

Kenai Peninsula Borough Planning Department

MEMORANDUM

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

THRU: Peter A. Micciche, Borough Mayor *PAM*

FROM: Robert Ruffner, Planning Director *SLERR*
Sean Kelley, Borough Attorney *SK*

DATE: May 25, 2023

RE: Resolution 2023-040, Authorizing the Mayor to Enter into an Agreement with Alaska's Department of Environmental Conservation regarding the Zipmart Site (Mayor)

This Resolution authorizes the Mayor to enter into a Memorandum of Agreement (MOA) with Alaska Department of Conservation (ADEC) to ensure that the Borough will not have liability for the current environmental contamination at the site by using its condemnation powers to potentially demolition and remove the recently collapsed and hazardous Zipmart building.

In the event the Borough moves forward with demolishing and removing the collapsed Zipmart building, it is in the best interests of the Borough to enter into an MOA with the State regarding this site and the current environmental condemnation.

Your consideration is appreciated.