

Introduced by: Mayor
Date: 11/12/24
Action:
Vote:

**KENAI PENINSULA BOROUGH
RESOLUTION 2024-048**

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A
MEMORANDUM OF AGREEMENT WITH THE CITY OF KACHEMAK FOR REPAIR
AND MAINTENANCE OF THE CLAYTON WAY RIGHT-OF-WAY**

WHEREAS, the Clayton Way public right-of-way (Clayton Way) lies within the Kenai Peninsula Borough (KPB) Road Service Area (RSA) South Region, Unit 7 (the S7 Unit); and

WHEREAS, Clayton Way is on the RSA road maintenance list; and

WHEREAS, seven hundred and ninety-five linear feet of Clayton Way lies within the limits of the City of Kachemak (the City); and

WHEREAS, RSA S7 Unit contractors presently provide standard road service maintenance for the portion of Clayton Way that lies outside the limits of the City; and

WHEREAS, RSA S7 Unit contractors already must cross the portion of the Clayton Way public right-of-way that lies within the limits of the City in order to maintain the rest of Clayton Way; and

WHEREAS, the City presently does not have a public works department, roads department or similar entity that can provide standard maintenance for the portion of Clayton Way that lies within the limits of the City; and

WHEREAS, this MOA provides for the RSA S7 Unit contractor to provide full summer and winter road service maintenance for the portion of Clayton Way that lies within the limits of Kachemak City in exchange for payment by the City for annualized linear foot cost of services, as well as to respond and address emerging situations impacting resident and emergency service access, subject to funding availability or specific appropriation by the KPB Assembly; and

WHEREAS, at the meeting held on October 15, 2024, the RSA Board recommended approval; and

WHEREAS, on October 9, 2024, Bill Fry, Mayor of Kachemak City, executed the MOA on behalf of the City;

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

SECTION 1. That the Mayor is authorized to enter into the MOA with the City for repair and maintenance of the portion of Clayton Way that lies within the limits of the City.

SECTION 2. That this resolution is effective immediately.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 12TH DAY NOVEMBER 2024.

Peter Ribbens, Assembly President

ATTEST:

Michele Turner, CMC, Borough Clerk

Yes:

No:

Absent: