

Kenai Peninsula Borough

Legal Department

MEMORANDUM

TO: Wayne Ogle, Assembly President
Kenai Peninsula Borough Assembly Members

THRU: Charlie Pierce, Mayor *CP*

FROM: Colette Thompson, Borough Attorney *CT*
Sean Kelley, Assistant Borough Attorney *SK*
Tom Anderson, Assessing Director *TCA*

DATE: April 3, 2018

RE: Amendment to Ordinance 2018-11, Amending KPB 5.12.116 and KPB 19.340.060(B) to Reflect Changes to Alaska Statute 29.45.050 Economic Development Property Tax Exemption and Providing Additional Public Notice of Right to Referendum (Mayor)

In further review of SB 100 the administration recommends that the following amendments be made to this ordinance to clarify that the assembly has discretion to grant economic development properties tax exemptions for designated periods up to five years and that the percentage of the exemption is also at the discretion of the assembly up to 50 percent. This is consistent with the changes made in SB 100. (Please note that the bold and underlined language is new and the bold and crossed-out language in brackets is to be deleted.)

- Amend Section 1 as follows:

That KPB 5.12.116 is amended as follows:

...

- C. The exemption shall be for **a designated amount at the assembly's discretion** up to fifty percent (50%) of the assessed value of the property, for **a designated period** up to five consecutive years **at the assembly's discretion**.

- Add a new Section 2 as follows:

SECTION 2: SPECIAL NOTICE. Pursuant to AS 29.45.050(m), notice is hereby given that this ordinance, if passed, may be repealed by the voters through referendum.

- Renumber old Section 2 to Section 3.
- Renumber old Section 3 to Section 4.

Your approval would be appreciated.