

**CITY OF HOMER
HOMER, ALASKA**

City Clerk/Public Works Director

RESOLUTION 17-089

A RESOLUTION OF THE HOMER CITY COUNCIL CONFIRMING THE ASSESSMENT ROLL, ESTABLISHING DATES FOR PAYMENT OF SPECIAL ASSESSMENTS AND ESTABLISHING DELINQUENCY, PENALTY, AND INTEREST PROVISIONS FOR THE KACHEMAK DRIVE PHASE III WATER AND SEWER SPECIAL ASSESSMENT DISTRICT.

WHEREAS, In compliance with Homer City Code Chapter 17, Improvement Districts, the Homer City Council created a Kachemak Drive Phase III Water and Sewer Special Assessment District on April 25, 2016 via Resolution 16-042 at the 75% property owner share of assessments; and

WHEREAS, Then Notice of Public Hearing and Notice of Right to Object dated February 5, 2016 was mailed to property owners in the district advising that written objections must be filed with the City Clerk no later than April 5, 2016; and

A public hearing was held on April 11, 2016 to hear objections to the formation of such district; and

WHEREAS, The Kachemak Drive Phase III Water and Sewer Special Assessment District improvements were completed and accepted by Public Works for City maintenance; and

WHEREAS, The final assessment roll as presented by the City Clerk and reviewed and corrected where necessary and attached hereto as Attachment A, is hereby confirmed as the official assessment roll for the Kachemak Drive Phase III Water and Sewer Special Assessment District and the Mayor and Clerk shall be directed to sign same.

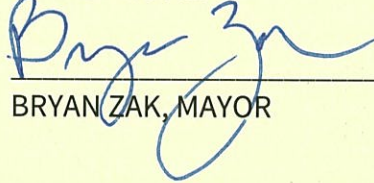
NOW, THEREFORE, BE IT RESOLVED that on or before 5:00 p.m. on March 1, 2018, all assessments in the Kachemak Drive Phase III Water and Sewer Assessment District shall become due and payable in full. All assessments not paid in full by this date shall be considered delinquent and in default and shall have added a penalty of ten percent (10%) which penalty and principal amount of the assessment shall both draw interest at a rate of one and one half percent (1.5%) per annum until paid. Should default occur, the City of Homer will institute a civil action for a foreclosure of the assessment lien. Foreclosure shall be against all property on which assessments are in default. All costs including collection and legal fees resulting from such action, shall be added and incorporated into the assessed amount due plus interest and penalties and shall be reimbursed from the proceeds of foreclosure sale of the assessed real property.

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

59
60 PASSED AND ADOPTED by the City Council of Homer, Alaska, this 30th day of October,
61 2017.

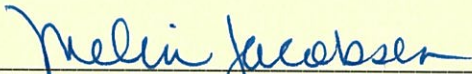


CITY OF HOMER



BRYAN ZAK, MAYOR

67 ATTEST:

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70 MELISSA JACOBSEN, MMC, CITY CLERK

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72 Fiscal Note:

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74 Total water project costs are \$581,448.19; 70% of design and construction costs is covered by
75 an ADEC Grant. The remaining costs (\$210,960.99) are the responsibility of the property
76 owners. Parcels are assessed for water at \$7,534.32 (28 parcels assessed). KPB parcel numbers
77 179-150-02, 179-360-14, 179-150-56, 179-150-59, 179-150-60, and 179-150-12 are exempt from
78 water assessments unless development occurs (Resolution 17-045 and 16-067).

79
80 Total sewer design and construction project costs are \$460,271.98; 75% of this cost (plus a 5%
81 City administration fee) is the responsibility of the property owners; 25% is funded by HAWSP.
82 Parcels are assessed for sewer at \$12,945.15 (28 parcels assessed). KPB parcel numbers 179-
83 150-02, 179-360-14, 179-150-56, 179-150-59, 179-150-60, and 179-150-12 are exempt from
84 sewer assessments unless development occurs (Resolution 17-045 and 16-067).