

Introduced by: Dimmick, Corr,
Crawford, Jean,
Arness
Date: Apr. 19, 1983
Hearing: May 17, 1983
Vote:
Action: (withdrawn/placed in Task Force)
Presume replaced by Res 83-186

KENAI PENINSULA BOROUGH by Dimmick on 8-16-86

ORDINANCE 83-28

PROVIDING FOR AN INVENTORY OF BOROUGH LANDS AND A LOGICAL SEQUENCE OF EVENTS LEADING TO ORDERLY DISPOSAL INCLUDING NECESSARY PUBLIC PARTICIPATION IN THE DISPOSAL PLANNING PROCESS.

WHEREAS, the Kenai Peninsula Borough has a total entitlement of 155,780 acres and presently has patent or tentative approval of 69,782 acres; and

WHEREAS, the orderly disposal and management of Borough lands depends upon an accurate inventory of all Borough lands as well as an analysis of all the information available pertaining to such lands and their suitability for various uses; and

WHEREAS, public awareness of this information is necessary in order to obtain the public participation necessary in planning for disposal of Borough lands; and

WHEREAS, an annual sale of lands deemed suitable for disposal based on a practical plan is desirable; and

WHEREAS, an inventory, analysis and long-range plan based on all data available to the Borough is necessary to provide that Borough lands, which are an asset belonging to all citizens and taxpayers of the Borough are disposed or managed in a manner consistent and in the best interest of the Borough and which also insures the Assembly against any possible finding of malfeasance in office due to careless or illegal disposal methods;

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

Section 1. The sum of \$40,000 is appropriated for the purpose of hiring a consultant to make an inventory of all lands presently held by the Kenai Peninsula Borough, either patented, tentatively approved or otherwise in Borough ownership, and all lands presently being considered in the selection process. The consultant performing the work will have access to all Borough records concerning land and the complete cooperation of Borough personnel as well as space in the building in which to work. The contract shall be awarded by the Assembly no later than September 30, 1983, upon recommendation of the Borough Mayor after proposals have been reviewed in the usual manner. Upon completion of the inventory and no later than January 31, 1984, a report shall be presented to the Assembly. The inventory shall also include all the information available pertaining to the

parcels of land, either in-house or through government agencies, including, but not limited to base maps, air photo's and air photo interpretation, soil conservation data, U. S. Army Corps of Engineers' flood plain studies, and E.P.S., where the data may be obtained, cost to the Borough, if any, and which areas the data pertain.

Section 2. Upon acceptance of the inventory report, the Assembly shall appropriate the funds necessary to provide for an analysis of the data for the purpose of showing the best uses of Borough lands, with particular emphasis of finding which lands are suitable for agriculture and what types of agriculture as well as recommendation for sizes of parcels necessary for successful agriculture enterprises. The analysis should also consider residential, industrial, commercial, recreational, and various public uses as well as present land use in surrounding areas and retention of land for future possible public use, access or disposal. Environmental factors affecting use; i.e., erosion, water quality and availability, potential mineral or gravel extraction should also be described, as well as other factors determined to be of importance to sound disposal management policy. This analysis should be completed no later than March 31, 1984.

Section 3. Upon completion of the analysis and acceptance by the Assembly, a resume of the findings contained in the reports shall be published throughout the Borough and a series of public workshops conducted by a group engaged for the purpose. A minimum of one workshop shall be held in each of the four Assembly election districts of the Borough. The purpose of the workshops shall be to achieve as much participation from the public as possible to ensure the preparation of a long-range disposal plan that is both practical and acceptable to the public.

Section 4. Beginning in August 1984, and prior to August 31 of each year through 1988, the Mayor, upon approval of the assembly, shall dispose of a minimum of 500 acres, not to exceed a maximum of 5,000 acres. In each of those years after 1984, the Mayor shall cause an update of the inventory to be made and submitted, along with his recommendations, for the parcels and manner of disposal of said parcels to the Assembly for its approval.

Section 5. After the annual sale in August of 1988, a complete assessment of the disposal plan, the actual disposals and their effect on the land-use patterns and Borough revenues and/or tax increases shall be made with recommendations for future land disposal and management.

Section 6. No land other than tax-foreclosed lands shall be disposed of except through trade in order to obtain land for

schools, solid waste sites, or other public use until the requirement of Sections 1-3 have been accomplished.

Section 7. That this ordinance takes effect immediately on the date of its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON
THIS _____ DAY OF _____, 1983.

Donald L. McCloud, Assembly President

ATTEST:

Borough Clerk