

Introduced by: Superman  
Date: 02/15/05  
Action: Adopted  
Vote: 7 Yes, 0 No, 2 Absent

**KENAI PENINSULA BOROUGH  
RESOLUTION 2005-016**

**A RESOLUTION AUTHORIZING OCCUPANCY OF CERTAIN PORTIONS OF THE  
FORMER NIKISKI ELEMENTARY SCHOOL BUILDING BY THE NORTH  
PENINSULA RECREATION SERVICE AREA**

**WHEREAS,** in Resolution 2004-005, the assembly transferred the Nikiski Elementary School building to the borough and granted management authority of that facility to the North Peninsula Recreation Service Area (“NPRSA”) subject to the NPRSA board and assembly approval of the facility design and appropriation of service area funds as may be necessary to complete the design and construction of necessary renovations for the facility; and

**WHEREAS,** NPRSA subsequently determined that the proposed cost for upgrading the entire facility to comply with sprinkler system requirements and the Americans with Disabilities Act would cost in excess of \$1 million and accordingly has not assumed management authority of the facility; and

**WHEREAS,** in consultation with the fire marshal, the borough has determined that portions of the facility could be used by the NPRSA for a total estimated construction cost of less than \$77,000 for installing fire doors, two new exit doors, a new concrete landing for those exit doors off of the former library, and some associated minor construction; and

**WHEREAS,** with the exception of the gymnasium, the facility is currently not used, but the borough is incurring the expense of maintaining the empty building, which includes annual insurance premiums of approximately \$28,837, routine maintenance, and annual utilities of approximately \$37,150; and

**WHEREAS,** the NPRSA board has expressed an interest in continuing to use the gymnasium for various athletic functions, the room formerly known as the kindergarten room for arts, crafts, and summer camp programs, and the room formerly used for the library as a teen recreation center, with it also being available for occasional community meetings when not in use for the teen center; and

**WHEREAS,** authorizing NPRSA to occupy these portions of the facility would provide a benefit to the borough by offsetting some of the costs associated with managing the facility as well as additional security by virtue of the service area’s presence on the property;

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

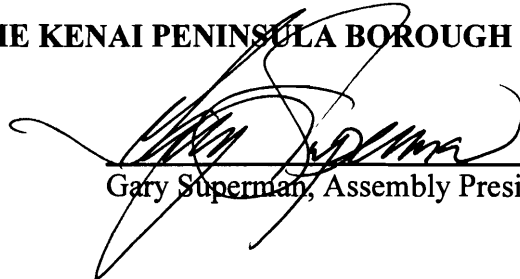
**SECTION 1.** That the mayor is authorized to negotiate a use and occupancy agreement in which the North Peninsula Recreation Service Area is authorized to occupy the former gymnasium area, the former kindergarten room and associated bathroom facilities, and the former library room of the Nikiski Elementary School building.

**SECTION 2.** North Peninsula Recreation Service Area shall be required at a minimum to pay premiums associated with necessary insurance coverage for the square footage it occupies in that facility, routine maintenance of those areas, snow removal from entry ways used by NPRSA, and increased utility costs associated with NPRSA's occupancy above the utility costs already incurred for the unoccupied building.

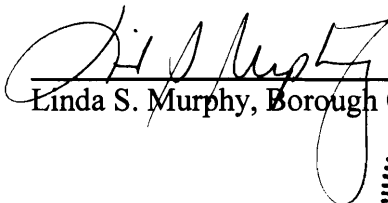
**SECTION 3.** NPRSA is authorized to proceed with acquiring and installing the necessary fire doors, exit doors, and other minor construction required by the fire marshal for such occupancy in accordance with the purchasing procedures in the borough code, subject to the appropriation and availability of sufficient funds.

**SECTION 4.** That this resolution takes effect immediately upon its adoption.

**ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 15TH DAY OF FEBRUARY 2005.**

  
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Gary Superman, Assembly President

ATTEST:

  
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Linda S. Murphy, Borough Clerk

