

Introduced by: Mayor  
Date: 07/09/02  
Hearing: 08/06/02  
Action: Enacted as Amended  
Vote: 7 Yes, 2 No

**KENAI PENINSULA BOROUGH  
ORDINANCE 2002-26**

**AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE QUALIFIED VOTERS OF KENAI PENINSULA BOROUGH, ALASKA, THE QUESTION OF THE ISSUANCE OF NOT-TO-EXCEED TWELVE MILLION DOLLARS (\$12,000,000) OF GENERAL OBLIGATION BONDS OF THE KENAI PENINSULA BOROUGH TO PAY COSTS OF PLANNING, DESIGN, CONSTRUCTION, AND EQUIPPING OF SOLID WASTE DISPOSAL FACILITIES AT AN ELECTION IN AND FOR THE KENAI PENINSULA BOROUGH ON OCTOBER 1, 2002**

**WHEREAS**, there has been identified in the Kenai Peninsula Borough a substantial and immediate need for construction of a regional solid waste facility as evidenced in the Kenai Peninsula Borough solid waste capital improvement plans; and

**WHEREAS**, under provisions of AS 29.47.190 a municipality may incur general obligation debt only after a bond authorization ordinance is approved by a majority of those voting on the question at a regular or special election; and

**WHEREAS**, the Kenai Peninsula Borough views the capital improvements mentioned above as necessary and beneficial to the community.

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

**SECTION 1.** It is hereby determined to be for a public purpose and in the public interest of the Kenai Peninsula Borough (the "Borough") to incur general obligation bonded indebtedness in an amount not to exceed Twelve Million Dollars (\$12,000,000), for the purpose of paying the costs of planning, designing, site preparation, constructing, and equipping a regional solid waste facility located near Soldotna within the Borough. The Borough will not issue bonds in a principal amount greater than the total estimated cost of the project.

**SECTION 2.** The sum of not to exceed Twelve Million Dollars (\$12,000,000) shall be borrowed by, for, and on behalf of the Borough for the capital improvements and shall be evidenced by the issuance of general obligation bonds of the Borough. The bond proceeds shall be used only for capital improvements and costs of issuance of the bonds. The full faith and credit of the Borough is pledged for the payment of the principal of and interest on the bonds, and ad valorem taxes upon

all taxable property in the Borough shall be levied without limitation as to rate or amount to pay the principal of and interest on the bonds when due.

**SECTION 3.** An election is to be held on October 1, 2002, in and for the Borough for the purpose of submitting a general obligation bond proposition to the qualified voters of the Borough for approval or rejection. The proposition must receive a majority vote of those in the Borough voting on the question to be approved. The proposition shall be substantially in the following form:

PROPOSITION NO. - \_\_\_\_\_

GENERAL OBLIGATION BONDS

Shall Kenai Peninsula Borough borrow up to \$12,000,000 through the issuance of general obligation bonds for the purpose of paying costs of planning, designing, site preparation, constructing, and equipping a regional solid waste facility located near Soldotna within the Kenai Peninsula Borough?

The debt shall be paid from real and personal property taxes (general ad valorem) levied and collected within the Kenai Peninsula Borough. The full faith and credit of the Borough is also pledged for payment of the bonds.

Voter approval of this bond proposition authorizes for each \$100,000 of assessed taxable property value (based on the estimated total 2002 assessed valuation) an annual increase of taxes of approximately \$36.75 to retire the proposed debt.

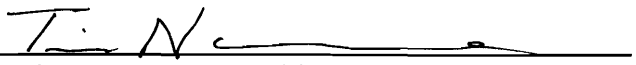
**SECTION 4.** The proposition, both for paper ballots and machine ballots, shall be printed on a ballot which may set forth other general obligation bond propositions, and the following words shall be added as appropriate and next to a square provided for marking the ballot or voting by a machine:

PROPOSITION NO. \_\_\_\_\_ YES

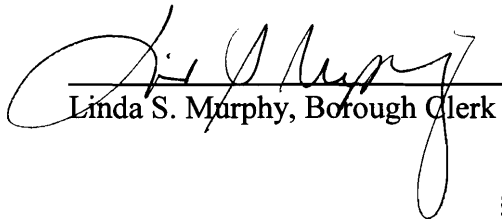
NO

**SECTION 5.** Section 2 of this Ordinance shall become effective only if the proposition described in Section 3 is approved by a majority of the qualified voters voting on the proposition at the regular Borough election on October 1, 2002. The remaining sections of this Ordinance shall become effective upon enactment.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 6TH DAY OF AUGUST, 2002.**

  
\_\_\_\_\_  
Timothy Navarre, Assembly President

ATTEST:

  
\_\_\_\_\_  
Linda S. Murphy, Borough Clerk

