

1 **CITY OF HOMER**
2 **HOMER, ALASKA**

3 City Clerk/Public Works Director

4 **RESOLUTION 17-088**

5
6 A RESOLUTION OF THE HOMER CITY COUNCIL CONFIRMING THE
7 ASSESSMENT ROLL, ESTABLISHING DATES FOR PAYMENT OF
8 SPECIAL ASSESSMENTS AND ESTABLISHING DELINQUENCY,
9 PENALTY, AND INTEREST PROVISIONS FOR THE ERIC LANE
10 LILLIAN WALLI SUBDIVISION ROAD AND SEWER SPECIAL
11 ASSESSMENT DISTRICT.

12
13 WHEREAS, In compliance with Homer City Code Chapter 17, Improvement Districts, the
14 Homer City Council created a Eric Lane Lillian Walli Subdivision Road and Sewer Special
15 Assessment District on April 9, 2016 via Resolution 16-072, with the benefitted property owners
16 assuming 100% of the cost of the improvements; and

17
18 WHEREAS, Then Notice of Public Hearing and Notice of Right to Object dated February
19 18, 2016 was mailed to property owners in the district advising that written objections must be
20 filed with the City Clerk no later than April 18, 2016; and

21
22 A public hearing was held on April 25, 2016 to hear objections to the formation of such
23 district; and

24
25 WHEREAS, The Eric Lane Road and Sewer Special Assessment District improvements
26 were completed and accepted by Public Works for City maintenance; and

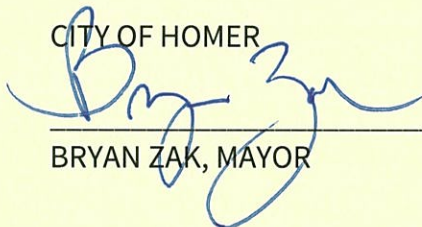
27
28 WHEREAS, The final assessment roll as presented by the City Clerk and reviewed and
29 corrected where necessary and attached hereto as Attachment A, is hereby confirmed as the
30 official assessment roll for the Eric Lane Lillian Walli Subdivision Road and Sewer Special
31 Assessment District and the Mayor and Clerk shall be directed to sign same.

32
33 NOW, THEREFORE, BE IT RESOLVED THAT ON OR BEFORE 5:00 p.m. on March 1, 2018,
34 all assessments in the Eric Lane Lillian Walli Subdivision Road and Sewer Assessment District
35 shall become due and payable in full. All assessments not paid in full by this date shall be
36 considered delinquent and in default and shall have added a penalty of ten percent (10%)
37 which penalty and principal amount of the assessment shall both draw interest at a rate of one
38 and one half percent (1.5%) per annum for the sewer assessment and at a rate of three (3%)
39 per annum for the road assessment until paid. Should default occur, the City of Homer will
40 institute a civil action for a foreclosure of the assessment lien. Foreclosure shall be against all
41 property on which assessments are in default. All costs including collection and legal fees
42 resulting from such action, shall be added and incorporated into the assessed amount due plus

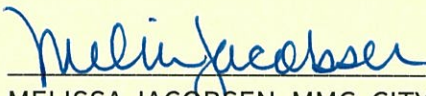
43 interest and penalties and shall be reimbursed from the proceeds of foreclosure sale of the
44 assessed real property.

45
46 BE IT FURTHER RESOLVED that an optional twenty (20) year payment plan for sewer
47 and a ten (10) year payment plan for road is offered whereby the assessments may be paid in
48 equal yearly installments plus interest of one and one half percent (1.5%) per annum for the
49 sewer assessment and at a rate of three percent (3%) per annum for the road assessment on
50 the unpaid balance of the assessment. The first such installment shall be due and payable
51 without interest on or before 5:00 p.m. March 1, 2018 and each installment thereafter shall be
52 due on or before March 1, of each year, plus interest on the unpaid balance of the assessment.
53 If any annual installment payment is not received when due, the entire outstanding principal
54 amount of the assessment shall be in default and shall be immediately due and payable. The
55 entire outstanding assessment principal (including the annual installment) shall have added a
56 penalty of ten percent (10%) on the outstanding principal. The principal and penalty shall draw
57 interest at the rate of fifteen percent (15%) per annum until paid. Should default occur, the City
58 will institute civil action for foreclosure of the assessment lien. Foreclosure shall be against all
59 property on which assessments are in default. All costs including collection and legal fees
60 resulting from such action shall be added and incorporated into the assessed amount due plus
61 interest and penalties, and shall be reimbursed from the proceeds of foreclosure sale of the
62 assessed real property

63
64 PASSED AND ADOPTED by the City Council of Homer, Alaska, this 30th day of October,
65 2017.

66 CITY OF HOMER
67 
68 _____
69 BRYAN ZAK, MAYOR
70

71 ATTEST:

72 
73 _____
74 MELISSA JACOBSEN, MMC, CITY CLERK
75

76 Fiscal Note:

77
78 Total road design and construction project costs are \$836,484.52; City HART funds will cover
79 1/3 of these costs to account for constructing a "collector" street vs. a normal residential street.
80 The remaining 2/3 of the costs plus a 5% City Administration fee (\$585,699.87) are the
81 responsibility of the property owners. Parcels are assessed for road improvements at \$263.95
82 per frontage foot (total 2219 frontage feet across 18 parcels assessed).
83

84 Total sewer design and construction project costs are \$192,441.22; 100% of this cost (plus a 5%
85 City administration fee) is the responsibility of the property owners (\$202,063.28). Parcels are
86 assessed for sewer at \$8227 (\$11,226 (18 parcels equally assessed), less credits for previously
87 paid water and sewer and sewer assessments totaling \$2999).