

Introduced by: Mayor
Date: 06/06/17
Action: Adopted
Vote: 9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH
RESOLUTION 2017-039**

**A RESOLUTION AUTHORIZING THE TRANSFER OF \$10,000 FROM THE
MAYOR'S DEPARTMENT TO THE LEGAL DEPARTMENT FOR OUTSIDE
COUNSEL TO ADVISE THE BOARD OF ADJUSTMENT AND THE BOARD OF
EQUALIZATION**

WHEREAS, on May 11, 2017, a Planning Commission decision was appealed to the Board of Adjustment; and

WHEREAS, as in-house attorneys represent the Planning Department in Board of Adjustment hearings outside counsel is needed to advise the board to avoid due process issues; and

WHEREAS, legal costs for the unusually large number of Board of Equalization hearings may exceed the current available funds; and

WHEREAS, KPB 5.04.095 and KPB 5.04.100 authorize the assembly to transfer by resolution unencumbered balances at the budgetary control level, which is at the department level for the general fund; and

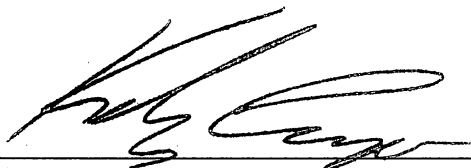
WHEREAS, funds are available in the mayor's department for transfer to the legal department to help pay costs associated with these appeals;

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

SECTION 1. The assembly hereby transfers \$10,000 in unencumbered funds from the mayor's department account 100.11210.00000.40XXX, personnel, to the legal department account 100.11310.00000.430XX, legal services, for costs and fees of outside counsel to advise the Board of Adjustment and the Board of Equalization.

SECTION 2. That this resolution takes effect immediately upon its adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 6TH DAY OF JUNE, 2017.

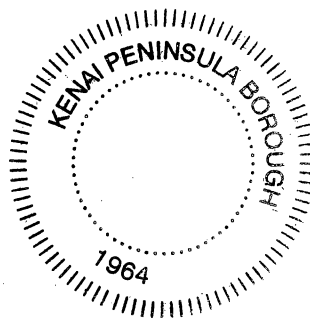


Kelly Cooper, Assembly President

ATTEST:



Johni Blankenship, MMC, Borough Clerk



Yes: Bagley, Carpenter, Dunne, Fischer, Hibbert, Ogle, Schaefer, Welles, Cooper
No: None
Absent: None