

Introduced by:	Mayor
Date:	09/15/20
Hearing:	10/13/20
Action:	Enacted
Vote:	9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2020-40**

**AN ORDINANCE EXEMPTING THE KENAI PENINSULA BOROUGH CARES ACT
CORONAVIRUS RELIEF FUND GRANT PROGRAMS FROM KPB 19.30.020 –
19.30.070, RELATING TO ECONOMIC DEVELOPMENT**

- WHEREAS,** AS 29.35.210 authorizes the borough to exercise the power to provide by ordinance for economic development on a nonareawide basis; and
- WHEREAS,** the Alaska State Legislature provided funding to the Kenai Peninsula Borough through the Coronavirus Relief Fund (CRF), a pass-through program authorized by federal Coronavirus Aid, Relief, and Economic Security Act (CARES Act); and
- WHEREAS,** the assembly has appropriated the grant funds and approved spending plans for these funds, a portion of which are intended to be used to promote economic recovery in the borough; and
- WHEREAS,** the borough is continuing to utilize and disseminate these funds and is expected to receive and grant additional funds to support economic recovery from the impacts of COVID-19; and
- WHEREAS,** KPB 19.30.020 – 19.30.070 of the borough code provide criteria, guidelines, and procedures for borough consideration of proposed economic development projects such as proposals intended to provide either a \$10 million increase in the property tax base or the addition of 25 full-time permanent jobs which are not appropriate for providing CRF grants and programs for the purpose of recovering from the COVID-19 pandemic; and
- WHEREAS,** KPB 19.30.010 states that the borough hereby exercises the power to provide for economic development within the borough in the areas outside of the cities pursuant to AS 29.35.210(a)(8); and
- WHEREAS,** to clarify that the borough’s CRF and CARES Act programs are not subject to KPB 19.30.020 – KPB 19.30.070, the borough’s best interests would be served by exempting the CRF and CARES Act funding plans from those provisions and clarify that the borough is exercising its economic development powers in the programs it is providing through these grant funds; and

WHEREAS, as the first approval of a CRF spending plan was in Resolution 2020-047 effective June 16, 2020 this ordinance should be retroactively effective on that date;

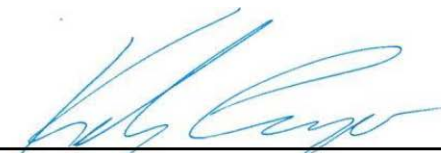
NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. That the borough assembly hereby approves the exercise of economic development powers authorized by AS 29.35.210(a)(8) for disseminating CRF and CARES Act funds through programs approved by the assembly.

SECTION 2. That the CRF and CARES Act grant programs administered by the borough are exempt from KPB 19.30.020 – KPB 19.30.070.


SECTION 3. That this ordinance shall take effect retroactively on June 16, 2020.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 13TH DAY OF OCTOBER, 2020.

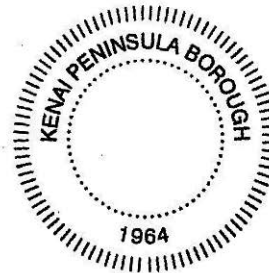


Kelly Cooper, Assembly President

ATTEST:



Johni Blankenship, MMC, Borough Clerk



Yes: Bjorkman, Blakeley, Carpenter, Cox, Dunne, Hibbert, Johnson, Smalley, Cooper
No: None
Absent: None