



KENAI PENINSULA BOROUGH

Planning Department • Land Management Division
144 North Binkley Street • Soldotna, Alaska 99669-7520
PHONE: (907) 714-2200 • **FAX:** (907) 714-2378
Toll-free within the Borough: 1-800-478-4441, Ext. 2200
www.borough.kenai.ak.us

DAVID R. CAREY
BOROUGH MAYOR

MEMORANDUM

TO: Pete Sprague, Assembly President
Kenai Peninsula Borough Assembly Members

THRU: David R. Carey, Mayor *C. Chapman for Dave Carey*
MB Max Best, Planning Director

FROM: *MB* Marcus A. Mueller, Land Management Officer
for mm

DATE: February 4, 2010

SUBJECT: Proposed Amendment to Ordinance 2010-04 Authorizing the Mayor to Amend the Aardvark Waste Disposal Lease.

Ordinance 2010-04 originally proposed to amend the Aardvark Lease by suspending the lease and providing for a 10-year option period to reinstate the lease. In response to concerns expressed by the Assembly and after further review and discussions with Mr. Keith Holland, the president of Aardvark Services, Inc., the administration recommends amending the proposed ordinance to reduce the option period to five years as follows:

- Amend the title as follows:

AN ORDINANCE AUTHORIZING THE MAYOR TO AMEND THE AARDVARK SEPTIC WASTE DISPOSAL LEASE TO MODIFY THE LEASE BOUNDARY, ADJUST THE RENT, SUSPEND THE LEASE, AND PROVIDE AN OPTION TO REINSTATE THE LEASE FOR A PERIOD OF [10] FIVE YEARS

- Amend Section 2 as follows:

SECTION 2. That the Assembly finds that amending the lease to Aardvark Pumping, Inc. to suspend the lease, to provide a **[10-YEAR] 5-year** option to reinstate the lease at an annual option fee of \$900, and to provide for a new 30-year term upon reinstatement under KPB 17.10.100(l) is in the best interest of the borough.

Further it is noted that upon approval of this amendment, the draft agreement would be revised to reflect the amended ordinance.