

Kenai Peninsula Borough  
Planning Department – Land Management Division

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**MEMORANDUM**

**TO:** Brent Hibbert, Assembly President  
Members, Kenai Peninsula Borough Assembly

**THRU:** Charlie Pierce, Mayor *CP*

**FROM:** Marcus Mueller, Land Management Officer *mm*  
Patty Burley, Deputy Borough Attorney *PB*

**DATE:** January 21, 2021

**RE:** Ordinance 2021-05, Authorizing the Negotiated Lease of Office Space at the Western Emergency Service Area Fire Department, Ninilchik Station (Mayor)

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As a part of the transition to the Western Emergency Service Area, the Borough will take over the Ninilchik Fire Department, to be rebranded the Western Emergency Service Area Fire Department, Ninilchik Station. This will occur upon completion of the Purchase Agreement pursuant to Ordinance 2020-31.

Within the building is a 192 square foot office which has traditionally been utilized by Ninilchik Emergency Services (NES) for their operational and ambulance billing needs. Billing generated prior to the Borough's assumption of services typically takes up to a year to conclude.

NES has operated the fire station for a number of years and was responsible for securing funding to have the building erected, for obtaining much of the equipment in the building, and for much of the improvements to the fire department throughout the years. Having a home base while they wrap up the billing and reorganization of NES will be very important. The Borough has no immediate use for the space.

A short term lease has been negotiated which would extend through August 31, 2022. Because the space is de-minimus and in recognition of the contributions by NES to the Ninilchik community, the proposed lease rate is equal to the purchase price for the assets purchased from NES.

Borough code does not specifically address the leasing of building space. Several of the requirements of KPB 17.10 for the leasing of land are not applicable to the leasing of building space. While KPB 17.10.100(l) authorizes this negotiated lease, the ordinance provides that other provisions of KPB 17.10 including land classification, notice of disposition, lease types, lease terms and conditions, and general conditions are not required.

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The attached ordinance would authorize the mayor to lease the office space at the Western Emergency Service Area Ninilchik Fire Station for a limited period of time not subject to extension.

Your consideration is appreciated.