ACCELERATED WATER AND 9 SEWER PROGRAM (HAWSP) FUNDS FOR PARADISE PLACE SEWER 10 MAIN EXTENSION AND APPROVING THE CREATION OF A 11 DEFERRED ASSESSMENT ON BENEFITTED PROPERTIES. 12 13 WHEREAS, The owner of Lot 3, Block 2, Paradise South Subdivision needs to replace 14 the lot's on-site sewer system and desires to connect to the City sewer system; and 15 16 WHEREAS, To receive City sewer service, the owner of Lot 3, Block 2, Paradise South 17 Subdivision must extend a sewer main 700 feet west along Paradise Place from Spencer Drive 18 to the western edge of Lot 3, Block 2; and 19 20 WHEREAS, This sewer main extension also would front and benefit Lots 1 and 4, Block 1, and Lots 1 and 2, Block 2, Paradise South Subdivision, and the cost of design and 21 22 construction of the main extension should be allocated equally among the five benefitted 23 properties; and 24 25 WHEREAS, Lot 1, Block 1, and Lot 1, Block 2, Paradise South Subdivision already 26 receive city sewer service from an existing main, and both were considered adjacent to that 27 main and paid main extension costs at the time of their connection; and 28 29 WHEREAS, The owners of the other benefitted properties have declined to participate in a special assessment district to finance the main extension; and 30 31 32 WHEREAS, In the past the City has reimbursed a property owner who extends a sewer 33 main for the costs of the extension that are allocated to other benefitted properties, and 34 made those other benefitted properties subject to deferred assessments for their allocated 35 portion of the main extension costs; and 36 37 WHEREAS, The Public Works Department and the City Attorney recommend that the City pay the part of the main extension cost that would be allocated to Lot 1, Block 1, and Lot 38 1, Block 2, Paradise South Subdivision because each lot already paid main extension costs 39 40 when it connected to the City sewer system; and

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subject to deferred assessments for their portion of the main extension cost that are due and payable to the City only if and when the owner of the lot applies for a connection permit to receive City sewer service.

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205-375

Expenditure: Account No.

make this reimbursement:

Description

HAWSP Funds Paradise Place

Section 3. The City Council authorizes the City to reimburse the owner of Lot 3, Block

Amount \$29,600

Sewer Main Extension

allocated equally among Lots 1 and 4, Block 1, and Lots 1, 2 and 3, Block 2, Paradise South Subdivision, as illustrated in the following table:

WHEREAS, Lot 4, Block 1, and Lot 2, Block 2, Paradise South Subdivision should be

<u>Section 1.</u> The owner of Lot 3, Block 2, Paradise South Subdivision initially shall pay

Section 2. The cost of the sewer main extension described in Section 1 shall be

the cost of design and construction of a 700 foot sewer main extension west along Paradise

Place from Spencer Drive to the western edge of Lot 3, Block 2. The estimated cost of the

Total Estimated Cost	\$37,000
Lot 3, Block 2	\$7,400
Lot 2, Block 2	\$7,400
Lot 1, Block 2	\$7,400
Lot 4, Block 1	\$7,400
Lot 1, Block 1	\$7,400
Property Description (Lots in Paradise South Subdivision):	i .

sewer main extension is \$37,000.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 4. Lot 4, Block 1, and Lot 2, Block 2, Paradise South Subdivision shall be subject to deferred assessments in an amount equal to one-fifth of the actual cost (whether greater or less than the estimated cost stated herein) of design and construction of the sewer main extension. A deferred assessment shall be due and payable when the owner of the lot applies for a connection permit to receive City sewer service. <u>Section 5.</u> This ordinance is not permanent in nature, and shall not be codified. ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 25th ___, 2013. OHNSON, MMC, CITY CLERK YES: 3 NO: / ABSTAIN: ABSENT: & First Reading: 10/38/13Public Hearing: 11/35/13

Second Reading: 11/25/13

Effective Date: ///26/13

 CITY OF HOMER

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110	Reviewed and approved as to form.	(0 + 1)
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112	1, 100 11/h/01.	Melus. Olle
113	Walt Wrede, City Manager	Thomas F. Klinkner, City Attorney
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115	Date:/2/2//3	Date: 12-4-13
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Fiscal Note: Estimated project cost design and construction of the sewer main extension is \$37,000 with the portion of the cost that is allocated to four of the benefitted properties paid for by the HAWSP (\$29,600). Two benefitted properties will be subject to deferred assessments; that will be borne by HAWSP until the owner of the lot applies for a connection permit to receive City sewer service.