


Kenai Peninsula Borough

Road Service Area

MEMORANDUM

TO: Wayne Ogle, Assembly President
Members, Kenai Peninsula Borough Assembly

THRU: Charlie Pierce, Mayor *Chi*
Max Best, Planning Director *Mem for MB*
Marcus Mueller, Land Management Officer *Mem*

FROM: Dil Uhlin, Road Service Area Director 

DATE: February 7, 2019

SUBJECT: Ordinance 2019- 05, Authorizing a Memorandum of Agreement and Cooperative Sale and Exchange of Interests in Lands with the State of Alaska Department of Transportation and Public Facilities Regarding Certain Borough and State Maintained Roads (Mayor)

This ordinance will authorize the borough to enter into a Memorandum of Agreement (MOA) with the State of Alaska Department of Transportation and Public Facilities ("DOT&PF"). This ordinance will further authorize the cooperative sale and exchange of interest in certain public roads under terms and conditions set by the MOA.

To promote logical efficiencies that would benefit the Kenai Peninsula Borough (the "borough") Road Service Area ("RSA") and the DOT&PF, the DOT&PF has proposed the transfer of regulatory and maintenance authority of certain state-maintained roads in exchange for the transfer of a borough maintained road—the Nikiski Escape Route Road.

The roads proposed to be accepted by the RSA are short segments contiguous to existing borough maintained roads, and conversely the Nikiski Escape Route Road is a thoroughfare route consistent with the character of roads more commonly serviced by DOT&PF. As part of the transfer DOT&PF warrants that it shall be responsible for all required road repairs, improvements, or reconstruction of the roads transferred to the borough for a period of three (3) years so long as the need for such repairs, improvements, or reconstruction was not caused solely by the borough's RSA maintenance.

The RSA staff reviewed the proposal and found that it is in the best interests of the borough as it will save on borough-wide maintenance costs and result in logical efficiencies in public road maintenance and cooperation with the DOT&PF. At the regularly scheduled RSA Board meeting held on January 15, 2019, the board unanimously recommended approval.

The borough's Planning Department staff has reviewed the transfer proposal and recommends a cooperative sale and exchange of interests in lands pursuant to KPB 17.10.100 (C) & (D). This ordinance is scheduled to come before the Planning Commission at its February 25, 2019, meeting. The recommendations of the Planning Commission will be submitted to the assembly prior to the hearing on this ordinance.