

Introduced by: Mayor  
Date: 11/21/00  
Shortened Hearing: 12/12/00  
Action: Enacted as Amended  
Vote: 7 Yes, 2 Absent

**KENAI PENINSULA BOROUGH  
ORDINANCE 2000-59**

**AN ORDINANCE AUTHORIZING THE BOROUGH TO NEGOTIATE AN  
AGREEMENT WITH THE STATE TO OPERATE A PRISON FACILITY, AND TO  
PUBLICLY SOLICIT BIDS OR PROPOSALS FOR THE LAND, DESIGN,  
CONSTRUCTION, AND OPERATION OF AN 800 TO 1,000 BED PRISON FACILITY,  
TO BE FINANCED WITH MUNICIPAL REVENUE BONDS**

**WHEREAS,** the borough assembly passed Resolution 2000-075 in support of establishing a private prison within the Kenai Peninsula Borough; and

**WHEREAS,** the best interests of the borough would be served by soliciting competitive bids or proposals for the land, design, construction and operation of a prison facility as more than one entity is capable of providing these services for the borough; and

**WHEREAS,** the construction of this facility would be financed by the borough through revenue bonds to be repaid out of the funds paid by the state to the borough for operating this prison facility; and

**WHEREAS,** it is estimated that the operation of this prison would provide between 250 and 300 new permanent, full-time jobs on the peninsula which would offer tremendous economic benefits to Kenai Peninsula residents; and

**WHEREAS,** because the facility will be funded with an external source of revenue and due to the short time remaining before the legislative session begins, the best interests of the borough would be served by waiving the voter approval requirement in KPB 5.04.110;

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

**SECTION 1.** That the mayor is authorized to solicit competitive bids or proposals including requests for qualifications for the use, lease or purchase of land, the design, construction and operation of an 800 to 1,000 bed prison facility. Except as otherwise may be authorized by assembly resolution, the agreement will only become effective after the borough enters into the necessary agreements with the State of Alaska and after the funding source, which is expected to be revenue bonds, has been approved by the assembly. The agreement with the winning bidder or proposer must be approved by the assembly by resolution before it may take effect.

**SECTION 2.** That the mayor is authorized to negotiate an intergovernmental agreement with the State of Alaska for the operation of a medium security correctional facility capable of housing 800 to 1,000 beds, provided that the assembly must first approve any such final agreement by resolution.

**SECTION 3.** That notwithstanding the provisions of KPB 5.04.110, voter approval of this capital improvement project is not required.

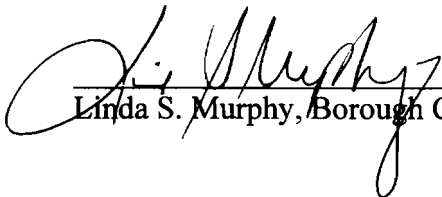
**SECTION 4.** That notwithstanding the provisions of KPB 19.30.020-070, the assembly finds that to the extent this project is an exercise of economic development authority, the procedures contained in KPB 19.30.020-070 shall not apply to this project.

**SECTION 5.** That this ordinance shall take effect immediately upon its enactment.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 12TH DAY OF DECEMBER, 2000.**

  
Timothy Navarre, Assembly President

ATTEST:

  
Linda S. Murphy, Borough Clerk

