3 City Manager 4 RESOLUTION 20-056 5	1 2	CITY OF HOMER HOMER, ALASKA		
6 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA, 7 INITIATING A SEAWALL IMPROVEMENT SPECIAL ASSESSMENT 8 DISTRICT FOR ARMOR TOE IMPROVEMENTS, AUTHORIZING AN 9 APPLICATION FOR THE ALASKA DEPARTMENT OF 10 ENVIRONMENTAL CONSERVATION/ENVIRONMENTAL 11 PROTECTION AGENCY REVOLVING LOAN FUND, AND 12 ACKNOWLEDGING THE IMMEDIATE NEED TO FUND THE DESIGN 13 AND PERMITTING OF THE PROJECT. 14 WHEREAS, At the request of homeowners for the City's assistance, a seawall was 16 engineered and constructed along the Ocean Drive Loop bluff in 2002 as an effort to mitigate 17 erosion impacts to lots along the ocean bluff; and 18 WHEREAS, This effort began with the adoption of Resolution 00-89(A) finding a need to 19 WHEREAS, Over the years regularly occurring winter storms with high tides and high 10 WHEREAS, Over the years regularly occurring winter storms with high tides and high 11 WHEREAS, Emergency Ordinance 11-49(S) created the Ocean Drive Loop Special 12 Service District (DDLSSD) to collect tax revenues from benefitted property owners to support 13 maintenance and repair of the seawall, which they own and is located on their properties; and 12 WH		-	/ Manager	
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WHEREAS, The total tax revenues received from benefitted property owners range from
 total \$25,000 to \$30,000 annually and don't sufficiently cover the increasing seawall
 maintenance costs; and

- WHEREAS, HDR, Inc. provided a technical review of the seawall and provided a Homer Seawall Alternatives Analysis dated June, 27, 2019 that reviewed and provided concepts for improving the structure to reduce maintenance costs and extend the functional life of the structure, and indicated armor rock placement to protect the toe of the wall to be the most practical and cost effective solution which the homeowners who attended the community meetings in 2019 also agreed to as the best approach; and
- 53 WHEREAS, The creation of a Seawall Improvement Special Assessment District (SAD) for 54 the cost of placement of the armor rock was addressed at a worksession held May 18, 2020 and 55 financing for the armor rock may be available through a low interest Alaska Department of 56 Environmental Conservation (ADEC)/Environmental Protection Agency (EPA) revolving loan; 57 and
- 59 WHEREAS, Staff recommends the City apply for the ADEC/EPA loan as it is has a low 60 interest rate that would be otherwise difficult to secure from a private financing agency. 61 Acceptance of the ADEC/EPA Revolving Loan would be approved by Council through ordinance 62 at a future meeting and applying for consideration does not obligate the City to agree to the 63 loan; and 64
- WHEREAS, The (ODLSSD) is responsible for generating maintenance funds through an
 annually established mil rate, will remain in place to provide for long-term maintenance costs;
 and
- 68
 69 WHEREAS, Suggestions for expanding the Seawall Improvement SAD and the ODLSSD
 70 to include other benefited properties is addressed in Memorandum 20-074; and
 71
- WHEREAS, Through this resolution, Council will give the City authority to facilitate the
 installation of armor rock protection through an expanded SAD and expand a special service
 district to generate maintenance funds necessary to maintain the improvements with the City
 paying a commiserate amount; and
- WHEREAS, HCC 17.04.040(a)(1) authorizes the City Council by a vote of not less than
 three fourths of its membership to initiate a SAD; and
- WHEREAS, The City Council deems it necessary and in the best interest e to initiate a
 SAD for the benefitted property owners along and within proximity to the seawall as identified
 by the City Engineer, to provide necessary improvements to the seawall; and

84 WHEREAS, The Council finds there is a need for immediately initiating 85 design/permitting for the project due to anticipated impacts from upcoming winter storms 86 with high winds and high tides, and directs the City Manager to present an ordinance at the 87 next City Council meeting authorizing the expenditure of project costs using the remaining 88 balance of the mil rate deposits and the City's annual contribution (estimated at 89 approximately \$66,000); and

90

95

91 WHEREAS, HCC 17.04.040(c) provides that upon the Council's initiation of a special 92 assessment district the Clerk shall schedule a meeting of record owners of property in the 93 proposed district, and refer the proposed district to the City Manager for the preparation of an 94 improvement plan for the district; and

- 96 WHEREAS, The City has been facilitating maintenance of the wall, as required by the 97 Corps permit. If the property owners fail to create the Seawall Improvement SAD, based on the 98 increasing cost of maintenance, the City will not have the financial resources necessary to 99 continue maintaining the wall.
- 100 101

102

NOW THEREFORE, BE IT RESOLVED:

103 <u>Section 1.</u> Initiation of special assessment district. As authorized by HCC 104 17.04.040(a)(1), the Council hereby initiates the Seawall Improvement special assessment 105 district for Armored Toe Improvement on the seawall.

106

107 <u>Section 2.</u> Meeting of property owners; Improvement plan. The Clerk shall schedule 108 a meeting of record owners of real property in the proposed district in accordance with HCC 109 17.04.040(c)(1), and refer the proposed district to the City Manager for the preparation of an 110 improvement plan, as provided in HCC 17.04.040(c)(2).

112 Section 3. Effective date. This resolution shall become effective upon passage and
113 approval.
114

BE IT FURTHER RESOLVED the City Manager is authorized to apply for a low interest ADEC/EPA revolving loan to finance the project and to be reimbursed by property owners through the SAD.

118

BE IT FURTHER RESOLVED in recognizing the immediate need for design/permitting for the project the City Manager is directed to present an ordinance at the next City Council meeting authorizing the expenditure of project costs using the remaining balance of the mil rate deposits and the City's annual contribution (estimated at approximately \$66,000).

- 124 PASSED AND ADOPTED by the Homer City Council this 8th day of June, 2020.
- 125

	Page 4 of 4 RESOLUTION 20-056 CITY OF HOMER		
126		CITY OF HOMER	
127			
128			
129		KEN CASTNER, MAYOR	
130	ATTEST:		
131			
132			
133	MELISSA JACOBSEN, MMC, CITY CLERK		
134			
135	Fiscal Note: Funding for design/permitting to come from 156-0369 and 808-0375		