



KENAI PENINSULA BOROUGH

PLANNING DEPARTMENT

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**JOHN J. WILLIAMS
BOROUGH MAYOR**

MEMORANDUM

TO: Grace Merkes, Assembly President
Kenai Peninsula Borough Assembly Members

THRU: John J. Williams, Borough Mayor *J.J./JW*

FROM: *MB* Max J. Best, Planning Director

DATE: August 29, 2008

SUBJECT: Ordinance 2008-26; authorizing conveyance of 0.49 acres more or less to the City of Homer

The Planning Commission reviewed the subject ordinance during their regularly scheduled August 25, 2008 meeting. A motion to recommend adoption of the ordinance passed by unanimous consent.

Draft, unapproved minutes of the subject portion of the meeting are attached.

AGENDA ITEM F. PUBLIC HEARINGS

Chairman Bryson read the rules by which public testimony was taken.

- 1. Ordinance 2008-26; authorizing conveyance of 0.49 acres more or less to the City of Homer

Memorandum reviewed by Max Best

PC Meeting: 8/25/08

KPB Tax Parcel No. 179-080-50 was obtained by the borough through tax foreclosure proceedings pursuant to AS 29.45.290 et seq. for delinquent payment of taxes and retained for public purpose by Ordinance 2007-21. The City of Homer Public Works Department is in Phase II of the Kachemak Drive Water and Sewer Project and requires use of the property for water and sewer improvements.

The Land Trust Fund paid \$386.83 to the Borough General Fund for unpaid taxes and interest on this parcel upon enactment of Ordinance 2007-21 and pursuant to KPB 17.10.100 (l) Land Management proposes to convey by quitclaim deed said parcel to the City of Homer for \$386.83.

The Borough Assembly requested the Planning Commission's recommendation on Ordinance 2008-26 for the sale of .49 acres along Kachemak Drive to the City of Homer.

END OF MEMORANDUM

Chairman Bryson opened the meeting for public comment. Seeing and hearing no one wishing to speak, Chairman Bryson closed the public comment period and opened discussion among the Commission.

Chairman Bryson asked if Mr. Mueller had comments. Mr. Mueller stated he was available to answer questions.

MOTION: Commissioner Foster moved, seconded by Commissioner Gross to recommend adoption of Kenai Peninsula Borough Ordinance 2008-26.

VOTE: The motion passed by unanimous consent.

BRYSON YES	CARLUCCIO YES	COLLINS ABSENT	FOSTER YES	GROSS YES	ISHAM YES	JOHNSON YES
LOCKWOOD YES	MARTIN YES	MCCLURE YES	MURPHY YES	PETERSEN YES	TAURIAINEN YES	12 YES 1 ABSENT

AGENDA ITEM F. PUBLIC HEARINGS

- 2. Ordinance 2008-19-17 Authorizing the Acquisition of Certain Real Property at Mile 26.5 Kenai Spur Highway for Nikiski Fire Station No. 2

Memorandum reviewed by Marcus Mueller

PC Meeting: 8/25/08

Nikiski Fire Station No. 2 is an aged facility in deterioration on leased land and cannot continue to meet the needs of the Nikiski Fire Service Area. The Nikiski Fire Service Area and Capital Projects has determined that construction of a new fire station is the proper way to address Nikiski Fire Service Area needs. A state grant was awarded under Senate Bill 221 and accepted by the borough by Ordinance 2008-19-01 for the development of a new fire station site.

A suitable piece of property containing 10.61 acres has been identified for which we have an accepted offer subject to Assembly approval and appropriation of funds. Nikiski Fire Station wanted the whole 10.61 acres so that they could use the property for training as well as the fire station.

The property available is larger than what is required by Nikiski Fire leaving a useable remainder. This proposed acquisition would use Land Trust funds, to be reimbursed by Nikiski Fire Service Area on a value basis upon