



KENAI PENINSULA BOROUGH

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DALE BAGLEY
MAYOR

MEMORANDUM

TO: Gary Superman, Assembly President
Kenai Peninsula Borough Assembly Members

THRU: *DLB* Dale L. Bagley, Borough Mayor

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

DATE: August 10, 2005

SUBJECT: Ordinance 2005-33; Authorizing the Tsalteshi Trails Association lease to be amended to add additional land adjacent to Skyview High School to develop new trails and address retention of facility improvements.

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Committee Lands
Agenda Item N.10

The Planning Commission reviewed the subject Ordinance during their regularly scheduled August 8, 2005 meeting. A motion to recommend adoption of Ordinance 2005-33 passed by unanimous consent.

Draft, unapproved minutes of the subject portion of the meeting are attached.

AGENDA ITEM F. PUBLIC HEARINGS

- 4. Ordinance 2005-33; Authorizing the Tsalteshi Trails Association lease to be amended to add additional land adjacent to Skyview High School to develop new trails and address retention of facility improvements.

Staff Report read by Paul Ostrander

PC Meeting: 8/8/05

The Tsalteshi Trails Association (TTA) manages the Tsalteshi Trail System located adjacent to the Skyview High School pursuant to a lease authorized by KPB Assembly Ordinance 99-19. TTA desires to expand the trail system on land that is not described in Ordinance 99-19. The trail expansion will be incorporated into the existing trails and will be utilized during the 2006 Arctic Winter Games. The land proposed for addition to the TTA lease is shown on Attachment A.

The Kenai Peninsula Borough (KPB) has received a U.S. Department of Housing and Urban Development grant that provides in part for improved signage to better mark trails and providing lighting. The KPB has entered into a contract with TTA for construction of trail lighting and signs for the Tsalteshi Trails adjacent to Skyview High School. This ordinance will authorize the administration to amend the TTA lease to specify that the trail lighting and signs are part of the real property and remain in place at termination of the lease.

Additionally, this ordinance clarifies that pursuant to the Tsalteshi Trails Association Maintenance, Management and Development Plan for 1999-2009 Trail Lease Application and the Kenai Peninsula Borough Real Property Lease with the Tsalteshi Trail Association, the Tsalteshi Trail Association will be solely responsible for all maintenance and utility costs associated with improvements placed on the property.

This ordinance does three things:

- 1. It expands the lease so that TTA can build one additional trail.
- 2. It allows the Borough to retain improvements on the property if the lease is terminated for any reason.
- 3. It clarifies that TTA is responsible for all maintenance and utility costs associated with the improvements that are placed on the property.

END OF STAFF REPORT

Chairman Bryson opened the meeting for public comment. Seeing and hearing no one wishing to comment, Chairman Bryson closed the public hearing and opened discussion among the Committee.

MOTION: Commissioner Hutchinson moved, seconded by Commissioner Gross to recommend adoption of Kenai Peninsula Borough Ordinance 2005-33.

Chairman Bryson asked if the 10-acre tract would have structures other than trails. Mr. Ostrander stated there are no structures proposed for the lease addition. There is just one additional ski loop that will be constructed.

Chairman Bryson stated the portion of the Skyview school property is level ground. He asked what the nature of the terrain was to the west. Mr. Ostrander stated that it is primarily wetlands. There is a small pond that is surrounded by wetlands. On the perimeter of that parcel is upland ground in which they will be able to construct a trail.

Commissioner Hohl commented that it is interesting that the School District and Borough supplies basketball courts, baseball diamonds, football fields, etc. but they go to the private parties to supply the cross country running and ski trails.

VOTE: The motion passed by unanimous consent.

BRYSON YES	CLARK YES	FOSTER YES	GROSS YES	HEIMBUCH YES	HOHL YES	HUTCHINSON YES
ISHAM YES	JOHNSON ABSENT	MARTIN YES	MASSION YES	PETERSEN YES	TAURIAINEN ABSENT	11 YES 2 ABSENT

AGENDA ITEM F. PUBLIC HEARINGS

- 5. Ordinance 2005-36; An Ordinance authorizing the negotiated sale at fair market value of Tract B, ASLA 2003-6,