

MEMORANDUM

To: Peter A. Micciche, Borough Mayor

From: Adeena Wilcox, Borough Assessor
Marie Payfer, Special Assessment Coordinator

Date: November 27, 2023

RE: Administrative Review of the Petition Report for the Jubilee Street Utility
Special Assessment District (USAD)

Review Period: Monday, November 27, 2023, through Monday, December 11, 2023

In accordance with KPB Code Chapter 5.35, a petition application has been submitted for formation of a utility special assessment district (USAD) in the community of Kasilof. Known as the Jubilee Street USAD (hereinafter "USAD"), the proposed main line includes Jubilee Street and Pope Lane. The project would benefit 10 parcels.

The attached Petition Report, and associated exhibits, is provided to the mayor for consideration and approval. Pursuant to 5.35.105(C), the mayor will consider the petition report (draft petition) for the proposed USAD and make a final determination to approve or to acquire additional or amended information not less than 45 days and not more than 60 days from the date the assessing department mailed notices to the affected property owners to allow for the comment period as described in KPB 5.35.030(E).

The notices were mailed out to the affected property owners on October 13, 2023; therefore, the mayor may consider the petition report **not earlier than Monday, November 27, 2023, and not later than Monday, December 11, 2023.**

Your review and approval of the proposed petition report is hereby requested so that the sponsor may pursue the signatures of owners of property within the approved boundaries. If sufficient signatures are obtained and the completed petition certified, the project may move forward with assembly approval of the resolution to form the district and proceed with the improvement. The sponsor hopes for this to occur no later than the first Assembly meeting in May of 2024, to stay on schedule to meet the utility company's deadline of June 15, 2023, for assembly approval to form the district, and to allow for construction of the proposed project during the 2024 construction season.

SECTION 1. IMPROVEMENT PROPOSAL:

On August 29, 2023, the utility company, Enstar Natural Gas Company, submitted a letter of approval for the proposed natural gas main line extension and a written estimate of the utility's estimated cost of constructing the extension. The sponsor was informed of the total estimated cost for this project. On August 30, 2023, the sponsor provided the assessing department with written notice of intent to proceed with administrative review of the petition report, and has submitted a non-refundable filing fee as established in the most current Schedule of Rates, Charges and Fees. Pursuant to KPB 5.35.03(E), the assessing department mailed notices of the proposed USAD to all parcel owners in the proposed district on

October 13, 2023, by certified mail, return receipt requested.

The project proposes to install a natural gas line of approximately 1,290 lineal feet of 2-inch pipe. The total project cost for a 2024 construction is estimated at **\$42,562**, which includes Enstar's 2024 standard construction cost of \$35,862 (based on \$27.80 per lineal foot), and \$0.00 for Enstar's Non-Standard costs, plus the Kenai Peninsula Borough administrative cost of \$6,700. The allocated cost per-parcel is estimated to be **\$4,256.20** for each of the 10 benefited parcels. If the project is approved by the assembly by June 15, 2024, Enstar will attempt to construct the project in 2024. If the project is delayed beyond that date, another engineering estimate will be required with updated construction costs for the proposed year of construction.

SECTION 2. RESTRICTIONS ON FORMATION PER 5.35.070:

Pursuant to 5.35.070 (B), the legal description of parcels within the proposed district as of the date of the mayor's approval of the petition report under KPB 5.35.105 will establish the parcels for assessment. No subdivision, reversion of acreage, or lot line adjustment will be recognized for USAD assessment purposes after the mayor's approval of the petition report. Additionally, KPB 5.35.030(E)(4), requires "any action to replat parcels within the proposed district shall be completed and recorded before the date the mayor approves the petition report under KPB 5.35.105(C)".

Currently, no parcels within the boundary of this proposed district are in the process of subdividing.

Additional restrictions on formation per 5.35.070:

(C), in no case may a property be assessed an amount in excess of 50% of the fair market value of the property; there are zero parcels that exceed the 50% assessment-to-value limitation;

(D), a special assessment district may not be approved where properties which will bear more than 10% of the estimated costs of the improvement are subject to unpaid, past-due borough property taxes; there is one parcel which is delinquent in payment of the 2023 property taxes, representing 10%; and,

(E), no one owner may own more than 40% of the total number of parcels to be benefited.

SECTION 3. KENAI PENINSULA BOROUGH OWNED PROPERTY:

Pursuant to KPB 5.35.107(C)(6), the mayor shall be the designee for signing any petition when borough land is part of the proposed district. When the mayor abstains from participating in the petition signature process, the total number of parcels within the district, for the purpose of calculating the signature thresholds, shall be reduced by the number of parcels owned by the borough within the proposed district. Should the petition receive meet the percentages thresholds, KPB will pay the full assessment per parcel.

Within this proposed district, there are zero benefited parcels which are currently owned by the Kenai Peninsula Borough.

SECTION 4. PUBLIC COMMENTS – EXCLUSION REQUESTS

(A) Public Comments: The assessing department has received one (1) written comment regarding the proposed project from a member of the public, Ms. Maia Danielson. This letter is included as public comment.

SECTION 5. PETITION REPORT AND EXHIBITS:

The following list of exhibits to the Petition Report support and are incorporated by reference as follows:

- 1) **Petition Information Sheet** describes the proposed improvement, including the total estimated project cost, and the estimated cost per parcel; provides a statement notifying the property owners to

Date: November 27, 2023

To: Kenai Peninsula Borough Mayor

RE: Admin Review of the Petition Report – Jubilee Street USAD

contact the applicable utility for any additional costs that may be required to utilize the improvement; provides notification that any costs to connect individual parcels to the main improvement are not included in the assessment; and contains notice of restrictions and requirements regarding the withdrawal of signatures on a petition; and important information about the petition process and payment options;

- 2) **Enstar’s commitment letter** to support the 2024 construction of the extension and a written estimate of the total cost of construction, dated August 29, 2023. If the assembly approves the resolution to form the district and proceed with the improvement on or before June 15, 2024, Enstar will construct the project in 2024; however, if the project is delayed and is constructed in 2025, the rate will increase to an undetermined 2025 construction rate;
- 3) **a map** of the proposed USAD district and boundaries;
- 4) **estimate assessment roll** contains a spreadsheet listing the total estimated cost of the improvement, the name of the record owner of each parcel, tax parcel number, legal description, assessed valuation, the estimate of the amount to be assessed to each parcel, whether there are other special assessment liens against any of the parcels in the proposed district, and a description of any parcels that violate the restrictions listed in KPB 5.35.0740(C) or (D); and
- 5) **memo from the Finance Director** stating the method of financing, interest rate to be paid, and setting forth the number and frequency of payments.

District Sponsor information:

| | | | |
|--------------------|------------------------------------|----------------|----------------------|
| Ms. Susan E. Wells | 37305 Cetacea Lane, Kenai AK 99611 | (907) 252-2903 | SusieWells@Gmail.com |
|--------------------|------------------------------------|----------------|----------------------|

SECTION 6. ADMINISTRATIVE REVIEW:

KPB chapter 5.35.105(C) stipulates the mayor will consider the petition report and make a final determination to approve the report or to require additional or amended information not less than 45 days and not more than 60 days from the date the assessing department mails notices to affected property owners under KPB 5.35.030(E), and that upon the mayor’s approval, at least one copy of the petition report shall be provided to the sponsor for distribution to pursue the signatures of owners of property within the approved boundaries.


Your review and approval of the proposed petition report is hereby requested so that the sponsor may proceed to pursue the signatures of owners of the property within the approved boundaries and continue the process to request assembly approval to form the district and proceed with the improvement.

Review period: not earlier than November 27, 2023, and no later than December 11, 2023

ACTION ITEMS:

Additional Information is Required: _____

Petition Report, as submitted, is hereby: APPROVED DENIED

X _____  _____  _____
Peter A. Micciche, Borough Mayor Date

PETITION SIGNATURE PAGE

JUBILEE STREET - USAD

NOTICE TO PETITION SIGNERS:

1. Signed petition pages **must be returned to the SPONSOR(S)** do not return this page to the Assessing Dept.
2. Signatures must be in ink and dated.
3. See back of this page for important deadline for signatures and signature requirements.
4. **Your signature(s)** represents a **vote in FAVOR** of the project for the parcel listed below. You must sign and date your approval for each parcel you own which is included within the district. A signature on a petition may be withdrawn only by written notice from the signer submitted to the assessing department *prior* to the final filing of the petition signatures by the sponsor. A withdrawal is effective only if notice of the withdrawal is submitted before the completed petition is filed, per KPB 5.35.107(E). This does not preclude the property owner(s) from filing a written objection to the necessity of the formation of the district as provided in KPB 5.35.110(D).
5. This Petition consists of the following:
 - This **Petition Signature Page**; and
 - The **Petition Report**, and includes the following exhibits:
 - #1) **Petition Information Sheet** describes the proposed improvement, including the total estimated project cost, and the estimated cost per parcel; provides a statement notifying the property owners to contact the applicable utility for any additional costs that may be required to utilize the improvement; provides notification that any costs to connect individual parcels to the main improvement are not included in the assessment; and contains notice of restrictions and requirements regarding the withdrawal of signatures on a petition; and important information about the petition process and payment options;
 - #2) **Enstar's commitment letter** to support the 2024 construction of the extension and a written estimate of the total cost of construction, dated August 29, 2023. If the assembly approves the resolution to form the district and proceed with the improvement on or before June 15, 2024, Enstar will construct the project in 2024; however, if the project is delayed and is constructed in 2025, the rate will increase to an undetermined 2025 construction rate;
 - #3) **a map** of the proposed USAD district and boundaries;
 - #4) **estimate assessment roll** contains a spreadsheet listing the total estimated cost of the improvement, the name of the record owner of each parcel, tax parcel number, legal description, assessed valuation, the estimate of the amount to be assessed to each parcel, whether there are other special assessment liens against any of the parcels in the proposed district, and a description of any parcels that violate the restrictions listed in KPB 5.35.0740(C) or (D); and
 - #5) **memo from the Finance Director** stating the method of financing, interest rate to be paid, and setting forth the number and frequency of payments.

6. RETURN COMPLETED SIGNATURE PAGE TO USAD SPONSORS:

| | | | |
|--------------------|------------------------------------|----------------|----------------------|
| Ms. Susan E. Wells | 37305 Cetacea Lane, Kenai AK 99611 | (907) 252-2903 | SusieWells@Gmail.com |
|--------------------|------------------------------------|----------------|----------------------|

THE OWNER(S) OF RECORD, BY HIS/HER SIGNATURE ACKNOWLEDGES THAT HE/SHE HAS HAD THE OPPORTUNITY TO READ THE DOCUMENTS COMPRISING THE PETITION REPORT LISTED IN #5 ABOVE AND APPROVES THE PROPOSED THE UTILITY SPECIAL ASSESSMENT DISTRICT.

Owner(s) of Record

_____ Parcel No.: _____
 _____ Assessed Value: _____
 _____ Legal: _____

Signature: _____ Date _____

Signature: _____ Date _____

IMPORTANT INFORMATION

Petition Signature Page

IN ORDER FOR THE SPONSOR TO MEET THE DEADLINE FOR SIGNATURE OF THE COMPLETED PETITION:
IT IS IMPORTANT TO COORDINATE THE TIMING OF THE DISTRIBUTION OF THE PETITIONS TO THE PROPERTY OWNERS, AND THE SIGNING & COLLECTION OF THE COMPLETED PETITIONS SIGNATURE PAGES.

KPB 5.35.107(B): Deadline for Signature. Completed petition signature pages must be filed with the assessing department within 45 days of the date the assessing department distributes the petitions to the sponsor. For district's over

IMPORTANT: Contact the USAD sponsors directly regarding the deadline for signatures:

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|--------------------|------------------------------------|----------------|----------------------|
| Ms. Susan E. Wells | 37305 Cetacea Lane, Kenai AK 99611 | (907) 252-2903 | SusieWells@Gmail.com |
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KPB 5.35.107(C): Signature requirements. The petition must contain the signatures of **(a)** the owners of record of at least 60% of the total number of parcels subject to assessment within the proposed district; and **(b)** the owners of record of at least 60% in value of the property to be benefited, in order to be considered by the assembly for formation.

1. Multiple owners: When a parcel is owned by more than one person or entity, signatures for each record owner are required in order for the parcel to count towards the signature thresholds. All signatures shall be consistent with the requirements listed in KPB 5.35.107(C)(2) – (6), as applicable [if the joint owner is deceased a copy of the death certificate must be provided]. The following are those requirements:
2. Signature by Proxy: Signatures by proxy will not be accepted by the clerk.
3. Power of Attorney: The signature of a power of attorney will only be accepted by the borough if the signature is accompanied by a copy of the Power of Attorney document providing authority for such signatures.
4. Business entities:
 - a. *Corporations:* Where a parcel is owned by a corporation, the petition shall be signed by two individuals, one of whom is the chairman of the board, the president, or the vice president, and the other of whom is the secretary or treasurer, or by another person or persons who have been given authority via corporate resolution.
 - b. *Limited liability companies:* Where a parcel is owned by a LLC, the petition must be signed by a member if the LLC is member-managed, or by the manager, if a manager has been designated.
 - c. *Other business owners:* Where a parcel is owned by another type of business entity, only those persons who have signatory authority to bind the business entity under Alaska Statutes may sign the petition as owner.
5. Trusts: Where a parcel is owned by a trust, only the trustee may sign as the property owner. If there are co-trustees, a majority must sign the petition in order for the parcel to count towards the signature thresholds unless otherwise provided in the trust document. The signature of the trustee(s) shall be accepted by the clerk if it is accompanied by a copy of the trust document.
 - [A *Certificate of Trust* which complies with AS 13.36.079 may be submitted in lieu of the entire trust document. **WARNING:** owners should consult with an attorney to advise them if the *Certificate of Trust* complies with AS 13.36.079, or assist them in preparing a *Certificate of Trust*.]

KPB 5.35.107(E): Signature withdrawal. A signature on a petition may be withdrawn only by written notice from the signer submitted to the assessing department prior to the final filing of the petition signatures by the sponsor. A withdrawal is effective only if notice of the withdrawal is submitted before the filing of the completed petition.

PETITION REPORT JUBILEE STREET UTILITY SPECIAL ASSESSMENT DISTRICT (USAD)

In accordance with KPB Code Chapter 5.35, a petition application has been submitted for formation of a utility special assessment district (USAD) in the community of Kasilof. Known as the Jubilee Street USAD (hereinafter "USAD"), the proposed main line includes Jubilee Street and Pope Lane. The project would benefit 10 parcels.

The project proposes to install a natural gas line of approximately 1,290 lineal feet of 2-inch pipe. The total project cost for a 2024 construction is estimated at **\$42,562**, which includes Enstar's 2024 standard construction cost of \$35,862 (based on \$27.80 per lineal foot), and \$0.00 for Enstar's Non-Standard costs, plus the Kenai Peninsula Borough administrative cost of \$6,700. The allocated cost per-parcel is estimated to be **\$4,256.20** for each of the 10 benefited parcels. If the project is approved by the assembly by June 15, 2024, Enstar will attempt to construct the project in 2024. If the project is delayed beyond that date, another engineering estimate will be required with updated construction costs for the proposed year of construction.

This Petition Report is supported by the attached exhibits:

- 1) **Petition Information Sheet** describes the proposed improvement, including the total estimated project cost, and the estimated cost per parcel; provides a statement notifying the property owners to contact the applicable utility for any additional costs that may be required to utilize the improvement; provides notification that any costs to connect individual parcels to the main improvement are not included in the assessment; and contains notice of restrictions and requirements regarding the withdrawal of signatures on a petition; and important information about the petition process and payment options;
- 2) **Enstar's commitment letter** to support the 2024 construction of the extension and a written estimate of the total cost of construction, dated August 29, 2023. If the assembly approves the resolution to form the district and proceed with the improvement on or before June 15, 2024, Enstar will construct the project in 2024; however, if the project is delayed and is constructed in 2025, the rate will increase to an undetermined 2025 construction rate;
- 3) **a map** of the proposed USAD district and boundaries;
- 4) **estimate assessment roll** contains a spreadsheet listing the total estimated cost of the improvement, the name of the record owner of each parcel, tax parcel number, legal description, assessed valuation, the estimate of the amount to be assessed to each parcel, whether there are other special assessment liens against any of the parcels in the proposed district, and a description of any parcels that violate the restrictions listed in KPB 5.35.0740(C) or (D); and
- 5) **memo from the Finance Director** stating the method of financing, interest rate to be paid, and setting forth the number and frequency of payments.

The USAD sponsor(s) are:

| | | | |
|--------------------|------------------------------------|----------------|----------------------|
| Ms. Susan E. Wells | 37305 Cetacea Lane, Kenai AK 99611 | (907) 252-2903 | SusieWells@Gmail.com |
|--------------------|------------------------------------|----------------|----------------------|

For additional information, contact:

Marie Payfer, KPB Special Assessment Coordinator

(907) 714-2250 or Email: mpayfer@kpb.us

PETITION INFORMATION SHEET JUBILEE STREET UTILITY SPECIAL ASSESSMENT DISTRICT (USAD)

In accordance with KPB Code Chapter 5.35, a petition application has been submitted for formation of a utility special assessment district (USAD) in the community of Kasilof. Known as the Jubilee Street USAD (hereinafter "USAD"), the proposed main line includes Jubilee Street and Pope Lane. The project would benefit 10 parcels.

The project proposes to install a natural gas line of approximately 1,290 lineal feet of 2-inch pipe. The total project cost for a 2024 construction is estimated at **\$42,562**, which includes Enstar's 2024 standard construction cost of \$35,862 (based on \$27.80 per lineal foot), and \$0.00 for Enstar's Non-Standard costs, plus the Kenai Peninsula Borough administrative cost of \$6,700. The allocated cost per-parcel is estimated to be **\$4,256.20** for each of the 10 benefited parcels. If the project is approved by the assembly by June 15, 2024, Enstar will attempt to construct the project in 2024. If the project is delayed beyond that date, another engineering estimate will be required with updated construction costs for the proposed year of construction.

Regarding each benefited parcel within this district, PR Exhibit #4 (the *Estimate Assessment Roll*) contains the tax parcel number, name of record owner, legal description, assessed value, estimated amount of special assessment, the existence of other special assessment liens (if any), and any violations of KPB 5.35.070.

The sponsor of this petition is:

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| Ms. Susan E. Wells | 37305 Cetacea Lane, Kenai AK 99611 | (909) 252-2903 | SusieWells@Gmail.com |
|--------------------|------------------------------------|----------------|----------------------|

What costs are covered: This estimated assessment will only cover the cost to install the extension of the utility's main line of services. Property owners will need to contact the utility company for any additional costs associated with the service connection from the utility's main line to their private structures or facilities on the benefited parcels. Private hookups, service connections, and/or conversion costs are NOT included in the assessment.

Enstar Natural Gas Company, 36225 Kenai Spur Hwy, Soldotna, AK 99669
Phone (907) 262-9334, or Online at www.EnstarNaturalGas.com.

Assessment lien: If the project is approved and constructed, and once the actual cost of the public improvement has been ascertained, the assembly will assess the parcels of property directly benefited by the improvement on a per-parcel basis by equal allocation of the total cost. This cost will be assessed in the form of a lien on the benefited parcel. In no case may a property be assessed (lien) an amount in excess of 50% of the current fair market value (assessed value) of the property. Within this proposed district there are zero parcels that exceeds the 50% assessment-to-value limitation, and, therefore, a prepayment of the assessments will not be required (a partial payment of the *allocated cost*).

Payment options: The cost assessed can be paid in full, or in 10 annual installments with interest to accrue on the unpaid amount of the assessment. The assessment may be paid at any time prior to the 10-year period without penalty. Interest will be added to any assessments not paid within 30 days of the Notice of Assessment. The interest rate charged is the *prime rate* plus 2% as of the date the ordinance confirming the assessment roll is enacted by the assembly. The penalty for delinquent installment and assessment payments is the same as the penalty for delinquent real property taxes in effect on the date of the delinquency. The lien will remain on the parcel until the debt has been paid in full.

Deferral of payment of principle: Property owners who meet the income and residency requirements established by KPB 5.35.155, may be eligible for a deferral of payment of principal. Deferral is for the *principle* balance only; accrued

interest must be paid by the due date each year. Deferment will only apply to benefited property *owned and occupied as the primary residence and permanent place of abode* of the qualifying applicant. Per KPB 5.35.155(F), *"the deferred assessment, including all unpaid accrued interest, becomes due and payable in full when the property ceases to be owned or occupied by the resident who qualified for the deferral. Any remaining balance due shall be paid on the same schedule as would have been in place if no deferral had applied."* Interested property owners should contact the KPB Finance Department for complete details, including income qualifiers, restrictions, and requirements, and to obtain an annual application.

Legal description of parcels: Pursuant to KPB 5.35.070(B), the legal description of the parcels subject to the special assessment within this proposed district was established on **November 27, 2023**, the date of the mayor's approval of the petition report. Any action to replat parcels within the proposed district must have been completed and recorded before the date the mayor approved the petition report. No further subdivision, reversion of acreage, or lot line adjustment will be recognized for USAD assessment purposes.

Currently, no parcels within the boundary of this proposed district are in the process of subdividing.

Excluded Parcels: Pursuant to KPB 5.35.105(B), the mayor shall exclude from the proposed district any real property, or any interest in real property, that is not directly benefited by the improvement. If a property owner claims the *physical characteristics* of his or her property make it (1) legally impermissible, (2) physically impossible, or (3) financially infeasible to develop or improve it in a manner that would enable the property to benefit from the proposed improvement, the property owner has the burden of demonstrating that the property cannot be developed or improved. One of the factors which may allow a parcel to be excluded from the district may be financial infeasibility, as the cost to develop or improve the property in a manner which would enable the property to benefit from the proposed improvement.

Per KPB 5.35.107(C)(7), when a parcel is excluded from the district by the mayor under KPB 5.35.105(B) or by law, the total number of parcels within the district, for the purpose of calculating the signature thresholds, shall be reduced by the number of excluded parcels within the proposed district. Additionally, per KPB 5.35.110(E)(4), parcels within the boundaries which are excluded from the district, will not receive the benefit of the improvement and will not be subject to the assessment. When a parcel has been excluded from the district, the estimated assessment roll spreadsheet will reflect the mayor's decision.

No requests for exclusion were timely received by this district's recorded owners; therefore, no parcels within this district will be excluded from the assessment.

Petition requirements: This petition proposes to assess all the benefited parcels. In order to qualify, the petition must have the signatures of: **(a)** owners of record of at least 60% of the total number of parcels subject to assessment within the proposed USAD; *and*, **(b)** the owners of at least 60% in value of the property to be benefited. Approval of the project is signified by property owners in the district properly signing and dating the petition signature page. Failure to secure enough signatures to meet these thresholds will cause the petition to fail.

Petition signature requirements: An owner's signature represents a **vote in favor** of the project. All signatures must be in ink and dated. The completed Petition Signature Page must be returned to the USAD sponsor timely. For parcels with joint ownership *each owner of record must sign and date the petition*. If the joint owner is deceased a copy of the death certificate must be provided. For all signature requirements established by KPB 5.35.107(C), see page 2 of the Petition Signature Page. Please note, for properties owned by business entities (e.g., *corporations, limited liability corporations, etc.*), and properties held by *trusts*, additional signature authorization documentation will be required which must be included with the signed Petition Signature Page in order to be considered for signature percentages thresholds.

Kenai Peninsula Borough owned property: Pursuant to KPB 5.35.107(C)(6), the mayor shall be the designee for signing any petition when borough land is part of the proposed district. When the mayor abstains from participating in the

petition signature process, the total number of parcels within the district, for the purpose of calculating the signature thresholds, shall be reduced by the number of parcels owned by the borough within the proposed district. Within this proposed district, there are zero properties which are currently owned by the Kenai Peninsula Borough

Signature withdrawal: A signature on a petition may be withdrawn only by written notice from the signer submitted to the assessing department *prior* to the final filing of the completed petition signature pages by the sponsor. A *withdrawal is effective only if notice of the withdrawal is submitted to the assessing department before the completed petition is filed.* This restriction does not preclude the property owner(s) from filing an objection to the necessity of formation of the district as provided in KPB 5.35.110(D).

A **Petition Signature Page** will be provided to the benefited property owners with the final petition. An owner's signature represents a **vote in favor** of the project. Only the Petition Signature Page will need to be returned to the district sponsor (including any required signature authorization documentation, see Page 2 of Petition Signature Page). The district sponsor will be responsible for collecting the signed petitions signature pages and for submitting the completed petition to the Borough (the Borough will accept an original or an electronic copy of the signed petition signature pages (scanned or copied)).

Deadline for signatures:

Property owners must contact the **USAD Sponsor** directly regarding the deadline to return the signed petition signature pages for final collection, including any required signature authorization documentation.

Pursuant to KPB 5.35.107(B), the sponsor will be responsible to file the completed petition signature pages to the assessing department within 45 days of the date on which the assessing department provided the petition to the sponsor for distributes to property owners. The 45-day period begins as of date the sponsor receives the final petition from Assessing.

Certification of petition: Once the sponsor files the completed petition signature pages with the assessing department, the borough clerk shall determine whether the petition contains sufficient signatures as required. If the petition meets code requirements for percentage thresholds, the borough clerk shall certify the petition and submit the petition to the mayor for preparation of a resolution to form the district and proceed with the improvement.

Submit signed petition signature pages directly to the USAD sponsors:

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|--------------------|------------------------------------|----------------|----------------------|
| Ms. Susan E. Wells | 37305 Cetacea Lane, Kenai AK 99611 | (907) 252-2903 | SusieWells@Gmail.com |
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For additional information, contact:

Marie Payfer, *KPB Special Assessment Coordinator*

Dir. Line: 907-714-2250

Email: *mpayfer@kpb.us*

Terms & Definitions:

Special Assessments: Authorized under AS 29.46, a funding method used to finance capital improvements that benefit specific (limited) property within a certain designated area (*special assessment districts*). Capital improvements may include roads improvements or the extension of the lines of service of those public utilities regulated by the Regulatory Commission of Alaska. Special assessments spread the cost of the improvement among all the properties that directly benefit from the improvement, with the idea is that it is easier for property owners to afford the benefits if they share the cost as a group rather than paying individually. Special assessments are a way for property owners and the municipality to work together to finance capital improvements that directly benefit the property owners.

Per KPB 5.35.19:

Benefit: an advantage gained from the improvement greater than that shared by the general public. Benefit may include, for example, increased property value and marketability, a special adaptability of the land, or a relief from some burden (e.g., lower energy costs).

Deferral of Payment: payment is postponed or suspended until a certain time or event, but is not forgiven.

Directly benefited: the property may hook up a private service line to the main service line without any further extension of the main line, based upon the utility's guideline.

District: an area composed of individual parcels of land that are connected to the public improvement for which the special assessment is to be levied.

Petition: the formal written request signed by record owners within the proposed boundaries to form the utility special assessment district. There are three stages of the petition:

Petition Report: the document created by the assessing department, for the mayor's review, which contains all pertinent information regarding the proposed district and special assessment project.

Final Petition: contains the petition report and all exhibits approved by the mayor, and a petition signature page with instructions. It is the final petition which is distributed by the sponsor to all owners of property within the proposed district.

Completed Petition: refers to all signed and dated petition signature pages collected by the sponsor, including any required signature authorization documentation. The sponsor is required to submit the completed petition to the assessing department prior to the end of the 45-day signature collection period, for review and certification.



3000 Spenard Road
PO Box 190288
Anchorage, AK 99519-0288
www.enstarnaturalgas.com

August 29, 2023

Marie Payfer, Special Assessment Coordinator
Kenai Peninsula Borough
148 N. Binkley
Soldotna, AK 99669

RECEIVED
AUG 29 2023

RE: Jubilee St USAD

Dear Ms. Payfer,

The Jubilee St USAD engineering revision has been complete. The project would install 1,290 feet of gas main. ENSTAR's 2024 construction rate for 2-inch pipe is \$27.80 per foot at a total standard cost of \$35,862. The total estimated ENSTAR cost for this project in 2024 is \$35,862.

This is a non-refundable project in which a Contribution in Aid of Construction (CIAC) agreement will be used. The cost of service lines to individual lots are not included in this estimate. Service lines are to be paid by individual property owner, as they desire service.

In the event the Jubilee St USAD is approved by the Kenai Peninsula on or before June 15th, 2024, ENSTAR will construct the project in 2024. If the project is approved after this date, ENSTAR cannot guarantee construction in 2024. If construction gets delayed to 2025, the rate for ENSTAR's gas main will change to the 2025 construction rate.

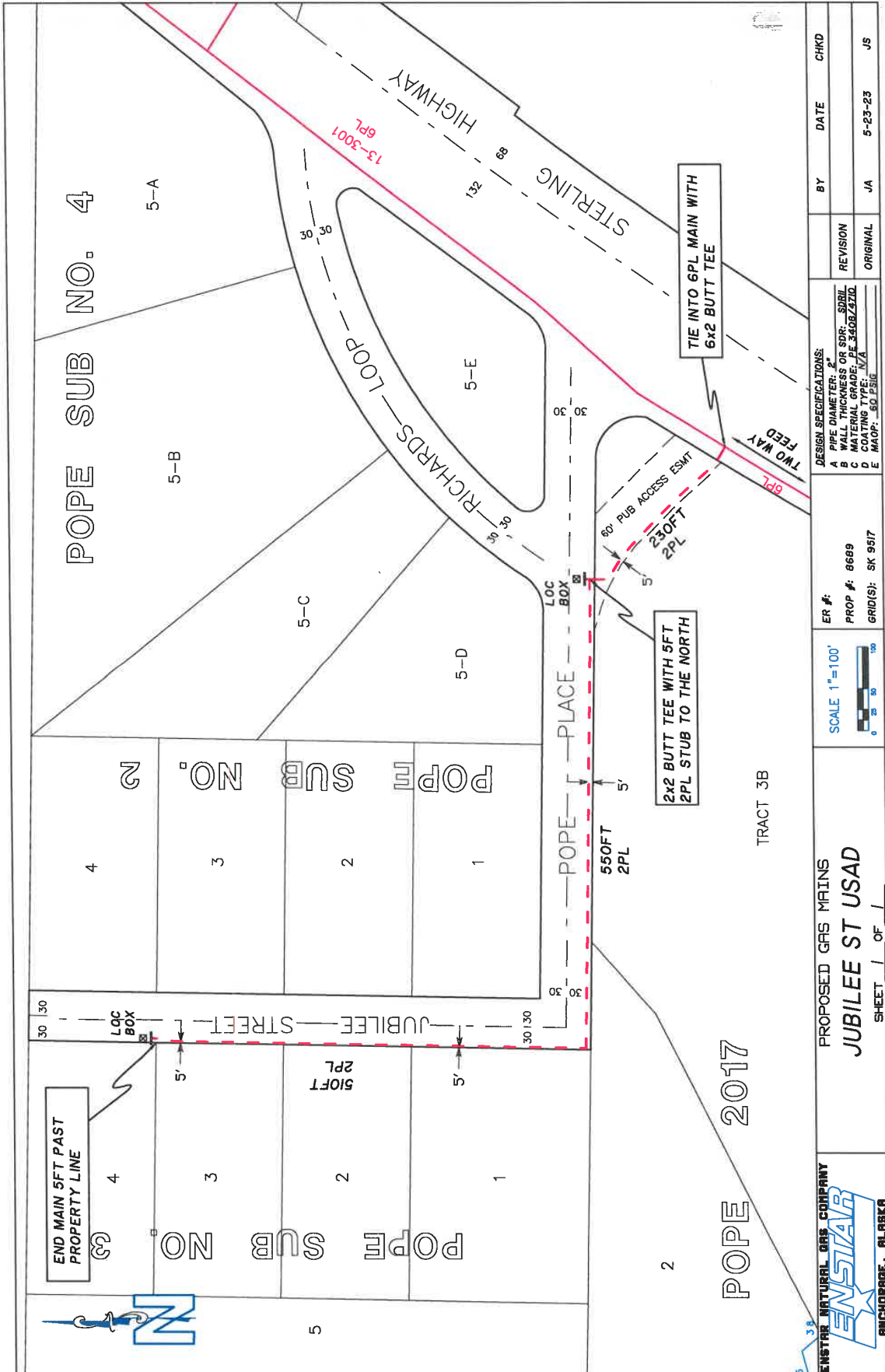
Best Regards,

David Bell
Director of Business Development

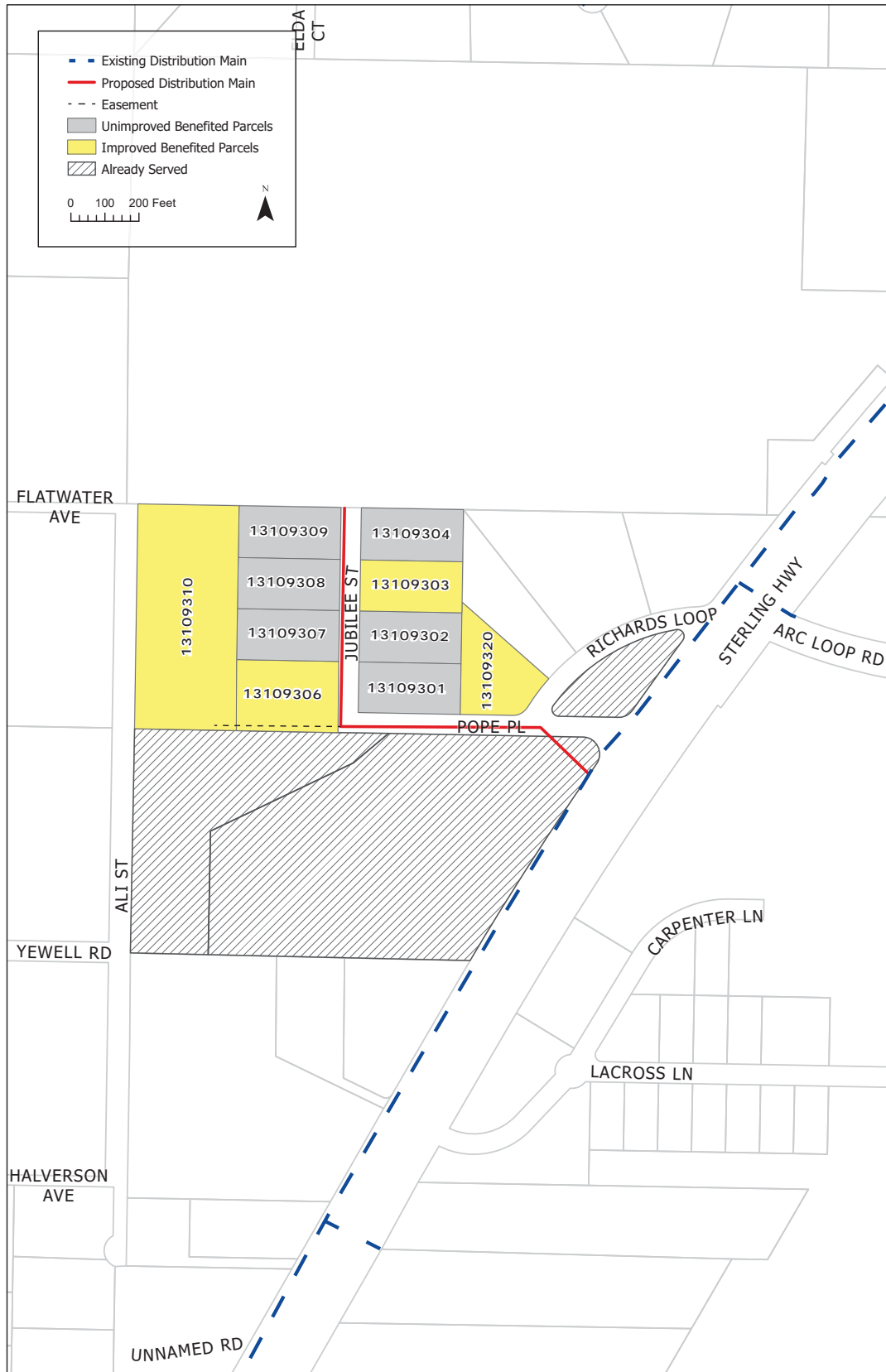
Anchorage: 907-277-5551 • Kenai Peninsula Office: 907-262-9334 • Mat-Su Office: 907-376-7979

All Our Energy Goes Into Our Customers

RECEIVED
AUG 29 2023



| | | | | | | | | |
|--|--|--|--|--|--|---|--|---------------------------------|
| ENSTAR NATURAL GAS COMPANY ANCHORAGE, ALASKA | PROPOSED GAS MAINS JUBILEE ST USAD | | ER #: PROP # 8689 GRID(S): SK 9817 | DESIGN SPECIFICATIONS: A PIPE DIAMETER: 6" B WALL THICKNESS OR SDR: 0.3081 C MATERIAL GRADE: PE 3508/2510 D COATING TYPE: N/A E MAOP: 60 PSIG | REVISION ORIGINAL | BY JA | DATE 5-23-23 | CHKD JS |
| | SHEET 1 OF 1 | | SCALE 1"=100' | TIE INTO 6PL MAIN WITH 6x2 BUTT TEE TWO WAY FEED | 2x2 BUTT TEE WITH 5FT 2PL STUB TO THE NORTH 2x2 BUTT TEE WITH 5FT 2PL STUB TO THE SOUTH | 60' PUB ACCESS ESMT 230FT 2PL 550FT 2PL | 13-3001 6PL RICHARDS LOOP POPE PLACE STERLING HIGHWAY | 5-A 5-B 5-C 5-D 5-E |



JUBILEE ST USAD

April 25, 2023

JUBILEE STREET USAD - ESTIMATED ASSESSMENT ROLL
Resolution to Form the District and Proceed with the Improvement

USAD Filing Fee per 5.35.090(D): \$1,000 KPB 5.35.090(D)
 Paid: August 30, 2023

Enstar Construction Cost: 35,862.00
 Enstar Non-Standard Cost: 0.00
Enstar Estimated Cost: 35,862.00
 KPB Administration Cost: 6,700.00
Total Estimated Project Cost: 42,562.00

Total Assessed Value (AV): **2023 Value** 42,562.00
 Total Project Cost: 42,562.00
 (Less) Total Prepayments of Assessments: 0.00
Total Assessments: 42,562.00

% Parcels Delinquent for Real Property Taxes (<10%): 0.00% KPB 5.35.070(D), <10%
Total # of parcels for petition % thresholds: 10
Total # of parcels voted IN FAVOR of project: 6 KPB 5.35.107(C)(6)
% of total parcels IN FAVOR of project: 60.00% KPB 5.35.107(C)(a), 60%
% of district's assessed value IN FAVOR of project: 70.12% KPB 5.35.107(C)(b), 60%

Total # of Parcels for Assessments: 10
Cost Per Parcel: 4,256.20

| PARCEL ID | LEGAL | 2023 ASSESSED VALUE | LIEN LIMIT <50% AV <small>5.35.090(C)</small> | MAXIMUM ASSESSMENT | PREPAYMENT REQUIRED <small>5.35.090(B)(4)(c)</small> | OWNER | ADDRESS | CITY, ST ZIP | SPC ASSMT | 2023 DEL TAX | IN FAVOR 'YES' | IN FAVOR AV |
|------------------|---|---------------------|---|--------------------|--|---------------------------|----------------------|----------------------|-----------|--------------|-------------------|-----------------------|
| 131-093-01 | T 4N R 11W SEC 23 SEWARD MERIDIAN KN 0840153 POPE SUB NO 2 LOT 1 | 13,000 | 32.74% | 4,256.20 | 0.00 | DANIELSON MAIA | 5329 SHORELINE DRIVE | KETCHIKAN, AK 99901 | NO | NO | YES | 13,000 |
| 131-093-02 | T 4N R 11W SEC 23 SEWARD MERIDIAN KN 0840153 POPE SUB NO 2 LOT 2 | 13,000 | 32.74% | 4,256.20 | 0.00 | KRUSE HAILEY & AUSTIN | PO BOX 573 | CLAM GULCH, AK 99568 | NO | NO | YES | 13,000 |
| 131-093-03 | T 4N R 11W SEC 23 SEWARD MERIDIAN KN 0840153 POPE SUB NO 2 LOT 3 | 237,500 | 1.79% | 4,256.20 | 0.00 | WELLS SUSAN E | 37305 CETACEA LN | KENAI, AK 99611 | NO | NO | YES | 237,500 |
| 131-093-04 | T 4N R 11W SEC 23 SEWARD MERIDIAN KN 0840154 POPE SUB NO 2 LOT 4 | 8,700 | 48.92% | 4,256.20 | 0.00 | CARPENTER MICHAEL WILLIAM | 37305 CETACEA LN | KENAI, AK 99611 | NO | NO | YES | 8,700 |
| 131-093-06 | T 4N R 11W SEC 23 SEWARD MERIDIAN KN 0840154 POPE SUB NO 3 LOT 1 | 332,900 | 1.28% | 4,256.20 | 0.00 | JOHNSON CRAIG L & CLAUDIA | 30395 JUBILEE ST | SOLDOTNA, AK 99669 | NO | NO | YES | 332,900 |
| 131-093-07 | T 4N R 11W SEC 23 SEWARD MERIDIAN KN 0840154 POPE SUB NO 3 LOT 2 | 13,000 | 32.74% | 4,256.20 | 0.00 | LETZBRING KELLY RENE | PO BOX 1126 | KASILOF, AK 99610 | NO | NO | NO | 0 |
| 131-093-08 | T 4N R 11W SEC 23 SEWARD MERIDIAN KN 0840154 POPE SUB NO 3 LOT 3 | 13,000 | 32.74% | 4,256.20 | 0.00 | LETZBRING KELLY RENE | PO BOX 1126 | KASILOF, AK 99610 | NO | NO | NO | 0 |
| 131-093-09 | T 4N R 11W SEC 23 SEWARD MERIDIAN KN 0840154 POPE SUB NO 3 LOT 4 | 8,700 | 48.92% | 4,256.20 | 0.00 | LETZBRING KELLY RENE | PO BOX 1126 | KASILOF, AK 99610 | NO | NO | NO | 0 |
| 131-093-10 | T 4N R 11W SEC 23 SEWARD MERIDIAN KN 0840154 POPE SUB NO 3 LOT 5 | 232,700 | 1.83% | 4,256.20 | 0.00 | SWABY CLYDE T | 44465 GENE AVE | KENAI, AK 99611 | NO | NO | NO | 0 |
| 131-093-20 | T 4N R 11W SEC 23 SEWARD MERIDIAN KN 0850213 POPE SUB NO 4 LOT 5D | 22,400 | 19.00% | 4,256.20 | 0.00 | KYNCY CELESTE | 14034 PHILLIPS RD | OAK RUN, CA 96069 | NO | NO | YES | 22,400 |
| 10 | | 894,900 | | 42,562.00 | 0.00 | | | | | 0 | 6 | 627,500 |
| # Parcels | | | | | | | | | | | # in favor | \$ AV in favor |

as of 2/27/2024

Kenai Peninsula Borough
Finance Department

MEMORANDUM

TO: Brent Johnson, Assembly President
Members of the Kenai Peninsula Borough Assembly

THRU: Peter A. Micciche, Kenai Peninsula Borough Mayor *AM*
Brandi Harbaugh, Finance Director *BH*

FROM: Nolan Scarlett, Property Tax & Collections Manager *NS*

DATE: 9/1/2023

RE: Jubilee Street Utility Special Assessment District (USAD) Financing

The borough plans to provide the funds necessary to finance the Jubilee Street USAD from internal sources. KPB 5.10.040 allows the investment of borough monies in special assessment districts that are authorized under KPB 14.31. The total of such investments is limited to not more than \$5,000,000 at the end of any fiscal year. As of September 1, 2023, the borough has \$394,140 invested in special assessment districts; South Bend Bluff Estates RIAD and Whale-of-a-Tail Ave USAD are pending billing for \$634,082; Oxford Ave USAD has been previously approved for \$48,057. If the Jubilee Street USAD is approved, the projected \$42,562 will increase the total special assessment district investment to approximately \$1,118,841.

The owners of property located within the USAD will be required to make principal and interest payments each year for a ten-year period to retire the indebtedness to the borough. The rate of interest will be equal to the prime rate (currently 8.50%) plus 2.00% or 10.50%. Property owners can avoid or reduce the interest charge by making accelerated payments on the principal. Penalties will not be imposed for accelerated payments. The assessment constitutes a lien on each parcel within the district.

Kenai Peninsula Borough
 Currently Proposed USAD/RIAD Projects
 9/1/2023

| | Appropriated Proposal | | Outstanding Proposals |
|---|-----------------------|--|-----------------------|
| Max Allowed | \$ 5,000,000 | | \$ 5,000,000 |
| Current Balance (100.10706) as of: | | | |
| 9/1/2023 | 394,140 | | 394,140 |
| Previously Approved Projects: | | | |
| South Bend Bluff Estates RIAD | 385,082 | | 385,082 |
| Whale-of-a-Tail Ave USAD | 249,000 | | 249,000 |
| Oxford Avenue USAD | | | 48,057 |
| Projects Awaiting Approval: | | | |
| Jubilee Street USAD | | | 42,562 |
| Total | \$ 1,028,222 | | \$ 1,118,841 |

Public Comment & Exclusion Request

JUBILEE STREET USAD

*Administrative Review
of the
Petition Report*

From: [Assessing.](#)
To: [Payfer, Marie](#)
Subject: FW: <EXTERNAL-SENDER>Pope Rd utility special assessment
Date: Wednesday, November 1, 2023 9:00:24 AM

From: maiad123 [REDACTED]
Sent: Wednesday, November 1, 2023 8:36 AM
To: Assessing, <Assessing@kpb.us>
Subject: <EXTERNAL-SENDER>Pope Rd utility special assessment

CAUTION: This email originated from outside of the KPB system. Please use caution when responding or providing information. Do not click on links or open attachments unless you recognize the sender, know the content is safe and were expecting the communication.

Just voicing my agreement with the planned extension of the LNG line. I'm hoping to build this summer so that would be wonderful.

Regards,
Maia Danielson

Sent from my Galaxy

Maia Danielson
PIN 131-093-01
Legal: T 4N R 11W SEC 23 SEWARD MERIDIAN KN 0840153 POPE SUB NO 2 LOT 1



Office of the Borough Clerk

144 North Binkley Street, Soldotna, Alaska 99669 • (907) 714-2160 • (907) 714-2388 Fax

Michele Turner, CMC
Borough Clerk

CERTIFICATION OF PETITION

Jubilee Street Utility Special Assessment District

A petition for formation of the Jubilee Street Utility Special Assessment District was received in the Office of the Borough Clerk on Tuesday, January 9, 2024.

SIGNATURE REQUIREMENT: Signatures of owners of record of at least 60% of the total number of parcels subject to the assessment are required as well as at least 60% in assessed value of the properties benefited.

SUFFICIENT SIGNATURES PROVIDED: The petition included signatures of the owners of record of 6 parcels (60.0%) and were all validated. The 6 parcels represent 70.12% of the assessed value of the properties benefited.

NON-REFUNDABLE FILING FEE: \$1,000 received on August 30, 2023

I, Michele Turner, Clerk of the Kenai Peninsula Borough hereby certify the referenced petition is sufficient per the requirements set forth in KPB 5.35.107.

Dated this 11th day of January, 2024.

Michele Turner, CMC
Borough Clerk



Copies Provided to:

Petition Sponsor: Susan Wells
Marie Payfer, KPB Special Assessment Coordinator
KPB Assembly President Johnson and Assembly Members
KPB Mayor Peter A. Micciche