

1 Introduced by: Assembly Members Dvorak and Turner thru the Mayor
2 Drafted by: Assembly Member Dvorak
3 Introduced on: 06/17/2021
4 Public Hearing Date: 07/01/2021
5 Failed on: 07/01/2021
6

7 **KODIAK ISLAND BOROUGH**
8 **ORDINANCE NO. FY2022-04**
9

10 **AN ORDINANCE INITIATING A BALLOT MEASURE FOR THE OCTOBER 5, 2021 REGULAR**
11 **MUNICIPAL ELECTION, WHICH, IF PASSED BY THE VOTERS, WOULD AMEND THE**
12 **KODIAK ISLAND BOROUGH CODE TO PROVIDE FOR AN AREA WIDE AUTHORITY TO**
13 **FUND POST-SECONDARY EDUCATION PROGRAMS PROVIDED BY KODIAK COLLEGE**
14 **AS PART OF THE UNIVERSITY OF ALASKA SYSTEM LOCATED WITHIN THE KODIAK**
15 **ISLAND BOROUGH, SUBJECT TO A ONE-TENTH OF A MILL TAX LEVY LIMIT.**
16

17 **WHEREAS,** the Kodiak College campus of the University of Alaska provides post-secondary
18 education opportunities to the residents of the Kodiak Island Borough; and,
19

20 **WHEREAS,** these post-secondary education programs are of significant benefit to the
21 residents and businesses of the Kodiak Island Borough; and,
22

23 **WHEREAS,** Kodiak College campus was originally created in conjunction with the Kodiak
24 Island Boroughs responsibility to provide for elementary and post-secondary education within
25 the borough, in part through the donation of land upon which the current Kodiak College campus
26 now sits; and,
27

28 **WHEREAS,** in order to maintain some assurance of continued post-secondary education
29 programs provided at the Kodiak College campus, which are of benefit to the residents and
30 businesses of the borough, borough funding assistance, subject to approval by the voters, would
31 be appropriate.
32

33 **NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KODIAK ISLAND**
34 **BOROUGH that:**
35

36 **Section 1:** This ordinance is not of general application and shall not be codified.
37

38 **Section 2:** An election is to be held on October 5, 2021 in the Kodiak Island Borough and the
39 following proposition shall be submitted to the qualified voters for approval or
40 rejection. A simple majority of those electors qualified and voting in favor of the
41 proposition shall be required for approval.
42

43 **Proposition No. 1**
44

45 **Shall The Kodiak Island Borough Amend Its Code Of Ordinances To Establish An**
46 **Areawide Authority To Provide Funds To Kodiak College, As Part Of The University Of**
47 **Alaska System, To Use In Providing Post-Secondary Education Programs And Operations**
48 **Within The Kodiak Island Borough Boundaries, Subject To A Limitation That Total Annual**
49 **Funding May Not Exceed The Amount That Would Be Raised By The Equivalent Of An**
50 **Areawide Tax Levy Of One-Tenth (0.1) Of A Mill.**

YES

NO

Section 3: The following code sections shall be codified and become effective upon voter ratification of the proposition allowing the borough to provide funding to Kodiak College:

KIBC 3.10.XXX


Post-Secondary Education Special Revenue Fund

- A. Authority to provide postsecondary education funding. The borough may provide, on an areawide basis, funding to Kodiak College as part of the University of Alaska system, to use in providing post-secondary education programs and operations within the borough, in accordance with the provisions of this chapter.
- B. Limitation of funding. Funding provided under this chapter will be subject to annual appropriation and authorization by the assembly. The total of all funding may not exceed the amount which would be generated by an areawide tax levy of 0.1 mills.
- C. Funding restricted to operations.
 - 1. No funds provided by the borough to institutions under this chapter may be used for capital improvements, or construction of facilities. Funds may only be used for instruction and the operations of facilities used to provide curriculum or programs offered within the borough.
 - 2. No money may be utilized for the provision of programs outside the borough; this restriction includes general administrative expenses or overhead costs involved in providing programs within the borough, unless the assembly has consented by resolution to such expenses or costs being utilized in connection with a particular program.
- D. Grant application. In order to be eligible for receipt of funding under this chapter, Kodiak College must submit a grant application in writing to the manager no later than February 15, of each year for consideration in the next fiscal year budget. The application shall specify the amount sought and describe the proposed use of the funds.
- E. Agreement by institution. Kodiak College must sign an agreement that its use of the funds will be in accordance with the the provisions of this ordinance and that it will be responsible to refund any monies used for purposes not authorized by this ordinance. It must also agree to provide an accounting for the funds received and provide certification by its auditors that the funds were used in compliance with this ordinance.
- F. Unused/unrequested funds, fund balance. At the conclusion of the fiscal year for which funds may be appropriated, if there are unutilized or unrequested funds in the Post-secondary Education Special Revenue Fund, such funds shall carry over as fund balance which shall be capped at a maximum amount not to exceed Five-Tenths (0.5) of a mill at the time the tax levy is calculated for the subsequent fiscal year calculation.

**FAILED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH
THIS FIFTH DAY OF AUGUST, 2021.**

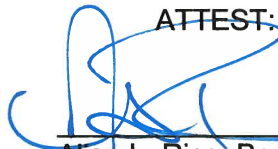
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KODIAK ISLAND BOROUGH



William Roberts, Mayor

ATTEST:



Alise L. Rice, Borough Clerk

VOTES:

Ayes: Turner and Williams
Noes: Symmons and Arndt
Absent: Dvorak, Kavanaugh, and Smith

