



## **KENAI PENINSULA BOROUGH**

### **Mayor's Office**

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**DAVID R. CAREY**  
**BOROUGH MAYOR**

### **MEMORANDUM**

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**TO:** Gary Knopp, Assembly President  
Members of the Kenai Peninsula Borough Assembly

**FROM:** David R. Carey, Borough Mayor *DR Carey*

**DATE:** March 24, 2011

**SUBJECT:** Ordinance 2011-08, Waiving the Voter Approval Requirement of KPB 5.04.110 for the Homer Solid Waste Transfer Facility Capital Improvement Project.

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The Homer Solid Waste Transfer Facility project must be constructed by August 2013 for people in the Homer area to have continuous access to a local solid waste disposal facility. Based on the permit now in place, the Homer landfill must be closed by that date. In order to timely complete construction of the transfer facility it is imperative that soil and construction work begin shortly. The assembly listed this project first in the "Kenai Peninsula Borough State Funding Priorities – 2011 which it approved in Resolution 2011-001, and the assembly members and administration have diligently continued to seek support for the appropriation of these funds by the state.

KPB 5.04.110 requires that the voters approve capital improvement projects costing more than \$2,050,000, not including grant funds. Current preliminary estimates of the transfer facility project cost are significantly greater than \$2,050,000. Accordingly the code requires voter approval of this project unless enough grant funds are awarded such that this provision no longer applies.

As this voter approval requirement was enacted by ordinance, and amended by initiative more than two years ago, the assembly may legally waive this requirement by ordinance. The administration cannot work on this project at this time unless the voter approval requirement is waived. The administration respectfully requests that the assembly waive the voter approval requirement for this project.

Your approval of this ordinance would be appreciated.