

CITY OF HOMER  
HOMER, ALASKA

Council

ORDINANCE 10-20(S)

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING THE FY 2010 OPERATING BUDGET BY APPROPRIATING \$11,650.00 FROM THE OCEAN DRIVE LOOP SPECIAL SERVICE DISTRICT FOR THE PURPOSE OF PAYING THE COST OF REPAIRS TO THE SEAWALL, AND APPROPRIATING THE REMAINDER \$9,365.36 FROM THE OCEAN DRIVE LOOP SPECIAL SERVICE DISTRICT FOR REFUNDS TO TAXPAYERS IN THE OCEAN DRIVE LOOP SPECIAL SERVICE DISTRICT.

WHEREAS, In 2006, the City of Homer enacted Homer City Code Chapter 15.10 to establish a special service 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 now has determined that it is appropriate to abolish the special service district by repealing Homer City Code Chapter 15.10; and

WHEREAS, It is necessary to determine the disposition of tax revenues that the City previously has levied and collected in the special service district.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. Notwithstanding anything to the contrary in Homer City Code Chapter 15.10 regarding the use of tax revenues levied and collected in the Ocean Loop Drive Special Service District, the Homer City Council hereby amends the FY 2010 Operating Budget by appropriating \$11,650.00 from the Ocean Drive Loop Special Service District for the purpose of paying the cost of repairs to the seawall as follows:

Revenue:

<u>Account Number</u>	<u>Description</u>	<u>Amount</u>
156-369	Seawall Reserve Account	\$11,650.00

Expenditure:

<u>Account Number</u>	<u>Description</u>	<u>Amount</u>
808-375	Ocean Drive Loop Special Service District	\$11,650.00

Section 2. Notwithstanding anything to the contrary in Homer City Code Chapter 15.10 regarding the use of tax revenues levied and collected in the Ocean Loop Drive Special Service District, the Homer City Council hereby amends the FY 2010 Operating Budget by appropriating

the remainder \$9,365.36 from the Ocean Drive Loop Special Service District for the purpose of refunding taxes paid in the Ocean Drive Loop Special Service District as follows:

Expenditure:

<u>Account Number</u>	<u>Description</u>	<u>Amount</u>
808-375	Ocean Drive Loop Special Service District	\$9,365.36

Section 3. The City shall pay a portion of the amount appropriated by Section 2 to each person who paid real property taxes in the Ocean Drive Loop Special Service District, ("Taxpayer") with the amount of the payment to each Taxpayer being determined *pro rata* based on the portion of the total amount of taxes levied and collected in the Ocean Drive Loop Special Service District that was paid by that Taxpayer.

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

Section 5. This is a budget amendment ordinance, is temporary in nature, and shall not be codified.

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

CITY OF HOMER

James C. Hornaday  
JAMES C. HORNADAY, MAYOR

ATTEST:

Jo Johnson  
JO JOHNSON, CMC, CITY CLERK

YES: 5  
NO: 0  
ABSTAIN: 0  
ABSENT: 1

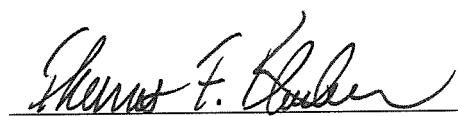
First Reading: 3/22/10  
Public Hearing: 4/12/10  
Second Reading: 4/12/10  
Effective Date: 4/13/10

91 Reviewed and approved as to form:

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Walt Wrede, City Manager

Date: 4/19/10

  
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Thomas F. Klinkner, City Attorney

Date: 4-21-10