

Introduced by: Mayor
Date: 12/14/99
Action: Postponed until 01/18/00
Action: Adopted
Vote: 9 Yes, 0 No

**KENAI PENINSULA BOROUGH
RESOLUTION 99-090**

**A RESOLUTION AUTHORIZING THE TRANSFER OF RESPONSIBILITY FOR
MANAGEMENT AND OPERATION OF THE KENAI ELEMENTARY BUILDING TO
THE SCHOOL DISTRICT**

WHEREAS, at its meeting of March 15, 1999, the Kenai Peninsula Borough School Board concluded that the Kenai Elementary building was a surplus facility, and recommended that it be transferred to the borough with stipulations that the Kenai Alternative School be permitted full and continued access to the facility and that, should the facility be rehabilitated to a level commensurate to school children occupancy standards, consideration be given to providing Aurora Borealis Charter School space within Kenai Elementary; and

WHEREAS, on June 4, 1999, a Memorandum of Agreement was entered by and between John K. Dahlgren, Superintendent of the Kenai Peninsula Borough School District, and Mike Navarre, Borough Mayor, in which it was agreed that the facility called the Kenai Elementary building would be transferred to the borough as recommended by the school board; and

WHEREAS, in Ordinance 99-35, the Kenai Peninsula Borough Assembly appropriated the sum of One Million One Hundred Eight Thousand Dollars to be used for capital improvement projects in the Kenai Elementary Building, which improvements have since been sufficiently completed to allow occupancy; and

WHEREAS, it is anticipated that roughly equivalent portions of the building will be occupied by the Kenai Alternative School, Aurora Borealis Charter School and the Boys and Girls Club of Kenai, which means it will be used primarily for school purposes and therefore is no longer surplus to school district needs, and should be managed by the school district as a school facility; and

WHEREAS, if the Borough were to continue operating and managing this facility, some method for recovering costs from the school district and the charter school would need to be established; and

WHEREAS, the Borough does not maintain operational control over any other building occupied and used by the School District; and

WHEREAS, the Boys and Girls Club performs a vital service to the community by providing many athletic and educational services to school children during times when they are not in attendance at the public schools and the Assembly strongly supports the continued use of this facility by the Boys and Girls Club, to the extent financially feasible by the school district; and

WHEREAS, and at its meeting of December 6, 1999, the Kenai Peninsula Borough School Board recommended that responsibility for management and operation of the facility be returned to the Kenai Peninsula Borough School District as it will be used primarily for school district programs;

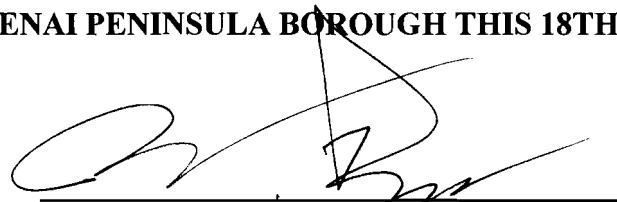
NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. That responsibility for management and operation of the facility known as the Kenai Elementary Building ("Building") be transferred back to the Kenai Peninsula Borough School District, provided that the school district shall give primary consideration to providing adequate space within the Building to the Kenai Alternative School, Aurora Borealis Charter School, and the Boys & Girls Club, upon such terms and conditions as are acceptable to the district and in accordance with applicable law.

SECTION 2. The mayor is authorized to execute any and all documents necessary to effectuate this resolution.

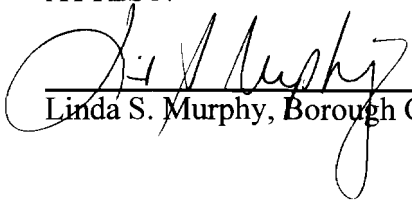
SECTION 3. That this resolution shall take effect immediately upon its enactment.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 18TH DAY OF JANUARY, 2000.



William R. Popp, Assembly President

ATTEST:



Linda S. Murphy, Borough Clerk

