



KENAI PENINSULA BOROUGH

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**DAVE CAREY
BOROUGH MAYOR**

MEMORANDUM

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

THRU: *DR Carey* David R. Carey, Borough Mayor

FROM: *CT* Colette Thompson, Borough Attorney

DATE: March 2, 2009

SUBJECT: Ordinance 2008-19-37, appropriating \$219,500.28 to the special assessment fund for the South Kalifornsky Beach Road USAD

Johni Blankenship, Borough Clerk, observed that this ordinance qualifies for withdrawal from the agenda as no public hearing has yet been held. Accordingly, the administration respectfully requests that the above ordinance be withdrawn from the agenda pursuant to KPB 22.40.055. The project cannot go forward with the amount proposed for appropriation at this time because the estimated cost has increased since the resolution of necessity was defeated. KPB 22.40.055 authorizes the withdrawal of an ordinance which has been set for hearing by motion approved by a majority of the total membership of the assembly, and it may only be made before public hearing. Additionally, only a sponsoring assembly member may move for the withdrawal of an ordinance under that section. The administration respectfully requests that the assembly withdraw this from the agenda.

Your consideration of this request would be appreciated.