



KENAI PENINSULA BOROUGH

PLANNING DEPARTMENT
144 North Binkley Street • Soldotna, Alaska 99669-7520
PHONE: (907) 714-2200 • **FAX:** (907) 714-2378
Toll-free within the Borough: 1-800-478-4441, Ext. 2200
www.borough.kenai.ak.us

JOHN J. WILLIAMS
BOROUGH MAYOR

MEMORANDUM

TO: Grace Merkes, Assembly President
Kenai Peninsula Borough Assembly Members

THRU: John J. Williams, Borough Mayor *JJW*

FROM: *MB* Max J. Best, Planning Director

DATE: February 13, 2008

SUBJECT: Ordinance 2008-04 Amending KPB Chapter 5.12.340(G) regarding the Land Trust Fund

The Planning Commission reviewed the subject ordinance during their regularly scheduled February 11, 2008 meeting. A motion to recommend adoption of the ordinance passed by unanimous consent.

Draft, unapproved minutes of the subject portion of the meeting are attached.

Agenda Item N. 3.

Committee Lands

Page Number 67

AGENDA ITEM F. PUBLIC HEARINGS

1. Ordinance 2008-04 Amending KPB Chapter 5.12.340(G) regarding the Land Trust Fund

Memorandum summarized by Marcus Mueller

PC Meeting: 2/11/08

The Ordinance amending KPB 5.12.340(G) would provide that excess proceeds that are obtained from tax foreclosure land sales be deposited in the Land Trust Fund instead of the General Fund.

The Land Trust Fund, under KPB 5.20.080(A), is financed strictly through land revenues without taxpayer funding and is used to fund the management of borough lands and resources through the Land Management Division. Land Trust Funds are also utilized for the costs associated with retaining foreclosed properties for general public purposes, which includes the payment of taxes, fees, and interest. Since 2003, the borough has retained 40 properties for public purposes at a Land Trust Fund cost of \$23,615.

The Land Management Division also incurs a significant financial expense to prepare and administer the annual tax foreclosure outcry auction. Although the Division does attach a fee for hard costs related to tax foreclosure, including costs for the auctioneer, printing, and public notices, it does not include personnel time, estimated to be approximately 400 hours per auction.

Transferring excess proceeds from tax foreclosure land sales to the Land Trust Fund would provide some reimbursement to the Land Trust Fund for the payment of taxes on foreclosed properties held for general public purposes, and would help defray costs related to managing tax foreclosed properties.

The Finance Department and Land Management are jointly reviewing the cost associated fees that attach to tax foreclosed properties. This is expected to lead to a fee increase for future tax foreclosed land sales, providing a more accurate cost recovery for the General Fund.

END OF MEMORANDUM

Chairman Bryson opened the meeting for public comment noting no public was present. Seeing and hearing no one wishing to speak, Chairman Bryson closed the public comment period and opened discussion among the Commission.

MOTION: Commissioner Gross moved, seconded by Commissioner Isham to recommend adoption of Kenai Peninsula Ordinance 2008-04.

VOTE: The motion passed by unanimous consent.

BRYSON YES	CARLUCCIO YES	COLLINS YES	FOSTER YES	GROSS YES	ISHAM YES	JOHNSON ABSENT
LOCKWOOD YES	MARTIN YES	PETERSEN YES	TAURIAINEN YES			10 YES 1 ABSENT

AGENDA ITEM G. ANADROMOUS STREAM HABITAT PROTECTION (KPB 21.18) - None

AGENDA ITEM H. VACATIONS NOT REQUIRING A PUBLIC HEARING

1. Vacate the 10-foot utility easement granted along the north boundary of Lot 8 Block 2 Paradise Heights Subdivision (Plat HM 75-59); within Section 10, Township 6 South, Range 13 West, Seward Meridian, Alaska, the City of Homer and the Kenai Peninsula Borough; KPB File 2008-031; Location: City of Homer; KPBPC Resolution 2008-01

Staff Report reviewed by Max Best

PC Meeting: 2/11/08

Purpose as stated in petition: Not being used. Steep ground, moving lot line to the north.

Petitioners: Deborah L. Purington and Steven D. Stauber of Homer, Alaska