

**CITY OF HOMER
HOMER, ALASKA**

Lord/Venuti

ORDINANCE 24-02(A)

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
AMENDING HOMER CITY CODE TITLE 3 REVENUE AND FINANCE TO
ADD SECTION 3.01.037 DONATION TO THE CITY TO ALLOW
ACCEPTANCE OF MONEY OR REAL PROPERTY DONATED, DEVEISED
OR BEQUEATHED FOR A PUBLIC PURPOSE, **AND AMENDING
CHAPTER 18 PROPERTY MANAGEMENT, SECTION 18.06.010
REAL PROPERTY ACQUISITIONS**

WHEREAS, Private citizens and organizations may from time to time wish to donate
money or real property towards municipal public purposes within the purview of the City of
Homer; and

WHEREAS, The City of Homer recognizes that it is in the public interest to formally
describe the conditions under which the City accepts or declines such donations.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code Title 3 Revenue and Finance, Chapter 3.01 General is hereby
amended to add section 3.01.037 read as follows:

Chapter 3.01

GENERAL

Sections:

- 3.01.010 Fiscal year.
- 3.01.020 Examination of claims.
- 3.01.025 Deposit of money.
- 3.01.030 Deposit of securities.
- 3.01.035 Collection of revenues and proceeds from securities.
- 3.01.037 Donation to the city.**
- 3.01.040 Cancellation of uncollected accounts receivable – Refunds of erroneous payments.
- 3.01.045 Payrolls.
- 3.01.050 Deduction before disbursement.
- 3.01.055 Credit policy and regulation authorized.

3.01.010 Fiscal year.

44 Effective July 1, 2021, the fiscal year of the City shall commence on the first day of July and
45 terminate on the last day of the following June.

46

47 3.01.020 Examination of claims.

48 The Finance Director/Treasurer or a designee shall examine all payrolls, bills, claims and
49 other demands of the City, and shall issue no warrant for payment unless the claim is in
50 proper form correctly computed and approved, and is legally due and payable and an
51 appropriation has been made therefor that has not been exhausted, and unless there is
52 sufficient money in the City treasury to make payment.

53

54 3.01.025 Deposit of money.

55

56 All money collected by departments of the City shall be deposited with the Finance
57 Director/Treasurer within three working days after collection, except that amounts less than
58 \$100.00 shall be deposited with the Finance Director/Treasurer by 10:00 a.m. the following
59 Friday.

60

61 3.01.030 Deposit of securities.

62

63 All money and securities shall be deposited by the Finance Director/Treasurer in a bank that
64 is approved by the City Council.

65

66 3.01.035 Collection of revenues and proceeds from securities.

67

68 All revenues and proceeds from securities owned by the City shall be collected by the Finance
69 Director/Treasurer promptly when due.

70

71 **3.01.037 Donation to the City**

72

73 **The City may accept any money or property donated, devised, or bequeathed to it and**
74 **carry out the terms of the donation, devise, or bequest, if for a public purpose and**
75 **otherwise within the powers granted by law. The City shall deposit money in accordance**
76 **with section 3.01.025 above. The City may decline to accept any donation that is**
77 **inconsistent with the policies, plans, goals, or any other ordinance of the City, or if unable**
78 **to carry out the specific terms or conditions attached to the donation. If no terms or**
79 **conditions are attached to the donation, devise, or bequest, the City may expend or use**
80 **it for any municipal public purpose.**

81

82 3.01.040 Cancellation of uncollected accounts receivable – Refunds of erroneous
83 payments.

84

85 a. The Finance Director/Treasurer may cancel any uncollectible account receivable
86 except bills which may become a lien against property for taxes, but shall report all such

87 cancellations to the City Manager, who will report to the City Council. Bills which may
88 become a lien against property may be cancelled only upon written formal claim by the
89 owner when supported by substantial evidence of its propriety and approval by the City
90 Council.

91
92 b. Any refunds of overpayments or erroneous payments may be made by the Finance
93 Director/Treasurer (upon evidence of overpayment or erroneous payment).

94
95 3.01.045 Payrolls.

96
97 Payrolls shall be submitted to the Finance Director/Treasurer or designee for approval, and
98 upon approval the Finance Director shall issue warrants in payment thereof when due. It shall
99 not be necessary for the Finance Director to encumber in advance or to certify as to the
100 availability of funds appropriated for personal services, except those obtained on a
101 contractual basis; provided, that upon issuance of such warrants, the Finance Director shall
102 immediately cause the appropriate funds to be encumbered to the extent of the warrants
103 issued.

104
105 3.01.050 Deduction before disbursement.

106
107 Before disbursement of money to any person, business or organization, there shall be
108 deducted therefrom the amount of any delinquent indebtedness owed by such person to the
109 City.

110
111 3.01.055 Credit policy and regulation authorized.

112
113 The City Council may by resolution adopt policies and regulations establishing the City's
114 practices for extension of credit, billings, debt collections, and pursuit of delinquent accounts
115 receivable.

116
117 Section 2. Homer City Code Chapter 18, Section 18.06.010 Real property acquisitions, is
118 hereby amended to include a new subsection as follows:

119
120 18.06.010 Real property acquisitions, authority.

121
122 a. The City may acquire, own and hold real property within or outside the City
123 boundaries by any lawful means or conveyance, and may exercise all rights and powers in the
124 acquisition, ownership and holding of real property ~~as if the City were a private person.~~

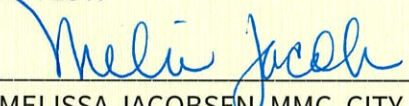
125 b. The City may acquire real property by exercise of the powers of eminent domain and
126 declaration of taking in the performance of an authorized power or function of the City in
127 accordance with AS 09.55.240 through AS 09.55.460. [Ord. 90-11 § 3, 1990].

128 **c. The City may accept any real property donated, devised, or bequeathed to it and**
129 **carry out the terms of the donation, devise, or bequest, if for a public purpose and**
130 **otherwise within the powers granted by law. The City may decline to accept a donation**
131 **of real property that is inconsistent with the policies, plans, goals, or any other ordinance**
132 **of the City, or if unable to carry out the specific terms or conditions attached to the**
133 **donation. If no terms or conditions are attached to the donation, devise, or bequest, the**
134 **City may use it for any municipal public purpose.**

135
136 Section 3. This Ordinance is of a permanent and general character and shall be
137 included in the City Code.

138
139 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA this 22nd day of January, 2024.

140
141 CITY OF HOMER
142 
143 _____
144 KEN CASTNER, MAYOR

145
146
147
148
149 ATTEST:
150 
151 _____
152 MELISSA JACOBSEN, MMC, CITY CLERK



153
154 YES: 6
155 NO: 0
156 ABSTAIN: 0
157 ABSENT: 0

158
159 First Reading: Jan 8, 2024
160 Public Hearing: Jan 22, 2024
161 Second Reading: Jan 22, 2024
162 Effective Date: Jan 23, 2024