

Introduced by:	Mayor
Date:	05/21/24
Action:	Adopted
Vote:	9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH
RESOLUTION 2024-006**

**A RESOLUTION TO FORM THE ROLLINS WAY ROAD IMPROVEMENT
ASSESSMENT DISTRICT AND PROCEED WITH THE IMPROVEMENT**

- WHEREAS,** KPB Chapter 14.31 authorizes the formation of road improvement assessment districts (“RIAD”) within the Kenai Peninsula Road Service Area (RSA); and
- WHEREAS,** an application for a petition to form a RIAD was received from the property owners within the proposed district; and
- WHEREAS,** KPB 14.31.040 requires that applications to form a RIAD and to participate in the RIAD match program shall be received no later than May 1 of each year; and
- WHEREAS,** the application for the Rollins Way RIAD formation and to participate in the match program was submitted timely; and
- WHEREAS,** on June 14, 2022, the RSA board reviewed the RIAD application and authorized funding to obtain an engineer's estimate for the Rollins Way RIAD for the purpose of improving approximately 2,050 linear feet of Rollins Way not currently on the Road Service Area maintenance list (see Mayor’s Report Attachment 1, Staff Report); and
- WHEREAS,** pursuant to KPB 14.31.065, on November 14, 2023, the RSA board adopted RSA Resolution 2023-007 approving the circulation of the Rollins Way RIAD petition consistent with the recommendations in the staff report of June 14, 2022, (see Mayor’s Report Attachment 2, RSA Resolution 2023-007, and Attachment 4, Petition Report and Exhibits); and
- WHEREAS,** KPB 14.31.070(D) requires signatures of the owners of record of (a) at least 60 percent of the total number of parcels subject to assessment within the proposed district and (b) at least 60 percent in value of the property to be benefited, in order to be considered by the assembly for formation, and 61.11 percent of recorded owners have signed the petition, and 68.41 percent in value of the property to be benefited; and
- WHEREAS,** the petition and required filing fee were submitted timely by the sponsor, and the Borough Clerk has certified that the petition contains sufficient signatures to meet the thresholds required by KPB 14.31.070, (see Mayor’s Report, Attachment 3, Certification of Petition); and

WHEREAS, the Borough Clerk gave notice of the public hearing for this resolution by certified mail, return receipt requested, mailed not less than 35 days before the date of the hearing, to each record owner of a parcel in the proposed district; and

WHEREAS, the Borough Clerk further gave notice by publication once a week for two consecutive weeks in a newspaper of general circulation in the KPB, with the first publication appearing not less than 30 days before the date of the hearing; and

WHEREAS, more than 35 days have passed since the mailing of the notice of the public hearing to each record owner of a parcel in the proposed district, and no written objection to the necessity of formation of the district has been filed with the Borough Clerk; and

WHEREAS, KPB 14.31.090 requires the Mayor to prepare for assembly consideration a resolution to form the special assessment district and proceed with the improvement, and to submit with the resolution the petition report described in KPB 14.31.060, the RSA resolution to approve the petition report and recommend a KPB match, a description of the current condition of the rights-of-way that are to be improved and a statement of the need for the proposed local improvement, and the method of financing the improvement;

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. That the Kenai Peninsula Borough will form the Rollins Way RIAD, and the Mayor is authorized to proceed with the construction of the improvement in accordance with the provisions of KPB Chapter 14.31 and RSA Resolution 2023-007 and the Mayor's Report, and negotiate and execute such documents as are determined to be in the best interests of the KPB to accomplish this project.

SECTION 2. That pursuant to the requirements of KPB 14.31.090, this resolution is supported by the Mayor's Report, which is attached hereto and incorporated herein by reference.

SECTION 3. That the proposed Rollins Way RIAD is necessary and should be made and is hereby formed, and the KPB will proceed with the construction of the proposed gravel improvement for a district encompassing 18 benefited parcels in the area of Anchor Point, for approximately 2,050 linear feet of roadway of Rollins Way

SECTION 4. That the boundaries of the RIAD for improving the roadway set forth in the district map attached as the Mayor's Report Attachment 4, page 11, and the properties legally described in the Estimate Assessment Roll, Mayor's Report Attachment 4, page 9, are hereby approved as comprising the Rollins Way RIAD.

SECTION 5. That the estimated cost of the project of \$289,178.64, which includes direct costs of \$250,724.51, a 10 percent KPB project contingency of \$25,072.45 per KPB 14.31.060(2)(a), and indirect administrative costs of \$13,381.68, is approved.

SECTION 6. That the attached Estimate Assessment Roll, Mayor's Report Attachment 4, page 9), which includes properties within the district to be properly included and subject to an assessment of \$8,032.74 per parcel for the improvement, is incorporated by reference herein and adopted.

SECTION 7. That the Mayor is authorized to negotiate and execute such documents as are determined to be in the best interests of the KPB to proceed with the construction of the improvement and to accomplish this project.

SECTION 8. That the Borough Clerk will cause a copy of this resolution and estimated assessment roll to be recorded in the District Recorder's Office for the State of Alaska, Kenai District.

SECTION 9. That this resolution is effective immediately.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 21ST DAY OF MAY, 2024.


Brent Johnson, Assembly President

ATTEST:


Michele Turner, CMC, Borough Clerk



Yes: Cooper, Cox, Ecklund, Elam, Hibbert, Ribbens, Tunseth, Tupper, Johnson

No: None

Absent: None

ROLLINS WAY RIAD - ESTIMATED ASSESSMENT ROLL

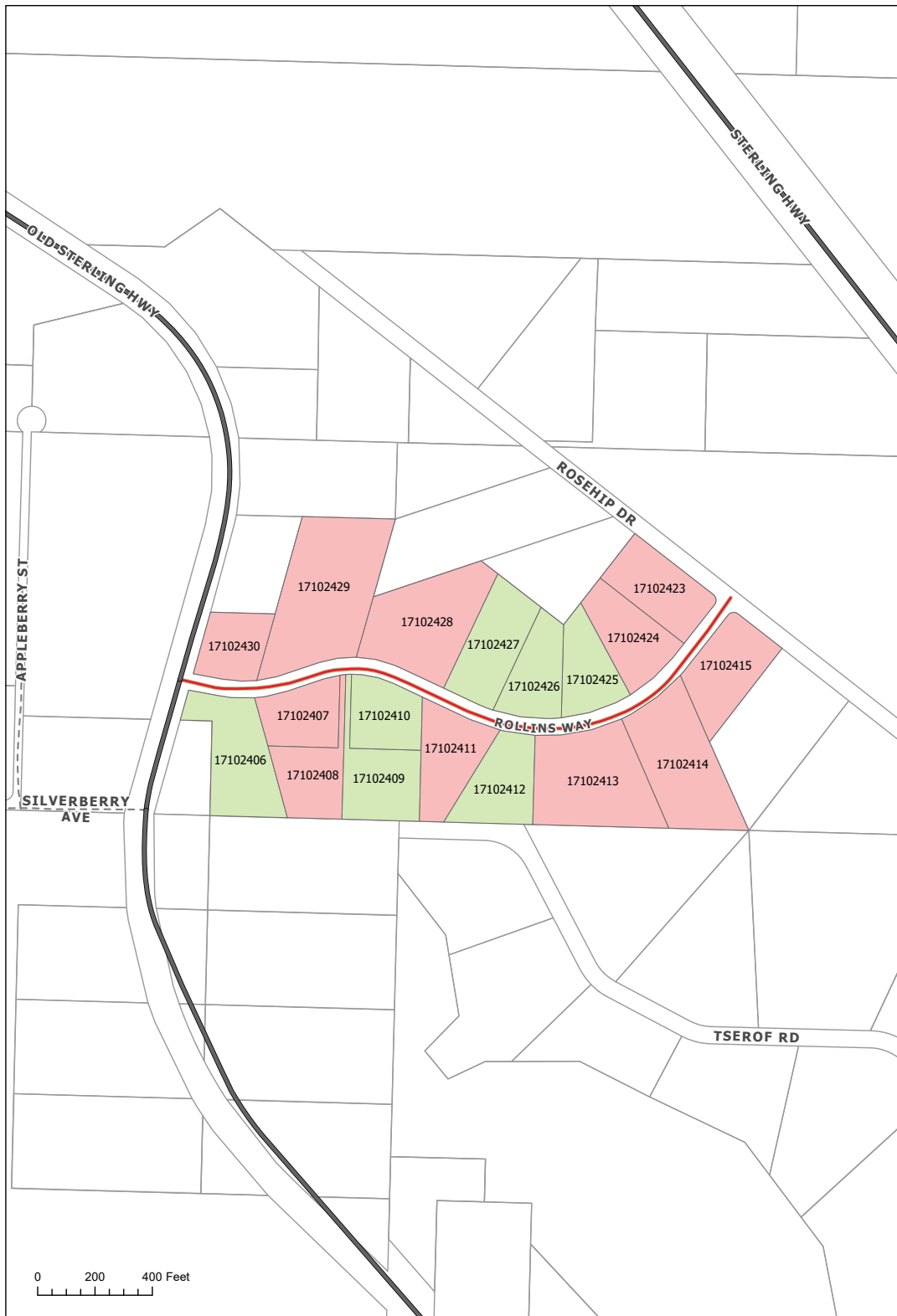
Resolution to Form the District and Proceed with the Improvement

Preliminary Estimate	
Construction Cost:	217,077.50
Contingency (5%):	11,939.26
Construction Cost Subtotal:	229,016.76
Engineering Design (10%):	21,707.75
Total Estimated Construction Cost:	250,724.51
RIAD Project Contingency (10%):	25,072.45
RIAD Filing Fee Adjustment:	6,122.00
KPB Administration Cost:	7,259.68
Total Estimated Project Cost:	289,178.64
Less Road Service Area Match (50%):	144,589.32
Estimated Cost to Parcel Owners:	144,589.32
Number of Benefitted Parcels: 18	
Estimated Cost Per Parcel: 8,032.74	

RIAD FILING FEE:	\$1,000
Paid:	July 1, 2022

Total Assessed Value:	
Lien limit per parcel: <21% of AV for Gavel Projects	
Total Estimated Project Cost:	
Less any pre-payments paid:	
Total Estimated Assessments:	
Total number of parcels in district:	
Total number parcels in Favor:	
Percentage of parcels Assessed Value in Favor:	
Percentage of parcels w/Delinquent RP Taxes :	
Unimproved parcels AV / District AV:	

PARCEL ID	LEGAL	2023 ASSESSED VALUE	Lien Limit <21%AV	Maximum Assessment (Financeable)	Prepayment Required #RP 14.31.080(A)(2)	Prepayment Amount Paid	Date of Prepayments	OWNER	MAILING ADDRESS	CITY STATE ZIP	PHYSICAL ADDRESS	SPC ASSMT	2023 DEL TAX	IN FAVOR YES	IN FAVOR AV
171-024-06	T55 R 14W SEC 19 SEWARD MERIDIAN HM 0860070 STERLING ACRES SUB UNIT 1 LOT 14	32,300	24.87%	6,783.00	1,249.74	1,249.74	5/5/2024 #1101/ARNOLD	KRISHER, JOHN R	PO BOX 460	PUTNEY, VT 05346	69431 ROLLINS WAY	NO	NO		0
171-024-07	T55 R 14W SEC 19 SEWARD MERIDIAN HM 0860070 STERLING ACRES SUB UNIT 1 LOT 16	126,300	6.36%	8,032.74	0.00			FLOREZ KARENA LIVING TRUST	3930 N DIAMOND DR	KINGMAN, AZ 86409		NO	NO		0
171-024-08	T55 R 14W SEC 19 SEWARD MERIDIAN HM 0860070 STERLING ACRES SUB UNIT 1 LOT 15	73,700	10.90%	8,032.74	0.00			KRISHER, JOHN R	PO BOX 460	PUTNEY, VT 05346	69715 ROLLINS WAY	NO	NO		0
171-024-09	T55 R 14W SEC 19 SEWARD MERIDIAN HM 0860070 STERLING ACRES SUB UNIT 1 LOT 18	29,500	27.23%	6,194.99	1,837.75	1,837.75	4/4/2024 #1150	MAZEN, STEVE & BRENDA	69655 ROLLINS WAY	ANCHOR POINT, AK 99556	69646 ROLLINS WAY	NO	NO	YES	29,500
171-024-10	T55 R 14W SEC 19 SEWARD MERIDIAN HM 0860070 STERLING ACRES SUB UNIT 1 LOT 17	27,000	29.75%	5,670.00	2,362.74	2,362.74	4/25/2024 CC 0167104435	GHERMAN, DINA	40700 OLD STERLING HWY	ANCHOR POINT, AK 99556	69588 ROLLINS WAY	NO	NO		0
171-024-11	T55 R 14W SEC 19 SEWARD MERIDIAN HM 0860070 STERLING ACRES SUB UNIT 1 LOT 19	134,900	5.95%	8,032.74	0.00			MAZEN, STEVE & BRENDA	69655 ROLLINS WAY	ANCHOR POINT, AK 99556		NO	NO	YES	134,900
171-024-12	T55 R 14W SEC 19 SEWARD MERIDIAN HM 0860070 STERLING ACRES SUB UNIT 1 LOT 20	21,800	36.85%	4,577.99	3,454.75	3,454.75	4/4/2024 #1150	MAZEN, STEVEN M & BRENDA D	69655 ROLLINS WAY	ANCHOR POINT, AK 99556		NO	NO	YES	21,800
171-024-13	T55 R 14W SEC 19 SEWARD MERIDIAN HM 0860070 STERLING ACRES SUB UNIT 1 LOT 21	31,300	25.66%	6,573.00	1,459.74	1,459.74	5/5/2024 #557	OSTERWISE, DAN M	PO BOX 2651	HOMER, AK 99603	40856 OLD STERLING HWY	NO	NO	YES	31,300
171-024-14	T55 R 14W SEC 19 SEWARD MERIDIAN HM 0860070 STERLING ACRES SUB UNIT 1 LOT 22	93,600	8.58%	8,032.74	0.00			ARNOLD, JUSTIN	PO BOX 577	HOMER, AK 99603		NO	NO	YES	93,600
171-024-15	T55 R 14W SEC 19 SEWARD MERIDIAN HM 0860070 STERLING ACRES SUB UNIT 1 LOT 23	138,600	5.06%	8,032.74	0.00			VEAL COMMUNITY PROPERTY TRUST	PO BOX 341	HOMER, AK 99603	69675 ROLLINS WAY	NO	NO	YES	138,600
171-024-23	T55 R 14W SEC 19 SEWARD MERIDIAN HM 0860070 STERLING ACRES SUB UNIT 1 LOT 5	31,000	25.91%	6,510.00	1,522.74	1,522.74	4/22/2024 #318	RATE, JOHN E	PO BOX 1058	ANCHOR POINT AK 99556		NO	NO	YES	31,000
171-024-24	T55 R 14W SEC 19 SEWARD MERIDIAN HM 0860070 STERLING ACRES SUB UNIT 1 LOT 6	23,800	33.75%	4,998.00	3,034.74	3,034.74	4/22/2024 #318	RATE, JOHN E	PO BOX 1058	ANCHOR POINT AK 99556	69655 ROLLINS WAY	NO	NO	YES	23,800
171-024-25	T55 R 14W SEC 19 SEWARD MERIDIAN HM 0860070 STERLING ACRES SUB UNIT 1 LOT 7	20,900	38.43%	4,389.00	3,643.74	3,643.74	4/22/2024 #318	RATE, JOHN E	PO BOX 1058	ANCHOR POINT AK 99556		NO	NO	YES	20,900
171-024-26	T55 R 14W SEC 19 SEWARD MERIDIAN HM 0860070 STERLING ACRES SUB UNIT 1 LOT 8	21,100	38.07%	4,431.00	3,601.74	3,601.74	4/25/2024 CC 0167104435	GHERMAN, DINA	40700 OLD STERLING HWY	ANCHOR POINT, AK 99556	69477 ROLLINS WAY	NO	NO		0
171-024-27	T55 R 14W SEC 19 SEWARD MERIDIAN HM 0860070 STERLING ACRES SUB UNIT 1 LOT 9	22,700	35.39%	4,767.00	3,265.74	3,265.74	5/5/2024 #1101/ARNOLD	CRAIG, HAYLEY M & WILLIAM CODY	1570 SE RAMSAY RD	BEND, OR 97702		NO	NO		0
171-024-28	T55 R 14W SEC 19 SEWARD MERIDIAN HM 0860070 STERLING ACRES SUB UNIT 1 LOT 10	379,100	2.12%	8,032.74	0.00			FRANK, MARSSA LAUREN & KEVIN MITCHELL	69588 ROLLINS WAY	ANCHOR POINT, AK 99556		NO	NO	YES	379,100
171-024-29	T55 R 14W SEC 19 SEWARD MERIDIAN HM 0860070 STERLING ACRES SUB UNIT 1 LOT 11	256,700	3.13%	8,032.74	0.00			FOUKERT, MARICEL A	PO BOX 1368	ANCHOR POINT, AK 99556	69404 ROLLINS WAY	NO	NO	YES	256,700
171-024-30	T55 R 14W SEC 19 SEWARD MERIDIAN HM 0860070 STERLING ACRES SUB UNIT 1 LOT 13	242,300	3.32%	8,032.74	0.00			JOHNSON, JIM & VELLE, SHELIA	40856 OLD STERLING HWY	ANCHOR POINT, AK 99556	69345 ROLLINS WAY	NO	NO		0
18 # Parcels		1,726,600		119,155.90	25,433.42	25,433.42	as of 5/6/2024								
					10	# Parcel w/pp						0	11		1,181,200



ROLLINS WAY RIAD

- Proposed Improvement Route
- Borough Maintained Roads
- State Maintained Roads
- Improved Benefited Parcels
- Unimproved Benefited Parcels