

Non-Code Ordinance

By: Public Works Department

Introduced: June 24, 2013

Public Hearing: July 8, 2013

Adopted: July 8, 2013

Vote: Buswell, Harris, Sullivan-Leonard, Wall and Woodruff in favor; Seat A Vacant

**City of Wasilla
Ordinance Serial No. 13-17**

An ordinance of the Wasilla City Council creating the Lake Side Terrace P.U.D. Sewer Connection Special Assessment District; approving the improvement plan for the district, authorizing the City to proceed with the improvement, and establishing a method of assessment for the benefited properties.

Section 1. Classification. This is a non-code ordinance.

Section 2. Purpose. To establish a special assessment district for a sewer connection of the remaining sixteen condominium units, approving the plan for the sewer connection, authorizing the City to proceed with the sewer connection, and appropriating funding for the sewer connection.

WHEREAS, pursuant to the authority of WMC 5.20.010 and AS 29.46 the City Council may initiate special assessment districts; and

WHEREAS, the City Council has held a hearing on the necessity of the local improvement that will connect the remaining condominium units located on Lots 49A – 60A, Block 2, and Lots 61 – 64, Block 2; and

WHEREAS, 100 percent of the sewer connection cost would be assessed against all of the properties in Lake Side Terrace P.U.D.; and

WHEREAS, pursuant to the authority of WMC 5.14.050 (11) the City may invest up to \$250,000 in Special Assessments at the end of any fiscal year, as authorized under WMC 5.20.

NOW THEREFORE BE IT RESOLVED that the Wasilla City Council:

- 1) Lake Side Terrace P.U.D. Sewer Connection Special Assessment District is hereby created to provide City sewer service to the remaining sixteen condominium units.
- 2) The improvement consists of a sewer main line extension within the common area of Lake Side Terrace P.U.D. and across Seneca Avenue right-of-way, connecting the benefited properties to the existing septic tank and pump vault that serves the remainder of Lake Side Terrace P.U.D. with an estimated cost and expense of the improvement of \$86,732.

- 3) The Council finds that a mailed and published notice of the hearing on the necessity of the proposed improvement was provided as required by WMC 5.20.130, and the public hearing required by WMC 5.20.060(B) has been held.
- 4) One hundred percent of the project cost and expense are assessed upon all 76 properties within Lake Side Terrace P.U.D. per WMC 5.20.050(A)(3).
- 5) Once the ordinance confirming the assessment roll is enacted by Council, the subjected parcels shall have a lien recorded on each parcel to protect the interest of the City's investment and shall be subject to foreclosure procedures as described in AS 29.
- 6) Assessments shall be paid in 10 annual installments, plus interest on the unpaid balance at a rate equal to prime plus two (2) percent, until paid in full, and rate shall be determined on the date the ordinance confirming the assessment roll is enacted by Council. A penalty of eight (8) percent shall be added to any assessment installment not paid before the date of delinquency. An additional eight (8) percent shall be added on each anniversary of the date of delinquency that said assessment installment remains unpaid. There shall be no penalty for early payoff, but shall include any and all principal, interest and penalties owed up to the date of payment.
- 7) The Council determines to authorize and proceed with the proposed improvement when funds become available, and the finance director shall keep an account of all expenses of the improvements so that property assessments may be levied and collected. Funds to pay for all project expenses may be appropriated and expended from available funding pursuant to WMC 5.14.050 (11).

Section 3. Source of Funds.

Lake Side Terrace Sewer Assessment 310-4359-435.45-28 \$86,732

Section 4. Effective date. This ordinance shall take effect upon adoption by the Wasilla City Council.

ADOPTED by the Wasilla City Council on July 8, 2013.



 VERNE E. RUPRIGHT, Mayor

ATTEST:



 KRISTIE SMITHERS, MMC, City Clerk

[SEAL]





CITY COUNCIL LEGISLATION STAFF REPORT

Ordinance Serial No. 13-17: Creating the Lake Side Terrace P.U.D. Sewer Connection Special Assessment District; approving the improvement plan for the district, authorizing the City to proceed with the improvements, and establishing a method of assessment for the benefited properties.

Originator: Public Works Director

Date: June 12, 2013

Agenda of: June 24, 2013

Route to:	Department Head	Signature	Date
X	Public Works Director		6/12/13
X	Finance Director		6-17-13
X	Deputy Administrator		6-17-13
X	City Clerk		6/17/13

Reviewed by Mayor Verne E. Rupright: _____

Fiscal Impact: yes \$86,732

Funds Available: yes

Account name/number: Lake Side Terrace Sewer Assessment/310-4359-435.45-28

Attachments: Deposit Agreement (3 pages)

Summary Statement: The Lake Side Terrace Home Owners Association has requested financial assistance to connect the last four condominium buildings (4 units each) to the City sewer system, and this ordinance sets forth a special assessment district for that purpose.

The connection includes a sewer main line extension connecting Lots 49A-60A, Block 2, and Lots 61-64, Block 2, to the existing septic tank and pump vault that serve the remainder of Lake Side Terrace P.U.D. at an estimated cost of \$86,732. One hundred percent of the project cost and expenses will be assessed to all of the properties within Lake Side Terrace P.U.D. (76 properties) with a 10 year payoff period.

Recommended Action: Adopt Ordinance Serial No. 13-17.



CITY OF WASILLA

Finance Department
290 East Herning Avenue
Wasilla, Alaska 99654-7091
Phone (907) 373-9080 Fax (907) 373-9085

**Non-Refundable Deposit Agreement
For
Local Improvement District**

Lakeside Terrace Sewer Extension

June 4, 2013

To: Dorene L. Eckman, President
Lakeside Terrace Townhouse Association (LTTA)

For consideration of \$1,000.00 non-refundable deposit, to be received prior to consideration by the City of Wasilla Council, administration for the City of Wasilla will proceed with efforts necessary and allowed by State of Alaska, Title 29; Wasilla Municipal Code; Policies; and available funding to construct the Local Improvement District known as the Lakeside Terrace Sewer Extension which includes 76 assessed parcels/units.

If for any reason, the petitioner for this LID wishes to cancel the project or should the project be canceled for any reason, the deposit amount is forfeited and no claim for refund will be authorized.

The bid opening for this project occurred on May 30, 2013 with Scoggins Excavating providing the low bid in the amount of \$86,732 as a lump sum bid. Attached is the payment schedule for this amount. As we discussed, the 16 properties that will be connected as a result of this sewer extension will be required to pay an \$800 payment in-lieu of assessment (PILA) and a \$260 connection fee when the project is complete and they sign up for sewer service. The PILA can be paid over a 96 month period with the monthly sewer bill, plus a five percent annum administrative fee. Additionally, a total of 76 units will be assessed individually and a lien placed upon each unit until paid in full, at which time the City will release any lien.

Agreed to this day _____ Month _____, 2013.

{LLTA}

{City of Wasilla}

By:

Signature Date

Signature Date

Print Name

Print Name

Lakeside Terrace LID
Compound Period:
Nominal Annual Rate:

Annual
5.250%

CASH FLOW DATA

Event	Date	Amount	Number	Period	End Date
1 Loan	8/1/2013	86,732.00	1		
2 Payment	8/1/2014	11,368.96	10	Annual	8/1/2023

AMORTIZATION SCHEDULE - Normal Amortization

	Date	Payment	Interest	Principal	Balance
Loan	8/1/2013				86,732.00
1	8/1/2014	11,368.96	4,553.43	6,815.53	79,916.47
2	8/1/2015	11,368.96	4,195.61	7,173.35	72,743.12
3	8/1/2016	11,368.96	3,819.01	7,549.95	65,193.17
4	8/1/2017	11,368.96	3,422.64	7,946.32	57,246.85
5	8/1/2018	11,368.96	3,005.46	8,363.50	48,883.35
6	8/1/2019	11,368.96	2,566.38	8,802.58	40,080.77
7	8/1/2020	11,368.96	2,104.24	9,264.72	30,816.05
8	8/1/2021	11,368.96	1,617.84	9,751.12	21,064.93
9	8/1/2022	11,368.96	1,105.91	10,263.05	10,801.88
10	8/1/2023	11,368.96	567.08	10,801.88	0.00
Grand Totals		113,689.60	26,957.60	86,732.00	

Last interest amount decreased by 0.02 due to rounding.

Lakeside Terrace LID
 Compound Period: Annual
 Nominal Annual Rate: 5.250%

CASH FLOW DATA

Event	Date	Amount	Number	Period	End Date
1 Loan	8/1/2013	1,141.21	1		
2 Payment	8/1/2014	149.59	10	Annual	8/1/2023

AMORTIZATION SCHEDULE - Normal Amortization

	Date	Payment	Interest	Principal	Balance
Loan	8/1/2013				1,141.21
1	8/1/2014	149.59	59.91	89.68	1,051.53
2	8/1/2015	149.59	55.21	94.38	957.15
3	8/1/2016	149.59	50.25	99.34	857.81
4	8/1/2017	149.59	45.04	104.55	753.26
5	8/1/2018	149.59	39.55	110.04	643.22
6	8/1/2019	149.59	33.77	115.82	527.40
7	8/1/2020	149.59	27.69	121.90	405.50
8	8/1/2021	149.59	21.29	128.30	277.20
9	8/1/2022	149.59	14.55	135.04	142.16
10	8/1/2023	149.59	7.43	142.16	0.00
Grand Totals		1,495.90	354.69	1,141.21	

Last interest amount decreased by 0.03 due to rounding.