

1 Introduced by: Assembly Member Dvorak Thru the Mayor  
2 Drafted by: Assembly Member Dvorak and Borough Attorney  
3 Never Introduced  
4 Pulled At Agenda Setting  
5

6 **KODIAK ISLAND BOROUGH**  
7 **ORDINANCE NO. FY2021-32**  
8

9 **AN ORDINANCE INITIATING A BALLOT MEASURE FOR THE OCTOBER 5, 2021 REGULAR**  
10 **MUNICIPAL ELECTION, WHICH, IF PASSED BY THE VOTERS, WOULD, ESTABLISH A**  
11 **NON-AREAWIDE PARKS & RECREATION SERVICE AREA, IN ACCORDANCE WITH**  
12 **CHAPTER 4.05.010 OF THE KIB CODE, ESTABLISHING, ALTERING, ABOLISHING**  
13 **SERVICE AREAS TO COINCIDE WITH THE NON-AREAWIDE PARKS & RECREATION**  
14 **AUTHORITY THAT WAS ADOPTED BY THE BOROUGH PURSUANT TO A BALLOT**  
15 **MEASURE IN 1976.**  
16

17 **WHEREAS,** the Kodiak Island Borough, a Second-Class Borough under Title 29, Alaska  
18 Statutes, approved by Ballot Proposition and ratified by Resolution No. 76-54-R ~~adopted a~~ Non-  
19 Areawide Parks & Recreation ~~authority in 1976~~; and,  
20

21 **WHEREAS,** the Kodiak Island Borough also established by a Parks & Recreation Committee  
22 to generate priorities and action plans including a capital improvement program for parks and  
23 recreation; and,  
24

25 **WHEREAS,** the Kodiak Island Borough has leveraged its non-areawide parks and recreation  
26 authority under Title 29, Alaska Statutes, to obtain grants, hold state land leases, and enter into  
27 collaborative agreements with the Borough School District and City of Kodiak, to maintain local  
28 neighborhood parks and ballfields; and,  
29

30 **WHEREAS,** with the exercise of this non-areawide authority, the Borough has been constrained  
31 from legally spending general fund revenue on an otherwise adopted, non-areawide service  
32 function; and,  
33

34 **WHEREAS,** for the land owners residing on the Kodiak Island Borough "Road System", to fully  
35 exercise parks & recreation authority involving the expenditure of local revenue, it must be  
36 considered if that service is worth establishing a Non-Areawide Parks & Recreation Service Area,  
37 and ~~would thereby pay a~~ small tax increment in the same manner ~~that other road~~ as, fire, and  
38 lighting district services are administered; and,  
39

40 **WHEREAS,** Chapter 4.05.30 of the Borough Code states, if adopted by ordinance, the  
41 assembly, will put forth the ordinance to the applicable voters ~~and~~ to be passed ~~with~~ by a majority  
42 of the qualified voters per KIB Code 4.05.060; and,  
43

44 **WHEREAS,** if the proposition is approved by majority vote of the applicable voters at the  
45 October 5, 2021 regular municipal election, an ordinance amending the code to re-establish the  
46 current Parks & Recreation Committee would need to be adopted to create an elected service

47 area board, responsible for establishing the priorities of a non-areawide Parks & Recreation  
48 Service Area through planning, budgeting, and managing said service area in accord with the will  
49 of the benefitted land owners within the service area; and,  
50

51 **WHEREAS,** if approved, a Parks & Recreation Service Area would then be created to consider  
52 the management of all borough recreation facilities separately from the borough's general fund  
53 and giving voters more direct influence directly to ~~to~~over the Parks & Recreation Service Area  
54 Board on matters of recreation facilities, service levels, and the related tax increment required to  
55 sustain said facilities and services,  
56

57 **NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KODIAK ISLAND**  
58 **BOROUGH** that:  
59

60 **Section 1:** This ordinance is not of general application and shall not be codified.  
61

62 **Section 2:** An election is to be held on October 5, 2021 in the Kodiak Island Borough and  
63 the following proposition shall be submitted to the qualified voters for approval or  
64 rejection. A simple majority of those electors qualified and voting in favor of the  
65 proposition shall be required for approval.  
66


67 **Proposition No. 1**

68 **Shall The Kodiak Island Borough Assembly Establish A Non-Areawide Parks & Recreation**  
69 **Service Area To Serve The Contiguous "Road System" Area As Specifically Described In**  
70 **Attachment A (To Be Developed Prior To Introduction).**  
71


- 72  YES  
73  NO  
74

75 **ADOPTED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH**  
76 **THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.**  
77

78 KODIAK ISLAND BOROUGH

79   
80  
81  
82 William Roberts, Mayor  
83

ATTEST:

  
84  
85 Alise L. Rice, Borough Clerk  
86

87 **VOTES:**

Ayes:

Noes: