

Introduced by: Mayor
Date: 08/07/18
Hearing: 09/04/18
Action: Withdrawn

**KENAI PENINSULA BOROUGH
ORDINANCE 2018-19-07**

**AN ORDINANCE AUTHORIZING THE ACQUISITION OF REAL PROPERTY
LOCATED AT EAST REDOUBT AVENUE AND HOMESTEAD LANE IN SOLDOTNA,
ALASKA ON BEHALF OF CENTRAL EMERGENCY SERVICES FOR THE
PURCHASE OF A SITE TO REPLACE CES STATION 1, THROUGH A 10-YEAR
INTERFUND LOAN TO CENTRAL EMERGENCY SERVICES AND
APPROPRIATING \$1,530,306 FROM THE CES CAPITAL PROJECT FUND FOR THE
PURCHASE OF THE PROPERTY**

- WHEREAS**, the Kenai Peninsula Borough's Central Emergency Service Area & Central Peninsula Emergency Medical Service Area, collectively CES, provides for the operation of fire and emergency medical operations serving 24,961 residents; and
- WHEREAS**, CES Station 1 is the hub location for CES operations, serving as the primary point of operational command, equipment servicing, and deployment; and
- WHEREAS**, CES Station 1 has been determined to be in need of replacement due to a variety of factors including the size and condition of the facility; and
- WHEREAS**, a site selection committee comprised of both borough and City of Soldotna officials evaluated potential sites according to design and operational criteria specific to the purpose and need of CES Station 1 replacement; and
- WHEREAS**, after evaluating more than 11 sites, the site selection committee recommended the subject location as best meeting all factors important to fire station design and operability; and
- WHEREAS**, the proposal to purchase a site required appraisal of two properties and the negotiation of reconfiguring property lines and a right-of-way among property owners to meet the project needs; and
- WHEREAS**, the initial funding for this land acquisition will be through an interfund loan from the new Land Trust Investment Fund, KPB 5.10.200(B)(10) pending approval, at prime rate for a term of 10 years; and
- WHEREAS**, the terms of the loan will be compatible with CES's financial position and meet project goals for site control; and
- WHEREAS**, obtaining site control is an important step in project development; and

WHEREAS, CES will make efforts to recover land acquisition costs through grants or other funding assistance when eligible; and

WHEREAS, the joint Central Emergency Service Area and Central Emergency Medical Service Area Board, at its special meeting of July 19, 2018, recommended approval of purchasing the site with a loan from the Land Trust Investment Fund for up to \$1,530,306.00 by unanimous consent; and

WHEREAS, the Kenai Peninsula Borough Planning Commission, at its regular meeting of August 27, 2018, recommended _____;

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

SECTION 1. That the assembly finds that purchasing the following described real property pursuant to KPB 17.10.040 is in the best interest of the borough:

Subject to a requirement to survey and plat, a parcel of land, 3.98 +/- acres in size, more particularly described by the Purchase Agreement accompanying this ordinance. Said parcel being an assemblage of portions of the two following described real properties:

Lot Two "A" One (2A-1), Mullen Homestead Subdivision, Addition No. 3, according to Plat No. 2000-44, Kenai Recording District, Third Judicial District, State of Alaska;

Tract B-2C, Mullen Homestead Subdivision, Soldotna Creek Addition, according to Plat No. 2015-47, Kenai Recording District, Third Judicial District, State of Alaska.

SECTION 2. That the terms and conditions substantially in the form of the Purchase Agreement accompanying this ordinance are hereby approved. The purchase price shall be \$1,504,306, plus surveying, closing costs, and area-adjustment contingency not to exceed \$26,000.

SECTION 3. That this acquisition is for the purposes of siting an emergency response facility, commonly known as CES Station 1 replacement.

SECTION 4. That the above-described land is zoned commercial pursuant to City of Soldotna zoning code and therefore is not proposed to be further classified under KPB 17.10.080. The intended use is generally permitted in this zone.

SECTION 5. That the mayor is authorized to execute any and all documents necessary to purchase the real property described in Section 1 in accordance with the terms and conditions contained in this ordinance and the accompanying Purchase Agreement, consistent with applicable provisions of KPB Chapter 17.10.

SECTION 6. That an interfund loan of up to \$1,530,306 is authorized from the Land Trust Investment Fund to CES for the purchase of the site to replace CES station 1. That interest shall accrue on the loan at the prime rate in effect upon the approval of this ordinance on the outstanding balance computed monthly and that the loan is due in full ten years from the date of the loan. CES shall make annual payments beginning on or before July 1, 2019, subject to annual appropriation of funds until paid in full under KPB 5.10.200(B)(10) for the acquisition of real property, including the costs of survey.

SECTION 7. That \$1,530.306 is appropriated to the CES Capital Project Fund Account No. 443.51610.CES1A.49999 for the purchase of the site to replace CES station 1.

SECTION 8. That this ordinance shall take effect immediately upon both its enactment and the enactment of Ordinance 2018- 29.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS * DAY OF *, 2018.

Wayne H. Ogle, Assembly President

ATTEST:

Johni Blankenship, MMC, Borough Clerk

Yes:

No:

Absent: