

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

Smith

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4 **RESOLUTION 16-052**

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6 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
7 PROVIDING FOR A NEW PENALTY AND INTEREST STRUCTURE
8 FOR SPECIAL ASSESSMENTS IN THE HOMER NATURAL GAS
9 DISTRIBUTION SPECIAL ASSESSMENT DISTRICT THAT BECAME
10 DELINQUENT ON OR AFTER JULY 1, 2016, AND PROVIDING
11 TERMS FOR THE REINSTATEMENT ON OR BEFORE JULY 1, 2016
12 OF ASSESSMENTS THAT BECAME DELINQUENT BEFORE THAT
13 DATE.
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15 WHEREAS, On March 23, 2015, the Council adopted Resolution 15-17, confirming the
16 assessment roll, establishing payment due dates and establishing delinquency, penalty and
17 interest provisions for the Homer Natural Gas Distribution Special Assessment District
18 (“District”); and
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20 WHEREAS, On June 15, 2015, the Council adopted Resolution 15-047(S)(A), changing
21 the due dates for assessments in the District on properties other than condominium units;
22 and
23

24 WHEREAS, On September 14, 2015, the Council adopted Resolution 15-081(S),
25 confirming the assessment roll for condominium units in the District, and establishing
26 delinquency, penalty and interest provisions for those assessments; and
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28 WHEREAS, Under the resolutions cited above, commencing July 1, 2016 the due date
29 for installment payments of principal and interest on assessments in the District is July 1 of
30 each year; and
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32 WHEREAS, Under the resolutions cited above, upon the delinquency of an annual
33 installment payment on an assessment in the District, the remaining principal balance of the
34 assessment becomes immediately due and payable, with the amount that is due being
35 subject to a penalty of 10%, and interest at a rate of 10.5% per annum; and
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37 WHEREAS, It is appropriate to establish a more lenient penalty and interest structure
38 for installments on assessments in the District that first become delinquent on or after July 1,
39 2016; and
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41 WHEREAS, To provide an incentive to bring current assessments in the District that
42 became delinquent before July 1, 2016, it is appropriate to apply the more lenient penalty

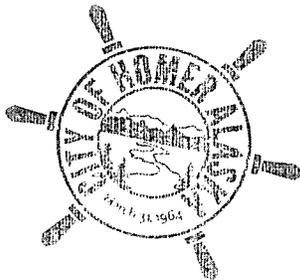
43 and interest structure for assessment installments that are not delinquent before July 1, 2016
44 to previously delinquent assessments that are brought current not later than that date.

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46 NOW, THEREFORE, BE IT RESOLVED that if an assessment in the District has not been
47 delinquent before July 1, 2016, a delinquent annual installment of principal and interest on
48 the assessment that is due on or after July 1, 2016 shall be subject to a late payment penalty
49 equal to fifty dollars (\$50.00) multiplied by the number of calendar months (or portions
50 thereof) that elapse until the delinquent installment, plus interest and penalty are paid in full;
51 provided, that the amount of this penalty shall not exceed two hundred dollars (\$200.00). If
52 the delinquent installment, plus interest and penalty, are not paid in full within four calendar
53 months after the installment due date, the entire outstanding principal amount of the
54 assessment shall be in default and shall be immediately due and payable, and thereafter the
55 entire outstanding assessment principal shall bear interest at the rate of ten and one-half
56 percent (10.5%) per annum until paid. The penalty imposed under this paragraph does not
57 bear interest.

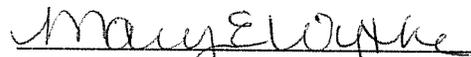
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59 BE IT FURTHER RESOLVED that, notwithstanding Resolutions 15-17, 15-047(S)(A) and
60 15-081(S), an assessment in the District that became delinquent before July 1, 2016 shall not
61 be immediately due and payable in full because of that delinquency, but may continue to be
62 payable in installments of principal plus interest at a rate of four percent (4%) per annum and
63 thereafter shall be subject to the penalty and interest structure provided in the preceding
64 paragraph, if on or before July 1, 2016, the City receives payment of (i) the delinquent
65 assessment installment plus a penalty of ten percent (10%) of the total assessment amount
66 and interest on the total assessment amount at a rate of ten and one-half percent (10.5%) per
67 annum, and (ii) the assessment installment that is due on July 1, 2016.

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69 PASSED AND ADOPTED by the Homer City Council on this 9th day of May, 2016.

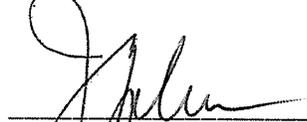
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CITY OF HOMER


MARY E. WYTHE, MAYOR

ATTEST:



JO JOHNSON, MMC, CITY CLERK

Fiscal Note: N/A