

Introduced by: Mayor
Date: 08/03/21
Hearing: 08/17/21
Action: Enacted
Vote: 8 Yes, 0 No, 1 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2021-19-06**

APPROPRIATING FUNDS TO THE LEGAL DEPARTMENT FOR THE COSTS AND FEES ASSOCIATED WITH HIRING OUTSIDE COUNSEL TO REPRESENT THE KENAI PENINSULA BOROUGH IN AN APPEAL FROM AN ADMINISTRATIVE AGENCY

WHEREAS, on June 23, 2021, Furie Operating Alaska, LLC (“Furie”) filed an appeal in the Anchorage Superior Court of the State Assessment Review Board’s Certificate of Determination dated May 24, 2021, regarding Furie’s appeal of the assessed value of Oil and Gas Production property within the borough for the 2021 assessment year (“Furie Appeal”);

WHEREAS, the borough has contacted the law firm of Dillon & Findley, PC to represent it in the Furie Appeal;

WHEREAS, it is anticipated that the borough will continue to participate in the appeal to protect its interest and support its position that the 2021 assessment should be upheld; and

WHEREAS, this is a specialized area of law and the continuing services and expertise of Dillon & Findley will be needed to adequately represent the borough’s interest in this matter; and

WHEREAS, it is estimated that at this time funds of at least \$150,000 will be needed to pay legal services and costs incurred by outside counsel on behalf of the borough;

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

SECTION 1. The sum of \$150,000 is hereby appropriated from the General Fund’s fund balance to account number 100.11310.22FUR.49999 for expenses associated with hiring outside counsel and necessary experts for the Furie Appeal.

SECTION 2. The assembly approves retention of the law firm of Dillon & Findley to represent its interests in the Furie Appeal.

SECTION 3. Upon enactment this ordinance shall become effective retroactively on July 1, 2021.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 17TH DAY OF AUGUST, 2021.

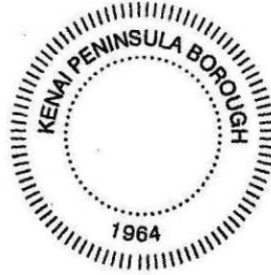


Brent Hibbert, Assembly President

ATTEST:



Jonni Blankenship, MMC, Borough Clerk



Yes: Bjorkman, Carpenter, Chesley, Cox, Dunne, Elam, Johnson, Hibbert
No: None
Absent: Derkevorkian