

Introduced by: Mayor
Date: 03/07/17
Action: Adopted
Vote: 9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH
RESOLUTION 2017-022**

**A RESOLUTION AUTHORIZING THE ADMINISTRATION TO GIVE NOTICE OF
TERMINATION OF THE LEASE AND OPERATING AGREEMENT WITH CENTRAL
PENINSULA GENERAL HOSPITAL, INC. TO AVOID AN AUTOMATIC 10-YEAR
EXTENSION OF THE AGREEMENT**

WHEREAS, in Ordinance 2007-14 the assembly authorized the mayor to execute a Lease and Operating Agreement (“Agreement”) with Central Peninsula General Hospital, Inc. (“CPGH, Inc.”) for Central Peninsula Hospital and other medical facilities which expires on December 31, 2017; and

WHEREAS, paragraph 4 of the Agreement, as amended pursuant to Resolution 2016-054, provides that if no notice of termination has been given or agreement to extend has been signed before March 31, 2017, then a 10-year extension of the agreement shall be deemed to have been agreed upon; and

WHEREAS, the CPGH, Inc. administration and the borough administration are in the process of negotiating revisions to the Agreement and anticipate completing such negotiation in the near future; and

WHEREAS, paragraph 33(d) of the Agreement requires assembly approval by resolution to terminate the agreement; and

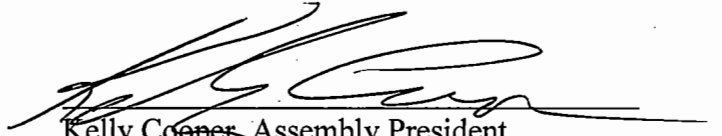
WHEREAS, in order to avoid automatically renewing the agreement for 10 years the best interests of the borough would be served by authorizing the administration to give notice of termination before March 31, 2017;

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

SECTION 1. The mayor is hereby authorized to give notice of termination of the Lease and Operating Agreement with Central Peninsula General Hospital, Inc.

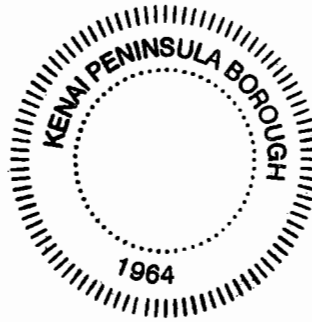
SECTION 2. That this resolution takes effect immediately upon its adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 7TH DAY OF MARCH, 2017.


Kelly Cooper, Assembly President

ATTEST:


John Blankenship, MMC, Borough Clerk



Yes: Bagley, Dunne, Fischer, Hibbert, Holmdahl, Ogle, Schaefer, Welles, Cooper
No: None
Absent: None