

Introduced by:
Date:
Shortened Hearing:
Action:
Vote:

Mayor
1/20/04
2/03/04
Enacted as Amended
6 Yes, 0 No, 3 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2003-19-35**

**AN ORDINANCE AUTHORIZING THE ACQUISITION OF 12 ACRES FROM CAROL
AND FRANK GRISWOLD FOR A NEW SEWARD MIDDLE SCHOOL AND
APPROPRIATING \$346,500 TO ACQUIRE THE PROPERTY**

WHEREAS, it has been determined that it is no longer cost-effective to maintain the current Seward Middle School facility or to remodel the structure to comply with current fire and safety codes; and

WHEREAS, a majority of borough residents voting in the October 1, 2002 general election approved issuance of up to \$14,700,000 in general obligation bonds for capital improvements and land acquisition associated with the Seward Middle School Project; and

WHEREAS, a 12-acre site for the new middle school has been selected; and

WHEREAS, an appraisal completed by Tom Dunagan, dated December 18, 2003, estimates a market value of the new middle school site at \$0.60 per square foot; and

WHEREAS, the owners have stated their willingness to sign an Earnest Money Receipt and Purchase Agreement to sell the subject 12 acres for 10 percent more, or \$0.66 per square foot; and

WHEREAS, the KPB Planning Commission at its regularly scheduled meeting of January 26, 2004 recommended enactment with four amendments.

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

SECTION 1. That the purchase of the following described real property for \$345,000 plus closing costs not to exceed \$1,500 is in the best interests of the borough:

A 12.00-acre piece of land within the portion of U.S.S. 1864 described in Book 66 Page 482, Seward Recording District, all within the W ½ Section 34, Township 1 North, Range 1 West, Seward Meridian, Alaska, Kenai Peninsula Borough, City of Seward, Seward Recording District, Third Judicial District, State of Alaska. Said 12.00-acre piece of land is more specifically described by Attachment A, made a part hereof by reference and shall be defined by a subdivision plat to be completed by the KPB.

The following findings of facts support paying a purchase price that is 10 percent above the appraised value as being in the public best interest:

1. The Construction Advisory Committee for the new Seward Middle School recommended the Griswold parcel as the preferred location based on its proximity to the existing middle school.
2. Approximately \$300,000 has been spent to design a facility on the subject 12 acres. Considerable additional expense will be incurred if the design needs to be altered to accommodate an alternative location.
3. The construction timeline must be strictly adhered to in order to meet grant requirements. Relocation to an alternative site or continuing negotiations will delay the start of construction. A delay in commencing construction could negatively impact the grant appropriation.
4. Reaching agreement to purchase the 12 acres at 10 percent above the appraised value is a reasonable accommodation considering the above location, design and construction timeline limitations.

SECTION 2. That Section 1 of Ordinance 2003-19-03 is hereby amended to provide as follows: "That bond proceeds of \$14,700,000 are appropriated to the School Bond Fund Seward Middle School Project, account number 401.75030.03SEW.49101 for costs associated with design and construction of the new Seward Middle School, and associated costs of land acquisition and school equipment for the project."


SECTION 3. That \$346,500 is appropriated from account 401.75030.03SEW.49101 to 401.75030.03SEW.48610 for the purchase of subject 12 acres.

SECTION 4. That the proposed classification of this land is government.

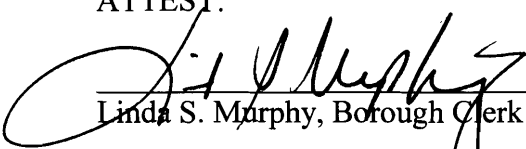
SECTION 5. That upon recording of all necessary subdivision plats, the mayor is authorized to execute any and all documents necessary to purchase the real property described in Section 1 for the price of \$345,000 and pay up to \$1,500 in closing costs, in accordance with the terms and conditions contained in this ordinance, terms and conditions substantially similar to the Earnest Money Receipt and Purchase Agreement accompanying this ordinance, which are hereby approved, and consistent with applicable provisions of KPB Chapter 17.10.

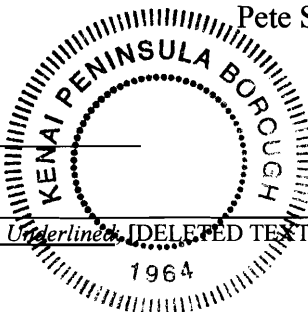
SECTION 6. That this ordinance shall take effect immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 3RD DAY OF FEBRUARY, 2004.


Pete Sprague, Assembly President

ATTEST:


Linda S. Murphy, Borough Clerk



Introduced by:	Sprague @ Request of the Borough Clerk
Date:	01/20/04
Shortened Hearing:	02/03/04
Action:	Enacted as Amended
Vote:	6 Yes, 0 No, 3 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2003-19-36**

**AN ORDINANCE APPROPRIATING \$43,000 TO THE ASSEMBLY ELECTIONS
BUDGET TO COVER ANTICIPATED COSTS OF THE MARCH 30, 2004
SPECIAL BY-MAIL ELECTION AND AUTHORIZING THE PURCHASE OF
ATTENDANT ELECTION SUPPLIES, MATERIALS AND SERVICES
WITHOUT OBTAINING COMPETITIVE BIDS**

WHEREAS, Resolution 2003-130, adopted by the Assembly on January 6, 2004, authorized a special by-mail election to be conducted on March 30, 2004; and

WHEREAS, there are insufficient funds remaining in the FY 2004 Elections budget to cover the anticipated costs of this special election; and

WHEREAS, there is insufficient time to solicit competitive bids or proposals for printing of the specialty envelopes for this election, and it is in the public interest to sole source the purchase of these envelopes and certain other election supplies, materials and services to those vendors that have traditionally supplied these items for other regular and special elections; and

WHEREAS, shortened hearing is requested in order to have sufficient funds available in the elections budget to timely order needed supplies, materials and ballots;

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


SECTION 1. That the sum of \$43,000 is hereby appropriated from the General Fund Fund Balance to the Assembly Elections Budget as follows:

Account No.	Line Item Designation	Amount
100.11130.00000.40120	Temporary Wages	\$ 7,000
100.11130.00000.43140	Postage	16,000
100.11130.00000.43410	Printing	20,000
TOTAL APPROPRIATION		\$43,000

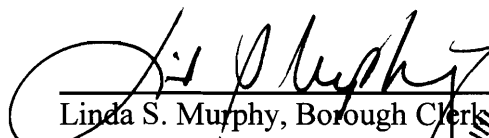
SECTION 2. That, notwithstanding any Code provisions to the contrary, due to the short time period available the Borough Clerk is authorized to contract for the provision of all attendant materials, supplies and services for the March 30, 2004, special by-mail election without obtaining competitive bids.

SECTION 3. That this ordinance shall become effective immediately upon enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 3RD DAY OF FEBRUARY, 2004.


Pete Sprague, President

ATTEST:


Linda S. Murphy, Borough Clerk

