

Introduced by: Mayor  
Date: March 5, 1991  
Action: Postponed to 4/2/91  
Date: April 2, 1991  
Action: TABLED  
REMOVED FROM TABLE  
BY SUPERMAN APRIL 16, 1991  
Date: May 7, 1991  
Action: FAILED  
Vote: 3 YES, 10 NO

KENAI PENINSULA BOROUGH

RESOLUTION 91-29

DELEGATING RESPONSIBILITY FOR THE ADMINISTRATION AND OPERATION OF ROAD MAINTENANCE SERVICE AREAS TO THE ROAD MAINTENANCE SERVICE AREA BOARDS

WHEREAS, day-to-day administration of road maintenance service areas has been provided centrally as a division of the Public Works Department funded by the road service areas; and

WHEREAS, the boards have adopted, with assembly approval, differing standards for operation that make it difficult to continue central administration; and

WHEREAS, continued central administration has generated conflicts with the desires of the elected service area boards; and

WHEREAS, the boards currently approve contracts and approve payments for service provided by contractors; and

WHEREAS, the boards have expressed a desire to have direct control over the road inspectors and other personnel of the Road Maintenance Division of the Public Works Department; and

WHEREAS, these personnel cannot be responsible to answer to the supervision of the Public Works Director and four separate service area boards without agreement as to the method of central administration; and

WHEREAS, KPB 16.04.010 provides that the mayor may delegate certain of his authority, and its accompanying responsibility, to the service area boards with the concurrence of the assembly; and

WHEREAS, the mayor has determined that it would be appropriate to delegate the authority to determine the method of operation and administration of the service areas and the responsibility to carry that out to each road service area board;

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

Section 1. That pursuant to KPB 16.04.010 the assembly approves the mayor's delegation, as contained in his letter of February 25, 1991, to the road service area boards, of authority and responsibility to determine policies and procedures, means of operation and administration of the road maintenance service areas to the respective service area boards, subject to all ordinances, policies and rules applicable to borough and service area operation. The mayor shall continue to have authority to control or preclude actions that would, or might be, in violation of statutes, regulations, ordinances, resolutions or other provisions of law. A copy of the mayor's letter to the service area boards delegating the authority and responsibility is attached to this resolution and incorporated herein.

Section 2. That this resolution does not allow the service area boards to contravene or modify any ordinance, resolution, collective bargaining agreement, or other action of the assembly in their exercise of authority delegated.

Section 3. The mayor's delegation may be revoked or modified by the mayor at such time as he deems it to be in the best interest of the borough.

Section 4. That the delegation of authority approved by this resolution shall take effect July 1, 1991; in all other respects this resolution shall take effect immediately upon its adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 1991.

\_\_\_\_\_  
James W. Skogstad, Assembly President

ATTEST:

\_\_\_\_\_  
Borough Clerk