

**CITY OF HOMER
HOMER, ALASKA**

City Manager

RESOLUTION 10-54

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA, EXTENDING THE PERIOD FOR CONSTRUCTING IMPROVEMENTS IN THE KACHEMAK DRIVE PHASE II WATER AND SEWER ASSESSMENT DISTRICT TO JULY 25, 2015.

WHEREAS, The City Council adopted Resolution 05-81(S), which authorized the formation of the Kachemak Drive Phase II Water and Sewer Assessment District ("District"), on July 25, 2005; and

WHEREAS, HCC 17.04.140(a) provides that if an improvement district is unable to proceed to the construction phase within a period of five years from the date the Council passes the resolution creating the district, the district shall be considered void, unless the Council extends the effective period by resolution for not more than five additional years; and

WHEREAS, The commencement of construction of the improvements in the District has been delayed due to difficulties in easement acquisition and a lengthy environmental permit process; and


WHEREAS, The improvements that are to be constructed in the District have been designed and engineered, the last permit required for the construction of the improvements will be issued this summer, and the City plans to award the contract for the construction of the project no later than this fall; and

WHEREAS, Due to the substantial investment that the City has made in preparing for the construction of improvements in the District, and the imminent resolution of the issues that have delayed construction, it is in the best interest of the City that the Council extend the time for constructing the improvements in the District.

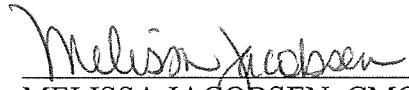
NOW, THEREFORE, BE IT RESOLVED that pursuant to HCC 17.04.140(a), the period within which the construction phase must commence in the District is extended until July 25, 2015.

PASSED AND ADOPTED by the Homer City Council this 19th day of July, 2010.

CITY OF HOMER


JAMES C. HORNADAY, MAYOR

ATTEST:



MELISSA JACOBSEN, CMC, ACTING CITY CLERK

