

Introduced by:	Mayor
Date:	03/11/08
Shortened Hearing:	04/01/08
Action:	Enacted as Amended
Vote:	9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH  
ORDINANCE 2008-07**

**AN ORDINANCE AUTHORIZING THE NEGOTIATED LEASE OF OFFICE SPACE  
AT THE FORMER NIKISKI ELEMENTARY SCHOOL BUILDING**

- WHEREAS,** Nikiski Elementary School building was vacated by Kenai Peninsula Borough School District and approximately one-half of the building now stands vacant; and
- WHEREAS,** the Land Management Division has been assigned the management of this surplus facility; and
- WHEREAS,** a facility management report was prepared in 2007 for the former Nikiski Elementary School building which identified space leases as a management alternative; and
- WHEREAS,** Lockheed Martin is in need of temporary office space to implement a federal program; and
- WHEREAS,** Lockheed Martin and the borough administration have identified mutually agreeable terms for entering an office space rental agreement; and
- WHEREAS,** KPB 17.10 does not contemplate office space leases or other similar arrangements and therefore is substantially inapplicable to this matter; and
- WHEREAS,** the KPB Planning Commission at its regularly scheduled meeting of March 24, 2008 recommended enactment by unanimous consent;

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

- SECTION 1.** That the Assembly finds that leasing office space to Lockheed Martin pursuant to KPB 17.10.100(I) is in the best interest of the borough.
- SECTION 2.** That the provisions of KPB 17.10.080-.090 and .110-.240 governing classification disposition and leasing of borough lands, shall not apply to this lease of office space.

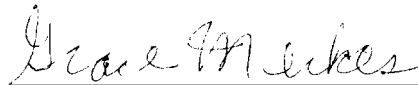
**SECTION 3.** Based on the foregoing, the mayor is hereby authorized pursuant to KPB 17.10.100 (I) to lease one classroom with common use of one bathroom and parking to Lockheed Martin for an initial term of 7 months, with month-to-month extension thereafter, at monthly rental of \$1,500. The authorization is for lease solely to Lockheed Martin, and it may not assign any rights to negotiate or enter an agreement for lease to any other person or entity. Once entered, the lease may be assigned or subleased pursuant to the terms of the lease agreement.

**SECTION 4.** The mayor is authorized to sign any documents necessary to effectuate this ordinance.

**SECTION 5.** Lockheed Martin shall have 180 days from the time of enactment of this ordinance to execute the lease document.

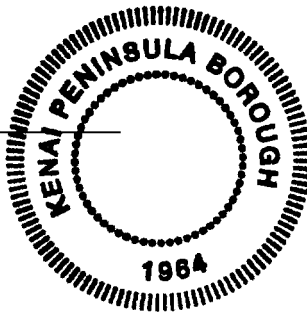
**SECTION 6.** That this ordinance shall take effect immediately upon its enactment.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 1ST DAY OF APRIL, 2008.**

  
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Grace Merkes, Assembly President

ATTEST:

  
\_\_\_\_\_  
Sherry Biggs, Borough Clerk



Yes: Fischer, Gilman, Knopp, Long, Martin, Smith, Sprague, Superman, Merkes  
No: None  
Absent: None