

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

3 City Manager/
4 Public Works Director

5 **RESOLUTION 21-057(S-2)**

6
7 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA
8 ACKNOWLEDGING THE SUFFICIENCY OF THE BUNNELL
9 AVENUE/CHARLES WAY WATER AND SEWER IMPROVEMENT
10 SPECIAL ASSESSMENT DISTRICT AND APPROVING THE
11 IMPROVEMENT PLAN, ESTIMATED COST OF IMPROVEMENT AND
12 ASSESSMENT METHODOLOGY.

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14 WHEREAS, City Council initiated a Special Assessment District for Bunnell
15 Avenue/Charles Way by Resolution 21-030; and

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17 WHEREAS, The Bunnell Avenue/Charles Way Water and Sewer Special Assessment
18 District boundary includes property fronting Bunnell Avenue and Charles Way; and

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20 WHEREAS, A neighborhood meeting was held on May 27, 2021 where property owners
21 were provided conceptual cost estimates for water and sewer, proposed district maps, and
22 property owner assessment projections; and

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24 WHEREAS, A Notice of Public Hearing for August 9, 2021 and Notice of Right to Object
25 and was mailed to property owners on June 4, 2021 in accordance with Homer City Code
26 17.02.050; and

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28 WHEREAS, The deadline to receive written objections was August 8, 2021 and two
29 written objections were received, with one additional object coming in after the deadline; and

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31 WHEREAS, Pursuant to HCC 17.02.050 (b) if owners of real property that would bear 50
32 percent or more of the assessed cost of the improvement file timely written objections, the
33 Council may not proceed with the improvement unless it revises the improvement plan to
34 reduce the assessed cost to less than 50% of the assessed cost of the improvement; and

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36 WHEREAS, At the August 9, 2021 public hearing two property owners provided written
37 and verbal comments in support of using a benefitted area methodology of assessment and
38 Public Works recommended using the befitted area methodology for assessing properties with
39 proposed Resolution 21-057; and
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41 WHEREAS, One property owner in the area of the district requested their parcel be
42 included after review of the proposed assessment boundary Public Works determined the
43 property is substantially removed from the proposed boundary; and
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45 **WHEREAS, The Public Works Department has recommended that the Benefitted**
46 **Area method of assessment be used as the most equitable method because it would**
47 **account for the benefit to City-owned Bishop’s Beach Park, one of the City’s most popular**
48 **parks; and**
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50 **WHEREAS, Homer City Code 17.01.010 allows the use of the Benefitted Area**
51 **method of computation, where approved by the City Council; and**
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53 **WHEREAS, Homer City Code further allows the City Council to include, as part of**
54 **the method of computation, only the first 200 feet of those lots, which are at least 50**
55 **percent larger than the average lots in the Special Assessment Districts; and**
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57 **WHEREAS, The Public Works Department asked to postpone action on the**
58 **proposed water and sewer districts so it could do preliminary engineering to refine the**
59 **design and construction strategies to validate costs and reduce environmental impact;**
60 **and**
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62 **WHEREAS, At their October 25, 2021 regular meeting City Council postponed action**
63 **on Resolution 21-057(S) to allow for notice to property owners of the change to the**
64 **benefitted methodology and an opportunity to object; and**
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66 **WHEREAS, Notices were sent by the City Clerk’s office on November 16 and**
67 **November 24, 2021 and objections were received; and**
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69 WHEREAS, Council finds the petition bears sufficient support and that the water
70 improvement is necessary and to the benefit of the properties included in Attachment “A”; and
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72 WHEREAS, The properties will be assessed using the benefitted area methodology.
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74 NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska
75 acknowledges the sufficiency of the Bunnell Avenue/Charles Way Improvement Special
76 Assessment and approves the improvement plan, estimated cost of improvement, and
77 **benefitted area** assessment methodology.
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79 PASSED AND ADOPTED by the Homer City Council this 13th day of December, 2021.
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CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

Fiscal Note: HAWSP