

Introduced by: Mayor
Date: March 19, 1991
Postponed to April 2, 1991
Vote: 13 Yes, 2 No
Action: Adopted

KENAI PENINSULA BOROUGH

RESOLUTION 91-35

TRANSFERRING \$40,000 FROM THE PUBLIC WORKS SOLID WASTE REFUSE HAULING ACCOUNT TO THE LEGAL DEPARTMENT CONTRACT SERVICES ACCOUNT TO HANDLE ANTICIPATED APPEALS AND ENFORCEMENT ACTIONS RELATED TO KPB 21.12 DECISIONS AND OTHER LEGAL MATTERS

WHEREAS, the Assembly Board of Adjustment has overturned the exception granted to the Alaska Department of Environmental Conservation (ADEC) to allow temporary storage of contaminated soil at the Cook's Tesoro clean-up site in Sterling, Alaska; and

WHEREAS, ADEC has indicated a likelihood that it will appeal this decision and the original decision determining the storage to be a violation of KPB 21.12.010; and

WHEREAS, ADEC has indicated that it may not be able to remove the soil immediately as would be required to enforce the ordinance and this could result in enforcement action being initiated by the borough; and

WHEREAS, due to current workload and commitments of the Legal Department additional legal assistance will be necessary to handle these matters either through contract or by hiring an additional attorney on a temporary basis;

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

Section 1. That \$40,000 is transferred from the Public Works Solid Waste Administration Refuse Hauling A/C No. 100-320010-43763 to the Legal Department Contract Services A/C No. 100-113010-43011.

Section 2. That this resolution shall take effect immediately upon its adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON THIS 2nd DAY OF April, 1991.


James W. Skogstad, Assembly President

ATTEST:


Acting Teresa J. Hudson
Borough Clerk