

Introduced by: Carpenter
Date: 07/06/21
Action: Adopted as Amended
Vote: 8 Yes, 0 No, 1 Absent

**KENAI PENINSULA BOROUGH
RESOLUTION 2021-053**

**A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CERTIFICATE OF
APPROVAL FOR THE COOPER LANDING VOLUNTEER AMBULANCE, INC.
PURCHASE OF A PUMPER TRUCK**

WHEREAS, Cooper Landing Emergency Services, Inc. (“CLES”) is a nonprofit corporation that contracts with the borough on behalf of the Eastern Peninsula Highway Emergency Service Area to provide emergency response services in the service area; and

WHEREAS, CLES has determined it needs to purchase an F-550 Quick Attack Pumper truck to support its efforts to provide basic life support services in the borough which ; and

WHEREAS, CLES is taking steps to qualify for tax-exempt financing for this purchase under the rules established by the Internal Revenue Code (“IRC”), recognizing that proceeds of the financing may only be used for limited purposes, one of which is to purchase a fire truck; and

WHEREAS, the IRC also requires that the issuance of tax-exempt financing must be approved by the applicable elected representative of a governmental unit in which it is located after a public hearing; and

WHEREAS, the Borough Mayor, upon authorization of the Borough Assembly, may satisfy this IRC requirement by signing a Certificate of Approval of this purchase by CLES; and

WHEREAS, the best interests of the borough would be served by supporting the efforts by CLES to obtain a pumper truck;

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

SECTION 1. That the Kenai Peninsula Borough Assembly supports the efforts of CLES to purchase a pumper truck and authorizes the Borough Mayor to execute the Certificate of Approval accompanying this resolution.

SECTION 2. This resolution shall become effective immediately upon adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 6TH DAY OF JULY, 2021.

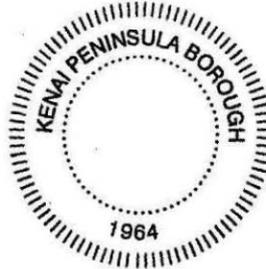


Brent Hibbert, Assembly President

ATTEST:



Jonni Blankenship, MMC, Borough Clerk



Yes: Bjorkman, Carpenter, Chesley, Derkevorkian, Dunne, Elam, Johnson, Hibbert
No: None
Absent: Cox

CERTIFICATE OF APPROVAL

Cooper Landing Volunteer Ambulance Inc., also known as Cooper Landing Emergency Services, Inc. by the State of Alaska, ("Nonprofit Entity"), a nonprofit corporation organized and existing under the laws of the State of Alaska, has requested the Kenai Peninsula Borough, Alaska ("Borough"), a second class borough organized and existing under the laws of the State of Alaska, to certify its approval of the purchase of one (1) Stonewall Ford F-550 Quick Attack Pumper ("Apparatus"). This is in connection with Nonprofit Entity's efforts of providing firefighting and basic life support services within the Borough. The Apparatus will be garaged and located at the firehouse of the Cooper Landing Emergency Services, Inc. at 38748 Snug Harbor Road, Cooper Landing, Alaska 99572.

In support of the Nonprofit Entity's mission, it received a letter from the Internal Revenue Service, dated December 27, 2018, which recognizes Cooper Landing Volunteer Ambulance, Inc. as tax-exempt under the Internal Revenue Code, Section 501(c)(3).

The Nonprofit Entity is the expected initial legal owner or principal user of the Apparatus. It entered into a contract for the purchase of the Apparatus ("Contract") for \$198,000. After the Nonprofit Entity's down payment of \$29,700, the maximum principal amount of the financing arrangement is \$168,300. Pursuant to the terms of the Contract, this Certificate of Approval was requested.

This approval is given following a public hearing held at 5:30pm June 15, 2021 at Nonprofit Entity's firehouse at 38748 Snug Harbor Road, Cooper Landing, Alaska 99572, which was designated in the public notice and is solely for the purpose of satisfying the requirements of Section 147(f) of the code.

The Borough supports the Nonprofit Entity's securing use of the Apparatus in furtherance of its continuing mission of providing firefighting and basic life support services within the Borough. The Borough's support or approval of the purchase and use of the Apparatus does not in any way cause involvement by, or obligate, the Borough (financial or otherwise) in the business of the Nonprofit Entity or any other entity involved in purchasing or financing the Apparatus. **THIS IS A SPECIAL OBLIGATION OF THE NONPROFIT ENTITY, NOT THE BOROUGH. THIS APPROVAL DOES NOT IN ANY WAY CONSTITUTE ANY FINANCIAL INVOLVEMENT OR OBLIGATION OF THE BOROUGH IN THE FINANCING OF THIS PURCHASE. THE PRINCIPAL AND INTEREST ON THIS OBLIGATION ARE PAYABLE SOLELY FROM THE AMOUNTS PAYABLE BY THE NONPROFIT ENTITY UNDER ITS LOAN AGREEMENT WITH A NON-BOROUGH ENTITY.**

IN WITNESS WHEREOF, I have executed this certificate on this ___ day of July, 2021.

Charlie Pierce
Mayor
Kenai Peninsula Borough

Certificate of Approval
Cooper Landing Volunteer Ambulance, Inc.