



KENAI PENINSULA BOROUGH

144 North Binkley Street • Soldotna, Alaska 99669-7520

Toll-free within the Borough: 1-800-478-4441

PHONE: (907) 262-4441 • FAX: (907) 262-1892

www.kpb.us

**MIKE NAVARRE
BOROUGH MAYOR**

MEMORANDUM

TO: Kelly Cooper, Assembly President
Members, Kenai Peninsula Borough Assembly

THRU: Mike Navarre, Mayor *MN*

FROM: Tom Anderson, Director of Assessing *TCA*

DATE: November 9, 2016

SUBJECT: Ordinance 2016-41, Amending KPB 5.35.107(B), Regarding Deadlines to Collect Signatures on Petitions to Form Utility Special Assessment Districts (Mayor)

The ordinance would revise KPB 5.35.107(B), the utility special assessment district (“USAD”) code. This proposed amendment is intended to clarify that, for projects with greater than 150 parcels, an extension of 30 days is a one-time only allowance.

KPB 5.35.107(B) allows 45 days to collect signatures, triggered by the date the assessing department distributes the petition to the district sponsor. Because the time to collect signatures is bound to the date the assessing department distributes the petition to the sponsor, everyone involved (e.g. sponsor, borough, benefited property owners) knows the deadline up front.

KPB 5.35.107(B) also offers an additional 30 day extension for larger projects with more than 150 parcels, if such an extension will not impact the project timeline for assembly approval and utility construction timeframes or the utility’s estimate of costs. The extension is to be requested at the time the sponsor submits the written intent to proceed with administrative review of the petition report.

Current language has inadvertently provided for an additional extension, beyond the 30 day extension, at the mayor’s discretion, with an unspecified time limit. This has the potential of creating an inequality between special assessment districts in the amount of time allowed to collect signatures. The proposed change to KPB 5.35.107(B) remedies this potential inequality by deleting the language which inadvertently provided for an additional extension.