

Introduced by:	Mayor
Date:	10/23/12
Hearing:	11/20/12
Action:	Enacted as Amended
Vote:	8 Yes, 0 No, 1 Absent

**KENAI PENINSULA BOROUGH  
ORDINANCE 2012-19-34**

**AN ORDINANCE APPROPRIATING \$293,069.52 TO THE SPECIAL  
ASSESSMENT FUND FOR THE WOODS DRIVE ROAD  
IMPROVEMENT SPECIAL ASSESSMENT DISTRICT**

- WHEREAS,** KPB Chapter 14.31 provides authority for creating and financing road improvement assessment districts for improvements to roads in public rights-of-way; and
- WHEREAS,** a petition has been received requesting the formation of a special assessment district for improving and paving a portion of Woods Drive and Memory Circle located off of Ciechanski Road; and
- WHEREAS,** the assembly adopted Resolution 2012-081 on November 20, 2012, to form the Woods Drive Road Improvement Assessment District and proceed with the improvement; and
- WHEREAS,** KPB 14.31.070(C)(1) requires signatures of the owners of more than 70 percent of the parcels within the proposed district sign the petition, and 72.2 percent have signed the petition; and
- WHEREAS,** KPB 14.31.070(C)(2) requires signatures of the owners that would bear more than 70 percent of the total assessments in the proposed district, and 72.2 percent have signed the petition; and
- WHEREAS,** the Road Service Area Board adopted Resolution 2012-14 to fund a 50 percent match (\$146,534.76) from the RIAD Match Fund; and
- WHEREAS,** financing is necessary to complete the administrative requirements of the ordinance and regulations; and
- WHEREAS,** pursuant to KPB 5.10.040(A)(13) the borough may invest in special assessment districts; and
- WHEREAS,** the estimated total cost of the project of \$293,069.52 less the 50% Road Service Area match (\$146,534.76) is to be provided as an investment by the general fund which will be repaid with interest by assessments on the parcels within the district; and

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

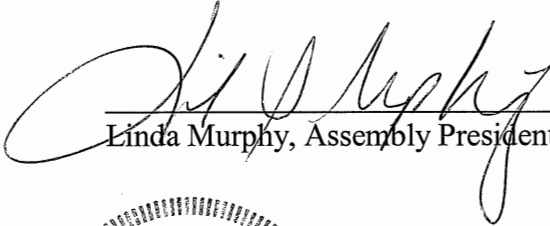
**SECTION 1.** That the amount of \$146,534.76 is authorized to be advanced to the assessment fund from the General Fund and appropriated into Account No. 897.92037.WSDSR.49999.

**SECTION 2.** That the special assessment fund shall repay to the General Fund the full amount invested by the General Fund with interest through payments made on the special assessments levied.

**SECTION 3.** That the amount of \$146,534.76 is authorized to be transferred from the road service area RIAD match fund Account No. 238.33960.WSDSR.50897 to the assessment fund and appropriated into Account No. 897.92037.WSDSR.49999.

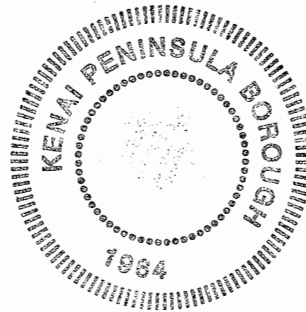
**SECTION 4.** That this ordinance shall take effect immediately upon its enactment.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 20TH DAY OF NOVEMBER, 2012.**

  
Linda Murphy, Assembly President

ATTEST:

  
Johni Blankenship, MMC, Borough Clerk



- Yes: Johnson, McClure, Pierce, Smalley, Smith, Tauriainen, Wolf, Murphy
- No: None
- Absent: Haggerty