



## **KENAI PENINSULA BOROUGH**

PLANNING DEPARTMENT

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

### **M E M O R A N D U M**

**TO:** Gary Knopp, Assembly President  
Kenai Peninsula Borough Assembly Members

**THRU:** David R. Carey, Borough Mayor *DR Carey*

**FROM:** *MJB* Max J. Best, Planning Director

**DATE:** June 28, 2011

**SUBJECT:** Ordinance 2011-21; Authorizing a Negotiated Sale at Fair Market Value of Lands Described as the NE1/4 NE1/4 and the E1/2 SE1/4 NE1/4 of Section 36, Township 6 North, Range 11 West, S.M. Alaska Containing 60 Acres More or Less to the City of Kenai

The Planning Commission reviewed the subject ordinance during their regularly scheduled June 27, 2011 meeting. A motion passed by unanimous consent to recommend enactment of the ordinance.

In the ordinance, please make the following amendment to the last WHEREAS:

*WHEREAS, the KPB Planning Commission at its regularly scheduled meeting of June 27, 2011, recommended enactment of the ordinance by unanimous consent.*

Attached are the unapproved minutes of the subject portion of the meeting.

AGENDA ITEM F. PUBLIC HEARINGS

- 6. Ordinance 2011-21; Authorizing a Negotiated Sale at Fair Market Value of Lands Described as the NE1/4 NE1/4 and the E1/2 SE1/4 NE1/4 of Section 36, Township 6 North, Range 11 West, S.M. Alaska Containing 60 Acres More or Less to the City of Kenai

Memorandum reviewed by Max Best

PC Meeting: 6/27/11

The Kenai Peninsula Borough owns 60 acres north and east of Twin City's Raceway. It is estimated that all but 1 acre are considered wetlands thus limiting the usefulness of this property. The City Manager for the City of Kenai has submitted application to process a negotiated sale under KPB 17.10.100 (E).

The proposed negotiated sale will afford the city a wellhead protection zone for an existing high value water well and expansion for additional wells. It will be necessary to subdivide the parcel prior to conveyance.

This ordinance would authorize the mayor to convey 60 acres to the City of Kenai for \$24,700 which is the fair market value of the property. As the purchase agreement is under review and possible negotiations, it will be provided to the assembly on or before the hearing date.

END OF MEMORANDUM

Vice Chairman Martin opened the meeting for public comment. Seeing and hearing no one else wishing to speak, Vice Chairman Martin closed the public comment period and opened discussion among the Commission.

**MOTION:** Commissioner Holsten moved, seconded by Commissioner Ruffner to recommend enactment of Ordinance 2011-21, Authorizing a Negotiated Sale at Fair Market Value of Lands Described as the NE1/4 NE1/4 and the E1/2 SE1/4 NE1/4 of Section 36, Township 6 North, Range 11 West, S.M. Alaska Containing 60 Acres More or Less to the City of Kenai.

**VOTE:** The motion passed by unanimous consent.

BRYSON ABSENT	CARLUCCIO YES	COLLINS YES	ECKLUND ABSENT	FOSTER ABSENT	GROSS YES	HOLSTEN YES
ISHAM YES	LOCKWOOD ABSENT	MARTIN YES	PARKER YES	RUFFNER YES	TAURIAINEN YES	9 YES 4 ABSENT

AGENDA ITEM F. PUBLIC HEARINGS

- 7. Resolution 2011-\_\_\_; Resolution to classify certain Borough parcels located in the North Kenai and Cooper Landing Areas, Pursuant to KPB Code of Ordinances, Chapter 17.10.080

Staff Report reviewed by Dan Conetta

PC Meeting: 6/27/11

**Basis for Classifications:** Borough land must be classified prior to disposal pursuant to KPB Code of Ordinances, Chapter 17.10.080. Classification provides guidance for the management of borough lands. Parcels appropriate for disposal can be considered for a negotiated purchase, exchange or for the borough's annual land sale.

**Description of Borough Parcels and Proposed Classifications:**

**Public Notice:** Public notice was published in the Peninsula Clarion Newspaper, May 15 and 22, 2011. Notice was sent by regular mail to all owners and/or leaseholders of record within one-half mile of the land proposed for classification. The notice consists of a cover letter, map, and list of land classification definitions. Public comments were requested to be returned by 5:00 p.m., May 31 2011.