

Introduced by: Mayor  
Date: 03/03/09  
Hearing: 04/07/09  
Action: Enacted as Amended  
Vote: 8 Yes, 0 No, 1 Absent

**KENAI PENINSULA BOROUGH  
ORDINANCE 2008-19-43**

**AN ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN REAL  
PROPERTY AT THE CORNER OF KALIFORNSKY BEACH ROAD AND  
CIECHANSKI DRIVE FOR A CENTRAL EMERGENCY SERVICES FILL SITE, A  
FUTURE FIRE STATION, AND OTHER GOVERNMENT PURPOSES, AND  
APPROPRIATING FUNDS FOR THE ACQUISITION**

- WHEREAS,** Central Emergency Services ("CES") has developed an Insurance Services Office ("ISO") plan to achieve optimal fire response capabilities within the service area; and
- WHEREAS,** the Land Management Division has conducted an analysis of existing CES locations and has identified optimal locations for future CES locations; and
- WHEREAS,** CES is planning for the development of a high volume fill site in the Ciechanski area to serve the area between existing stations; and
- WHEREAS,** a 30.3 acre parcel of land has been identified for CES that would additionally allow the borough to dedicate alternative egress to enhance the safety of residents in the Willowbrook Subdivision and would enhance the borough's land holdings to meet future borough needs and to support the growth of the K-Beach area; and
- WHEREAS,** a purchase agreement has been negotiated with the property owner at the fair market value of \$525,000 and closing costs not to exceed \$2,500; and
- WHEREAS,** the property will be purchased jointly with the Land Trust Fund purchasing 26± acres at a cost not to exceed \$405,000 plus a maximum of \$2,500 for closing costs and CES purchasing 4 acres at a cost not to exceed \$120,000; and
- WHEREAS,** \$120,000 was previously appropriated for the purchase of land in the Ciechanski area for CES as part of the FY2009 Budget; and
- WHEREAS,** the Central Emergency Service Area Board at its meeting of February 19, 2009 recommended purchase of the identified property; and
- WHEREAS,** the KPB Planning Commission at its regularly scheduled meeting of March 23, 2009 recommended enactment by unanimous consent.

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

**SECTION 1.** That the purchase of the following described real property is in the best interests of the borough:

That Portion of the SW1/4 NW1/4 Section 23, T5N, R11W, Seward Meridian, Alaska, LYING North of the Kalifornsky Beach Road and North of Ciechanski Road Right-of-ways, containing 30.3 acres more or less (KPB Assessor Parcel No. 055-031-53)

**SECTION 2.** That the terms and conditions substantially in the form of the Purchase Agreement accompanying this ordinance are hereby approved. The purchase price shall be \$525,000 and each party shall pay one-half of the closing costs except that the borough shall not pay more than \$2,500.

**SECTION 3.** That this acquisition is for the purpose of supporting the development of a high volume fill site and future fire station within the Central Emergency Service Area for dedicating alternative egress to improve safety of adjacent residences, to enhance the borough's land holdings to meet future borough needs, and to support the growth of the K-Beach Area.

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

**SECTION 5.** That the mayor is authorized to execute any and all documents necessary to purchase the real property described in Section 1 in accordance with the terms and conditions contained in this ordinance and the accompanying Purchase Agreement and consistent with applicable provisions of KPB Chapter 17.10.

**SECTION 6.** That \$407,500 is appropriated from the Land Trust Fund, fund balance, to account 250.21210.00000.48610 for expenditures associated with this acquisition.

**SECTION 7.** That the balance of the acquisition costs, being up to \$120,000, shall be charged to Central Emergency Service Are Capital Project Account No. 443.51611.09468.48610 as previously appropriated.

**SECTION 8.** That this ordinance shall take effect immediately upon its enactment.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 7TH DAY OF APRIL, 2009.**

  
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Milli Martin, Assembly President

ATTEST:

  
\_\_\_\_\_  
John Blankenship, Borough Clerk



Yes: Fischer, Long, Pierce, Smalley, Smith, Sprague, Superman, Martin  
No: None  
Absent: Knopp