

Introduced by: Moock
Date: June 19, 1990
Hearing: July 17, 1990
Vote: Unanimous
Action: Enacted

KENAI PENINSULA BOROUGH

ORDINANCE 90-47

PROVIDING FOR AREAWIDE AUTHORITY OF THE KENAI PENINSULA BOROUGH TO FUND POSTSECONDARY EDUCATIONAL PROGRAMS PROVIDED BY COLLEGES IN THE UNIVERSITY OF ALASKA SYSTEM LOCATED IN THE KENAI PENINSULA BOROUGH SUBJECT TO A ONE-TENTH OF A MILL TAX LEVY LIMIT.

WHEREAS, the Kenai Peninsula College branch of the University of Alaska provides educational opportunities to the residents of the borough; and

WHEREAS, these programs are of significant benefit to those residents and businesses located in the borough; and

WHEREAS, the Kenai Peninsula College was originally created in conjunction with the borough's responsibility to provide for elementary and secondary education within the borough; and

WHEREAS, in order to maintain some assurance of continued programs of benefit to the area at the Kenai Peninsula College some borough funding assistance would be appropriate;

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

Section 1. That KPB 5.24 is repealed and reenacted as follows:

5.24.010 Authority to provide postsecondary education funding. The borough may provide, on an areawide basis, funding to postsecondary education institutions that are part of the University of Alaska system, to use in providing postsecondary programs and operations within the borough, in accordance with the provisions of this chapter.

5.24.020 Limitation of funding. Funding provided under this chapter will be subject to annual appropriation and authorization by the assembly. The total of all funding may not exceed the amount which would be generated by an areawide tax levy of 0.1 mills.

5.24.030 Funding restricted to operations. A. No funds provided by the borough to institutions under this chapter may be used for capital improvements, or construction of facilities. Funds may only be used for instruction and the operations of facilities used to provide curriculum or programs offered within the borough.

B. No money may be utilized for the provision of programs outside the borough; this restriction includes general administrative expenses or overhead costs involved in providing programs within the borough, unless the assembly has consented by resolution to such expenses or costs being utilized in connection with a particular program.

5.24.040 Grant application. In order to be eligible for receipt of funding under this chapter, the qualified institution seeking the funding must submit a grant application in writing to the mayor no later than February 15, of each year for consideration in the next fiscal year budget. The application shall specify the amount sought and describe the proposed use of the funds.

5.24.050 Agreement by institution. Any institution receiving funds must sign an agreement that its use of the funds will be in accordance with the the provisions of this ordinance and that it will be responsible to refund any monies used for purposes not authorized by this ordinance. It must also agree to provide an accounting for the funds received and provide certification by its auditors that the funds were used in compliance with this ordinance.

Section 2. That a ballot proposition be placed before borough voters at the next regular borough election, to read as follows:

PROPOSITION: Shall the Kenai Peninsula Borough have the areawide authority and power to provide funds to colleges and universities that are part of the university system to use in providing post-secondary programs and operations within the Kenai Peninsula Borough boundaries, subject to a limitation that total annual funding may not exceed the amount that would be raised by the equivalent of an areawide tax levy of one-tenth (0.1) Of a mill.

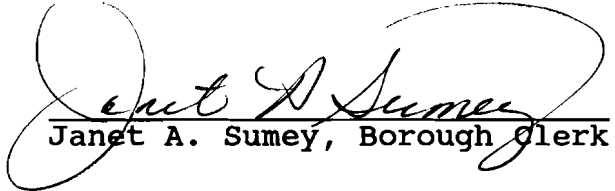
Section 3. That Section 1 of this ordinance shall become effective upon voter approval of the proposition authorizing the borough to provide funding. Section 2 is effective immediately

upon enactment of this ordinance.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON THIS
17th DAY OF JULY, 1990.


James W. Skogstad, Assembly President

ATTEST:


Janet A. Sumey, Borough Clerk