



KENAI PENINSULA BOROUGH

Finance Department

144 N. Binkley Street, Soldotna, Alaska 99669
Phone 907-262-4441 • Fax 907-262-1892

MIKE NAVARRE
BOROUGH MAYOR

MEMORANDUM

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

THRU: Mike Navarre, Mayor *mn*

FROM: Brandi Harbaugh, Acting Finance Director *BH*

DATE: July 6, 2017

SUBJECT: Ordinance 2017-19-*02* Appropriating \$1,500 for Costs of Printing and Distributing Information about the Ballot Proposition for the Proposed Debt Issuance of \$5 Million to Finance Replacing the Borough Administration Building's Heating, Ventilation and Air Conditioning Systems to Ensure Compliance with Legal Restrictions on the Use of Borough Funds and Assets Related to Ballot Propositions (Mayor)

The administration is planning to provide information to the public about the pending ballot proposition that, if approved by voters, would allow debt issuance to finance replacement of the borough administration building's mechanical heating, ventilation and air conditioning systems ("HVAC") and other code required mechanical components.

Alaska Statute 15.13.145 prohibits the use of public funds to influence the outcome of an election, except that AS 15.13.145(b) allows that public funds may be used to influence the outcome of an election if specifically appropriated for that purpose by municipal ordinance. The administration is seeking an appropriation of \$1,500 by the borough assembly to cover the costs of printing and distributing information about the ballot proposition to explicitly and fully comply with AS 15.13.145(b). The information would be factual and the printed material would be distributed at noticed public meetings throughout the borough at which members of the public could share their views on the ballot proposition.

Additionally, borough code prohibits the use of borough funds or public employees' in-kind services to promote the passage of ballot propositions. This ordinance would authorize the distribution of printed and electronic information by staff notwithstanding that code provision. While the administration believes the distribution of this information would not violate the code, this ordinance would resolve any potential legal issues by authorizing the dissemination of any prepared materials.

FINANCE DEPARTMENT ACCOUNT VERIFIED

Acct. No.	Amount
100.00000.00000.27910	\$ 1,500.00
Date: <i>7/6/17</i>	By: <i>BH</i>