

Introduced by: Assembly Member Arndt
Drafted by: Assembly Member Arndt
Introduced on: 12/05/2019
Public Hearing Date: 12/19/2019
Amended on: 12/19/2019
Adopted on: 12/19/2019

**KODIAK ISLAND BOROUGH
ORDINANCE NO. FY2020-13**

**AN ORDINANCE OF THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH AMENDING
KODIAK ISLAND BOROUGH CODE OF ORDINANCES TITLE 3 REVENUE AND FINANCE
CHAPTER 3.10 PUBLIC FINANCE – MANAGEMENT AND ACCOUNTING SECTION 3.10.120
FACILITIES FUND**

WHEREAS, there is established a permanent fund for facilities in the Kodiak Island Borough to provide revenue for future buildings; and

WHEREAS, revenue derived from this fund will be used to stabilize and reduce the property taxes in the Kodiak Island Borough ; and

WHEREAS, the governor vetoed 50% of the school debt reimbursement from the state; and

WHEREAS, this creates a financial hardship on the taxpayers of Kodiak

NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH THAT:

Section 1: This ordinance is of a general and permanent nature and shall become a part of the Kodiak Island Borough Code of Ordinances.

Section 2: That section 3.10.120 of the Kodiak Island Borough Code of Ordinances is amended to read as follows:

**Chapter 3.10
PUBLIC FINANCE – MANAGEMENT AND ACCOUNTING**

...

3.10.120 Facilities fund.

A. The facilities fund is established as a separate special revenue fund which is distinct from all other funds. The fund consists of all proceeds received from the sale of Shuyak Island property ~~to the Exxon Valdez Oil Spill Trustee Council~~. All income from the fund shall be deposited to the fund. The assembly may, by ordinance, make additional appropriations to the fund at any time.

45 Any additional funds added to the fund, aside of Shuyak Island proceeds, shall become part of
46 the fund as a whole and subject to the regulations of the facilities fund.

47
48 B. The fund may be invested only as provided in KIBC 3.10.030. The fund may not be
49 appropriated or spent, except as provided in this section. The earnings or principal shall at no
50 time run or supplement the running of government except as specified in this section.

51
52 C. Repealed by Ord. FY2008-08.

53
54 D. The excess income of the fund is defined as 85 percent of the annual investment income from
55 the fund. The excess income of the fund is available for appropriation by the assembly in the fiscal
56 year following the year in which the income is earned. The excess income of the fund may be
57 appropriated only for the following purposes:

- 58
59 1. Maintenance and repair of existing borough facilities;
60
61 2. Insurance paid by the borough for borough buildings;
62
63 3. Upgrade and reconstruction of existing facilities; or
64
65 4. Debt service on general obligation bonds issued for facilities construction – up to ~~50~~ 100 percent
66 of excess may be used for this purpose.

67
68 E. A portion of the fund may be appropriated for another purpose only upon approval of an
69 ordinance ratified by a two-thirds majority of the qualified voters at a regular or special election.
70 [Ord. FY2008-08 §4, 2007; Ord. 96-13 §2, 1996; Ord. 94-17 §2, 1994. Formerly §3.04.051].

71
72 **Effective Date:** This ordinance takes effect upon adoption. (Note: KIBC 2.30.070 states an
73 ordinance takes effect upon adoption or at a later date specified in the ordinance.)

74
75 **ADOPTED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH**
76 **THIS NINETEENTH DAY OF DECEMBER, 2019.**

77
78 KODIAK ISLAND BOROUGH

ATTEST:

79
80
81 
82 William Roberts, Mayor


83 Tara Welinsky, Clerk

84 **VOTES:**

85 Ayes: Schroeder, Skinner, Symmons, Turner, Arndt, Dvorak, Kavanaugh

86 Noes: