

Kenai Peninsula Borough
Planning Department

MEMORANDUM

TO: Assembly President
Kenai Peninsula Borough Assembly Members

THRU: Charlie Pierce, Borough Mayor *chi*

FROM: Max J. Best, Planning Director *mb*

DATE: October 15, 2019

RE: Ordinance 2019-28; An Ordinance correcting Ordinance 2019-13 by re-authorizing retention or sale of certain real property obtained by the Kenai Peninsula Borough through tax foreclosure proceedings, and thereby providing time to correct a notice deficiency discovered after enactment of Ordinance 2019-13.

The Kenai Peninsula Borough Planning Commission reviewed the subject Ordinance during their regularly scheduled October 14, 2019 meeting.

A motion passed by unanimous consent to recommend approval of Ordinance 2019-28.

In the Resolution, please make the following amendment to the last WHEREAS statement:

WHEREAS, the Planning Commission conducted a public hearing on October 14, 2019, and recommended approval by unanimous consent.

Attached are the unapproved minutes of the subject portion of the meeting.

AGENDA ITEM F. PUBLIC HEARINGS

3. Ordinance 2019-28; An Ordinance correcting Ordinance 2019-13 by re-authorizing retention or sale of certain real property obtained by the Kenai Peninsula Borough through tax foreclosure proceedings, and thereby providing time to correct a notice deficiency discovered after enactment of Ordinance 2019-13.

Staff Report given by Marcus Mueller

PC Meeting: 10/14/19

There is a tax foreclosure sale on October 26, 2019. The tax foreclosure ordinance contains two years of tax foreclosure properties and is separated into two parts. The lots are either proposed for sale by auction or to be retained for public purpose. This was previously heard as Ordinance 2019-13. State statutes require that certified notices be sent to the last owner of record. Certified notice was not delivered within the parameters of the statute. The decision was made to bring this back before the Planning Commission and Assembly to correct the notification deficiency. Proper certified notices have been provided within the timeline required. The last owners of record are getting another chance to comment if they have any concerns.

END OF STAFF REPORT

Chairman Martin asked if anyone from the public wished to comment on this item. Seeing and hearing no one wishing to comment, Chairman Martin closed public comment and opened discussion among the Commission.

MOTION: Commissioner Whitney moved, seconded by Commissioner Morgan, to recommend approval of Ordinance 2019-28 to the Assembly.

MOTION PASSED: Seeing and hearing no objection or discussion, the motion passed by unanimous consent.