

CITY OF HOMER
HOMER, ALASKA

Aderhold

ORDINANCE 25-44(A)(S)(A)

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
APPROPRIATING UP TO \$250,000 FROM THE HOMER
ACCELERATED ROADS AND TRAILS (HART) TRAILS FUND FOR THE
DEVELOPMENT OF A TRAILHEAD AND TRAIL SEGMENT ON THE
EAST SIDE OF THE STERLING HIGHWAY AT GREEN TIMBERS IN
ACCORDANCE WITH THE DIAMOND CREEK RECREATION AREA
TRAILS PLAN.

WHEREAS, The City of Homer adopted Ordinance 07-03 and accepted ownership of two parcels totaling 273 acres outside the Homer City limits and in the Diamond Creek area as part of the Forest Legacy Program to keep public park land in perpetuity; and

WHEREAS, The City of Homer adopted the Diamond Creek Recreation Area (DCRA) Plan **as a management and development plan for the 273 acres** through Resolution 13-055; and

WHEREAS, The DCRA Plan envisioned a “parking area and trailhead facilities at the western border of the DCRA” (east side of the Sterling Highway near Green Timbers) and a “non-motorized route across the Sterling Highway near Mile Post 168, in order to extend the recreational corridor to the Diamond Creek State Recreation Site (DCSRS) on the west side of the Sterling Highway”; and

WHEREAS, The Homer Trails Alliance (HTA), a nonprofit organization with a mission to improve access to trails on the north side of Kachemak Bay, is interested in developing the trail connection between DCRA and DCSRS, including fundraising for the purpose; and

WHEREAS, The Alaska Department of Transportation and Public Facilities (ADOT&PF) is in the final stages of designing the Sterling Highway Milepost 157-169 Reconstruction Project and is considering including a pedestrian underpass at Diamond Creek; and

WHEREAS, The City of Homer has worked with ADOT&PF on methods to accomplish the trail connection and underpass; and

WHEREAS, ADOT&PF requires a firm commitment from the City of Homer that if they incorporate the underpass into the final highway project design that the trail connection would be constructed, including a financial commitment, a maintenance agreement for the portion of the trail in the right-of-way, as well as the establishment of any required private property easements to facilitate the trail in advance of the underpass being added to the design; and

WHEREAS, The Homer City Council has expressed interest in pursuing this trail project through the unanimous passage of numerous resolutions, and recognizes the highway reconstruction project as a once in a generation opportunity to develop an underpass to connect the two recreation areas; and

WHEREAS, Using HART Trails funds to purchase a parcel for use as a trailhead for trails in the DCRA Plan is an appropriate use of the funds; and

WHEREAS, The routing of the trail from a trailhead at Green Timbers to the underpass at Diamond Creek is uncertain, based on the need for the development of easements across private property or the approval to use ADOT&PF right of way.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The Homer City Council appropriates up to \$250,000 from the Homer Accelerated Roads and Trails (HART) Trails fund for the development of a trailhead and trail segment on the east side of the Sterling Highway from Green Timbers to a pedestrian underpass at Diamond Creek in accordance with the DCRA Trails Plan:

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
165-xxx	HART Trails	\$250,000

Section 2. Use of the funds is based on the following criteria:

- ADOT&PF ~~constructs~~ **approves** a pedestrian underpass at Diamond Creek as part of their current highway reconstruction project.
- The City of Homer can come to agreement with property owners to create trail easements across their properties and/or with ADOT&PF for the use of the right of way on the east side of the highway.
- The use of the funds must comply with the most current version of the HART Policy Manual approved by the Homer City Council.
- The funds must be used for work on the east side of the Sterling Highway.
- **If the above criteria are met, a portion of the allocated funds may be used to purchase a parcel near Green Timbers that is more amenable to construction of a trailhead than the adjacent city-owned parcel (41810 Sterling Highway, Kenai Peninsula Borough Parcel ID 17302202.**
- ~~If the first two criteria are met, HTA may include the City Council's appropriation of these funds as a match when applying for grants to complete the full trail connecting DCRA and DCSRS.~~

- **If the first two criteria are met, these funds are available to HTA to use as a match when applying for grants to complete the full trail connecting DCRA to DCSRS.**
- If the criteria are not met, if the trailhead and trail are not constructed, or if there are HART funds left over, all remaining funds will be returned to the HART fund.
- **If ADOT&PF postpones the project indefinitely the funding will be returned to the HART Trails fund.**

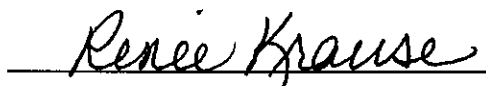
Section 3. This is a budget amendment ordinance and shall not be codified.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA THIS 23rd day of June, 2025.

CITY OF HOMER


RACHEL LORD, MAYOR

ATTEST:


RENEE KRAUSE, MMC, CITY CLERK

YES: 6
NO: 0
ABSENT: 0
ABSTAIN: 0



First Reading: 6/09/25
Public Hearing: 6/23/25 7/28/25 8/11/25
Second Reading: 8/11/25
Effective Date: 8/12/25