

Introduced by: Mayor
Date: 08/15/23
Hearing: 09/05/23
Action: Enacted
Vote: 9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2023-19-13**

**AN ORDINANCE APPROPRIATING \$24,975 FROM THE EAGLE LAKE
RECLAMATION ACCOUNT FOR RECLAMATION WORK
AT THE EAGLE LAKE MATERIAL SITE**

WHEREAS, the Kenai Peninsula Borough (the “Borough”) owns the Eagle Lake Material Site and contracts the site management and operation to East Road Services, Inc. pursuant to a Concessionaires Agreement (the “Agreement”); and

WHEREAS, under the Agreement the Borough collects \$1.50/CY in royalty and \$.72/CY in reclamation fees for materials removed under the Agreement; and

WHEREAS, approximately three acres within the Eagle Lake Material Site are no longer needed to conduct operations and are being scheduled for formal reclamation; and

WHEREAS, Section 3.3(J) of Attachment A to the Agreement, Request for Proposal, provides for the contractor, on written order of the Borough, to perform reclamation; and

WHEREAS, the cost to the Borough for reclamation is \$8,325 per acre for a total cost of \$24,975 for the approximately three acres; and

WHEREAS, the Kenai Peninsula Borough Planning Commission, at its regular meeting of August 28, 2023, recommended approval by unanimous consent;

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

SECTION 1. That \$24,975 is appropriated from the Eagle Lake Material Site Reclamation Fund 250.00000.EAGLE.20822 to Contract Services Account No. 250.21210.EAGLE.43011 for reclamation work at the Eagle Lake Material Site.

SECTION 2. That the Mayor is authorized to execute any and all documents necessary to effectuate this ordinance.

SECTION 3. That any funds that lapse in FY24 will return to Eagle Lake Material Site Reclamation Fund 250.00000.EAGLE.20822.

SECTION 4. That this ordinance shall take effect immediately.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 5TH DAY OF SEPTEMBER, 2023.

Brent Johnson

Brent Johnson, Assembly President

ATTEST:

Michele Turner

Michele Turner, CMC, Borough Clerk



Yes: Chesley, Cox, Derkevorkian, Ecklund, Elam, Hibbert, Ribbens, Tupper, Johnson
No: None
Absent: None