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**CITY OF HOMER
HOMER, ALASKA**

City Manager

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ORDINANCE 10-38

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING ORDINANCE 10-21 TO AUTHORIZE THE PURCHASE OF PROPERTY WITHIN THE BRIDGE CREEK WATERSHED, KENAI PENINSULA BOROUGH PARCEL NO. 17307031 (N 663 FT. OF NE 1/4, SE 1/4, EAST OF SKYLINE DRIVE, T 6S R 13W SEC 7), IN THE AMOUNT OF \$115,500 FROM THE WATER DEPRECIATION RESERVE ACCOUNT FOR THE PURPOSE OF PROTECTING THE WATERSHED AND PROVIDING ALTERNATE ACCESS TO PROPERTY NORTH OF THE CITY'S WATER TREATMENT PLANT.

WHEREAS, It has been Council's policy to acquire property within the Bridge Creek Watershed to protect the quality of water in the reservoir; and

WHEREAS, As part of the eminent domain proceeding to acquire the site for the new water treatment plant, the City needs to provide access to adjacent parcels, a requirement of the Kenai Peninsula Borough Platting Authority; and

WHEREAS, This land transaction is important to protect the water quality, provide access to adjacent properties, and satisfy Kenai Peninsula Borough platting requirements; and

WHEREAS, The City originally expected to acquire the property for \$90,000, the purchase price that was authorized by Ordinance 10-21, but the owner of the property would not accept a purchase price less than \$115,500, and it is necessary to amend Ordinance 10-21 to provide for the increased purchase price.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. Section 1 of Ordinance 10-21 is amended to read as follows:

The Homer City Council hereby authorizes the purchase of Kenai Peninsula Borough Parcel No. 17307031 within the Bridge Creek Watershed (N 663 ft. of NE 1/4, SE 1/4, East of Skyline Drive, T 6S R 13W Sec 7) with funds from the Water Depreciation Reserve Account for the purpose of protecting the watershed and providing alternate access to property north of the City's Water Treatment Plant as follows:

44 Expenditure:

45	<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
46	256-378	Water Depreciation Reserve	\$115,500


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49 Section 2. This is a budget amendment ordinance, is temporary in nature, and shall not be
50 codified.

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52 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 9th day of
53 August 2010.

CITY OF HOMER


JAMES C. HORNADAY, MAYOR


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61 ATTEST:

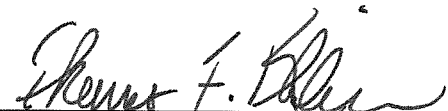

JO JOHNSON, CMC, CITY CLERK

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67 First Reading: 7/24/10
68 Public Hearing: 8/09/10
69 Second Reading: 8/09/10
70 Effective Date: 8/10/10

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72 YES: 6
73 NO: 0
74 ABSTAIN: 0
75 ABSENT: 0

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80 Reviewed and approved as to form:

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Walt E. Wrede, City Manager
85 Date: 8/12/10


Thomas F. Klinkner, City Attorney
Date: 8-16-10