

Introduced by:	Mayor
Date:	6/01/04
Hearing:	7/06/04
Action:	Enacted as Amended
Vote:	8 Yes, 0 No, 1 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2004-20**

**AN ORDINANCE EXTENDING THE DEADLINE IN ORDINANCE 2001-16
REGARDING CERTAIN GRAZING LEASES**

WHEREAS, in Ordinance 2001-16 the assembly authorized the mayor to renew or extend seven grazing leases for no more than a 27.5 year period based on certain terms and conditions; and

WHEREAS, in Section 2 of that ordinance the assembly required that the following three items be completed within two years of expiration of the grazing leases:

1. Lessee shall prepare a development plan in cooperation with the Soil and Water Conservation District which shall be approved by the borough mayor, and which shall provide for reasonable use and development of the grazing lease property and shall be attached and incorporated by reference to the grazing lease.
2. The mayor shall determine the survey status of each lease and may, in the best interests of the borough, either conduct, or require the lessee to conduct; a survey if reasonably necessary to establish boundaries;
3. Pursuant to KPB 17.10.100(I) authorizing negotiated leases, the mayor shall charge an annual fee for the lease based either upon animal unit months or other recognized industry standards, or an appraisal done either by the assessing department or by a fee appraiser to determine the current fair market value of the lease, with rate adjustments to be made every five years based upon reappraisals or other relevant information; and

WHEREAS, the two-year period was extended for one year, to July 11, 2004, by the assembly in Ordinance 2003-26; and

WHEREAS, the administration has completed tasks 2 and 3 above, and has been working to complete task 1, but has been unable to successfully do so prior to the July 11, 2004 deadline; and

WHEREAS, the borough administration requires additional time to continue to work with the Lessees to complete the above-described development plans and enter mutually acceptable grazing leases; and

WHEREAS, all outstanding issues are expected to be resolved at the latest within the next six months; and

WHEREAS, the Kenai Peninsula Borough Planning Commission at its June 14, 2004 regular meeting recommended enactment by majority vote;

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

SECTION 1. The two-year deadline in Section 2 of Ordinance 2001-16, which was extended for one year in ordinance 2003-26, is hereby extended for six additional months, until January 11, 2005.

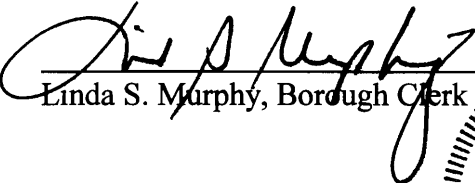
SECTION 2. This ordinance will take effect immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 6TH DAY OF JULY, 2004.



Pete Sprague, Assembly President

ATTEST:



Linda S. Murphy, Borough Clerk

