



## **KENAI PENINSULA BOROUGH**

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**DAVID R. CAREY**  
**BOROUGH MAYOR**

### **MEMORANDUM**

**TO:** Pete Sprague, Assembly President  
Kenai Peninsula Borough Assembly Members

**THRU:** *Max Best* David R. Carey, Mayor  
Max Best, Planning Director *Max Best*

**FROM:** *Max Best* Marcus A. Mueller, Land Management Officer

**DATE:** February 16, 2010

**SUBJECT:** Proposed Substitute Ordinance 2010-01 to provide an alternative approach to providing land for a Soldotna cemetery

From the February 2<sup>nd</sup> assembly meeting it is clear that there is broad support from the borough to make land available to the City of Soldotna for its long sought cemetery at the West Redoubt location; however identifying the approach to a land conveyance best suited to meet the borough's interest has been slightly more elusive. The assembly has had excellent discussions and assembly members have offered a variety of proposals, each with good reasoning, however consensus is difficult to reach on such principled issues.

A number of core principles seem to stand out in conflict under the original ordinance and therefore a substitute ordinance has been crafted offering an alternative approach to the land conveyance in keeping with the range of proposals so far considered. This substitute ordinance is intended to promote the objectives of the borough in assisting the City with an important public purpose and at the same time promoting proper stewardship of a land asset belonging to all the people of the borough. Your consideration of this substitute is welcomed.

The substitute ordinance would provide for the following:

- Convey 5 acres to the City for \$1.00 immediately
- Provide access from West Redoubt Avenue
- Require the City to deed restrict that portion of Crystalline Sub that it will commit to cemetery purpose
- Provide the City with an Option to Purchase the remaining portion of the 10-acres at a reduced price
- Provide a Right of First Refusal as a mechanism to allow the city and borough the benefit of time to evaluate how the remaining acreage should best be used

If the assembly decides to move this substitute, then we would request postponement to March 2, 2010 so that documents can be presented and attached to the Ordinance.