

**CITY OF HOMER  
HOMER, ALASKA**

Council

**ORDINANCE 10-19**

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, ABOLISHING THE OCEAN DRIVE LOOP SPECIAL SERVICE DISTRICT, REPEALING HOMER CITY CODE CHAPTER 15.10 OCEAN DRIVE LOOP SPECIAL SERVICE DISTRICT, AND PROVIDING FOR RELATED MATTERS.

WHEREAS, AS 29.45.580 authorizes the City by ordinance to establish, alter and abolish differential tax zones to provide and levy property taxes for services not provided generally in the City; and

WHEREAS, The City adopted Ordinance 06-53(S), enacting Homer City Code Chapter 15.10 to establish a differential tax zone known as the Ocean Drive Loop Special Service District (“District”); and

WHEREAS, The City has levied and collect real property taxes in the District to provide funds for the operation of the seawall that had been constructed in the Ocean Drive Loop Bluff Erosion Control Improvement/Assessment District previously established by the City; and

WHEREAS, The City intended that tax revenues collected in the District be granted to an eligible private entity for the purpose of paying the cost of maintaining, repairing and insuring the seawall on behalf of the owners of property in the District; and

WHEREAS, There has been a lengthy delay in the formation of an eligible entity to receive grants from tax revenues collected in the District, and some owners of property in the District are not participating in that entity and do not support the levying of taxes in the District; and

WHEREAS, The Council finds that it would be in the best interest of the City to allow the owners of property in the District to determine among themselves what collective arrangements, if any, to make for funding the operation of the seawall, without the involvement of the City as a taxing authority; and

WHEREAS, The Council by this ordinance intends to abolish the District, and to discontinue levying and collecting real property taxes for the purpose of the District.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The Ocean Drive Loop Special Service District established by Ordinance 06-53(S) is hereby abolished.

47 Section 2. Commencing in FY 2010, the City will cease to levy and collect real property  
48 taxes for the purposes of the Ocean Drive Loop Special Service District.

49  
50 Section 3. Homer City Code Chapter 15.10, Ocean Drive Loop Special Service District,  
51 is repealed.

52  
53 Section 4. This ordinance shall take effect upon its adoption by the Homer City Council.

54  
55 Section 5. Section 3 of this Ordinance is of a permanent and general character and shall  
56 be included in the City Code.

57  
58 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 12<sup>th</sup> day of  
59 April 2010.

60  
61 CITY OF HOMER

62  
63  
64 James C. Hornaday  
65 JAMES C. HORNADAY, MAYOR

66  
67 ATTEST:

68  
69 [Signature]  
70  
71 JO JOHNSON, CMC, CITY CLERK

72  
73 YES: 4  
74 NO: 1  
75 ABSTAIN: 0  
76 ABSENT: 1

77  
78 First Reading: 3/22/10  
79 Public Hearing: 4/12/10  
80 Second Reading: 4/12/10  
81 Effective Date: 4/13/10

82  
83 Reviewed and approved as to form:

84  
85 [Signature]  
86 Walt Wrede, City Manager

87  
88 [Signature]  
89 Thomas F. Klinkner, City Attorney

Date: 4/19/10

Date: 4-21-10