KENAI PENINSULA BOROUGH

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DAVE CAREY
BOROUGH MAYOR

MEMORANDUM

TO: Milli Martin, Assembly President
             Members, Kenai Peninsula Borough Assembly

THRU: David R. Carey, Borough Mayor *[signature]*
             Colette Thompson, Borough Attorney *[signature]*

FROM: Scott Bloom, Assistant Borough Attorney

DATE: May 7, 2009

SUBJECT: Proposed amendment to Ordinance 2009-25, Utility Special Assessment Districts

In Section 2 of this ordinance, KPB 5.35.030(D) and (E) contain a reference to KPB 5.35.035, which does not exist. The correct reference should be to KPB 5.35.105. The two subsections are set out below.

D.   If the proposed boundary is approved by the assessor and mayor, the petitioner may provide written notice to the Assessing Department of intent to proceed with assembly review of the petition application as provided in KPB [5.35.035] **5.35.105**. The mayor or the mayor's designee shall prepare for the assembly a resolution approving the petition application. [THE PETITIONER MAY MODIFY AND RESUBMIT THE APPROVED BOUNDARY DESCRIPTION IN ACCORDANCE WITH THE ABOVE PROCEDURE AT ANY TIME PRIOR TO FILING THE COMPLETED PETITION].

E.   After written notice to proceed is received by the Assessing Department from the petitioner, the borough clerk shall provide notice of the proposed USAD to all parcel owners within the proposed USAD by certified mail, return receipt requested, at least 60 days prior to assembly review of the petition application as provided in KPB [5.35.035] **5.35.105**. The notice shall include the following:

1.   a description of the special assessment district and proposed improvement;
2.   a map of the proposed improvement;
3.   the date of public hearing; and
4.   notice that no subdivision, reversion of acreage, or lot line adjustment will be recognized for USAD assessment purposes after assembly approval of the petition application.