


# Kenai Peninsula Borough

## Clerk's Office

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### MEMORANDUM

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

**FROM:** Michele Turner, Borough Clerk 

**DATE:** August 15, 2023

**RE:** LA YDOWN Amendment to Resolution 2023-052, Forming the Oxford Avenue Utility Special Assessment District and Proceeding with the Improvement of a Natural Gas Main Line (Mayor)

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[Please note the bold underlined language is new and the strikeout language in brackets is to be deleted.]

#### Background

The deadline for written objections was August 10, 2023. A property owner in the area provided objection to this project on behalf of his elderly parent who owns one parcel within the proposed USAD. This objection was made in person at the Clerk's Office on July 28, 2023. The individual subsequently spoke to the Mayor's Office and Assessing Department the same day. The individual wanted to know from the Clerk's Office if his elderly mother could withdraw her signature on the petition. Therefore, the objection is brought to the Assembly's attention for deliberation on how to best proceed and fill-in the blank in the eight whereas clause. A potential amendment for the eighth whereas clause is provided below.

- Amend the eighth WHEREAS, to read as follows:

**WHEREAS,** more than 35 days have passed since the mailing of the notice of the public hearing to each record owner of a parcel in the proposed district, and **no** written objection to the necessity of formation of the district have been filed with the Borough Clerk **per KPB 5.23.110(D) due to the fact that a written objection was not formally received by the deadline; however, a property owner or owner's agent within the proposed USAD did provide a verbal objection to the formation of the USAD on July 28, 2023, and that objection was memorialized by Borough staff and provided to the Assembly for due consideration, as such, the Assembly properly considered it as an objection to the necessity of formation of the district;** and

Your consideration is appreciated.