


Kenai Peninsula Borough
Assembly

MEMORANDUM

TO: Brent Hibbert, Assembly President
Members, Kenai Peninsula Borough Assembly

FROM: Richard Derkevorkian, Assembly Member 

DATE: April 6, 2021

RE: Petition to Vacate 30-foot-wide Oliver Street right of way, including the associated utility easement, north of Half Moon Avenue as dedicated on Arrowhead Estates Phase 1 Plat KN 2000-7. The right-of-way being vacated is unconstructed and located within the NW1/4 NW1/4 of Section 19, Township 5 North, Range 9 West, Seward Meridian, Alaska, within the Kenai Peninsula Borough. KPB File 2020-147V.

It has been brought to my attention by the petitioner, Nathan Moore, that he was not aware that the above-referenced petition was going to be considered at the February 2nd Assembly meeting; therefore, he did not participate and did not provide public testimony. The assembly vetoed the Planning Commission's approval of this vacation without any public testimony being offered.

I will be moving to rescind the previous action vetoing the Planning Commission's decision in order to reopen public testimony and hear from the petitioner.

This motion is debatable and public testimony may be taken before the assembly discusses and votes on the motion. Five yes votes would be required to approve this motion.

If the motion to rescind passes, the Planning Commission's approval of the vacation would stand, and no further action may be taken by the assembly as the 30 days to veto that action will have expired. If the motion fails, then the assembly's veto would stand and the vacation petition denied.

Thank you for your consideration.