

**CITY OF HOMER  
HOMER, ALASKA**

City Clerk

**RESOLUTION 11-066(S)(A)**

A RESOLUTION OF THE HOMER CITY COUNCIL  
AUTHORIZING FORMATION OF THE KACHEMAK DRIVE  
PHASE TWO WATER AND SEWER  
IMPROVEMENT/ASSESSMENT DISTRICT AT 75%  
PROPERTY OWNER SHARE OF ASSESSMENTS AND  
AUTHORIZING THE CITY MANAGER TO PROCEED WITH  
THE PREPARATION AND CONSTRUCTION OF THE  
KACHEMAK DRIVE PHASE TWO WATER AND SEWER  
PROJECT.

WHEREAS, The Kachemak Drive Phase Two Water and Sewer District boundary contains lots fronting a portion of Kachemak Drive beginning at East End Road and ending at Campbell Lane and including portions of HK Davis, Moore Holt, Northern Enterprises, Lee Cole, Seekins Replat, Uminski Addition, CR Hart and JO Campbell, Morris, Tyrer Halgens Survey, Harry Feyer, Mac Innes, John L. Warren Replat, Rankin Subdivision, and Rocky Point Subdivisions and Government Lots; and

WHEREAS, In compliance with Chapter 17, Improvement District, of the Homer City Code, the Homer City Council created the Kachemak Drive Phase Two Water and Sewer Local Improvement District (LID) on April 11, 2005 via Resolution 05-43 and a public hearing was held on May 24, 2005; and

WHEREAS, The solicitation of bids to construct the improvements in the District was delayed due to difficulties in easement acquisition and a lengthy environmental permitting process, resulting in the Homer City Council adopting Resolution 10-54 on July 19, 2010 to extend the period for constructing the improvements to July 25, 2015; and

WHEREAS, On March 14, 2011 via Resolution 11-023(S) the Homer City Council again confirmed the need to create the LID and a public hearing was held on April 24, 2011; and

WHEREAS, Property owners were duly notified by certified/return receipt mailing of the hearing and legal notice of the hearing was published in a local weekly newspaper for four consecutive publications; and

WHEREAS, The objection deadline for written protests was June 24, 2011; and

WHEREAS, Filed with the City Clerk are ten (10) written objections to include twelve (12) parcels that equal \$402,471.84 in assessments or 10.23%, fifteen (15) written non objections to include twenty-four (24) parcels that equal \$804,943.68 in assessments or 20.45%, forty-three (43) non responses to include fifty-two (52) parcels that equal \$1,744,044.64 in assessments or 44.32%, all totaling 75% of the project cost; and

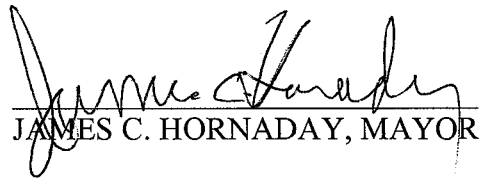
47  
48 WHEREAS, The estimated project cost is \$3,935,280.00 with 25% paid for by the  
49 Homer Accelerated Water and Sewer Program and 75% paid for by the property owners via the  
50 equal share per parcel methodology, equaling an approximate \$33,539.32 assessment per parcel.  
51

52 NOW, THEREFORE, BE IT RESOLVED by the City Council of Homer, Alaska, that  
53 the formation of the Kachemak Drive Phase Two Water and Sewer Assessment District is hereby  
54 authorized at 75% property owner share of the project, in equal shares per parcel, and that the  
55 City Manager is hereby authorized to proceed with the preparation and construction of the  
56 Kachemak Drive Phase Two Water and Sewer Project.  
57

58 NOW, THEREFORE, BE IT FURTHER RESOLVED by the City Council of Homer,  
59 Alaska, that under a separate resolution the assessment rolls will be amended by the removal of  
60 Kenai Peninsula Borough parcel number 179-330-04 in the Rocky Point subdivision Lot 44C  
61 from the preliminary assessment roll dated March 15, 2011.

62 PASSED and ADOPTED by the City Council of Homer, Alaska, this 27<sup>th</sup> day of June,  
63 2011.  
64

65 CITY OF HOMER

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69 JAMES C. HORNADAY, MAYOR  
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71 ATTEST:

72  
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74   
75 JO JOHNSON, CMC, CITY CLERK  
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77 Fiscal Note: Estimated project cost is \$3,935,280.00 with 25% paid for by the Homer  
78 Accelerated Water and Sewer Program and 75% paid for by the property owners via the equal  
79 share per parcel methodology, equaling an approximate \$33,539.32 per assessment for 88  
80 parcels.  
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